

BOARD MEETING MINUTES

ARIZONA STATE BOARD OF COSMETOLOGY MEETING

June 14, 2013 AT 9:00 AM

1721 East Broadway

Tempe, Arizona 85282-1611

ALL AGENDA ITEMS INCLUDE THE OPPORTUNITY FOR BOARD CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION

The Board may go into “Executive Session” for the purpose of obtaining legal advice from the Board’s attorney on any of the agenda items pursuant to A.R.S. § 38.431.03 (A)(3).

The Board makes every attempt to hear all matters timely. However, due to the number of items scheduled on any particular agenda, the Board may find it necessary to hear some items out of order and/or later than the time originally scheduled.

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL

Board Members Present:

Karla Clodfelter

Sandra Hecksel

Jessica Stall

Joe Verdugo

Larry Bulechek

Tammy L Acton

ABSENT

Gary Begley

BOARD BUSINESS

1. Approval of Regular Board Minutes of May 16, 2013.

MOTION by Joe Verdugo to approve minutes as written. MOTION SECONDED by Larry Bulechek. MOTION CARRIED.

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2. Approval of Executive Session Minutes of May 16, 2013.

MOTION by Larry Bulechek to approve minutes as written. MOTION SECONDED by Jessica Stall. MOTION CARRIED.

3. Approval of Regular Board Minutes of May 17, 2013.

MOTION by Larry Bulechek to accept Board Minutes with the correction to Case No. 85696 changing from amount paid \$260 to the correct amount of \$2,060 with 1-year probation. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

4. Declaration of Conflict of Interest.

NONE

5. Discussion, Consideration & Possible Action on Performance Review of Executive Director.
The Board may go into Executive Session for the purpose of discussing personnel matters pursuant to A.R.S. §38-431.03 (A) (1).

Motion was made by Joe Verdugo to go into Executive Session for Agenda Item #5 for the purpose of obtaining legal advice and to conduct a personnel review of the Executive Director. Motion seconded by Tammy Acton.

The Board returned at 9:45 A.M.

This item was tabled until the July Board Meeting.

6. Discussion, Consideration and Possible Action on 30 day Renewal Notices for Licenses/E-mail Notifications.

- Adding E-mail Addresses to Applications

The Executive Director Donna Aune reported that a new upgrade to the Cloud system mass E-mailing would be possible.

7. Discussion, Consideration and Possible Action on Board Training Presented by AAG Bridget F. Harrington.

- Practical Tips for Board Members

Training packages were given to Board Members and training was conducted by AAG Bridget F. Harrington.

8. Discussion, Consideration and Possible Action on Cindy Vong and La Vie LLC, Plaintiffs vs. Donna Aune, Defendants, Maricopa County Superior Court Case No. CV2009—037208.

The Board may go into Executive Session for the purpose of discussing pending litigation pursuant to A.R.S. §38-431.03 (A) (4).

- Update on Case Status
- Ruling from Superior Court dated March 15, 2013

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Assistant Attorney General Bridget Harrington informed the Board that a Notice of Appeal was filed and a briefing schedule will be set by the Court of Appeals.

9. Discussion, Consideration & Possible Action on Proposed Legislation Relating to the Arizona State Board of Cosmetology.

- H.B. #2096, A.R.S. § 32-501 (Adding “threading”)
- H.B. #2096, A.R.S. § 32-513 (One Class for IFP/Law Review)
- All Proposed Legislation Relevant to the Arizona State Board of Cosmetology

Karla Clodfelter reported that the Legislative session has ended and the H.B. #2096, A.R.S. § 32-501 and H.B. #2096, A.R.S. § 32-513 were approved and will go into effect in 90-days.

Executive Director Donna Aune also reported that the Governor’s budget will continue the five percent raise for the employee’s who choose to become uncovered back in September 2012. Executive Director Donna Aune, wanted to let the Board members know that the agency was prepared to continue the five percent raise for the employees should the Governor’s budget not have continued on with the five percent raise.

10. Discussion, Consideration & Possible Action on U.S. Dept. of Education – State Authorization and Title IV Funding Issue

Executive Director Donna Aune reported that the Department of Education implementation date had been extended one year.

11. Cosmetology Students on Field Trip:

- Questions and answers regarding Board authority and process

Two schools in attendance.

EXECUTIVE DIRECTOR’S REPORT

A. Report, Discussion and Possible Action on Employee Salary Study.

Continued until July Board.

B. Summary of Current Events.

The Executive Director Donna Aune reported on the renovation of the office i.e. carpet, paint and tile.

CONSENT AGENDA

The Consent Agenda items may be considered for approval as a single action unless a Board Member or any other interested party wishes to remove the item for discussion.

The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information, or testimony that is confidential by State or Federal law on all agenda items under Steps 1, 2 & 3.

STEP 1: COMPLAINT REVIEW

A. Recommend Application Denials

86408 Nguyet Thi Anh Nguyen *(Deny & accept w/negotiation; working prior to licensure)*

86426 Shalei Liebrecht *(Deny & accept w/negotiation; working prior to licensure)*

MOTION by Joe Verdugo to deny and accept with negotiation. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

B. Recommend Dismissals

MOTION by Joe Verdugo to accept staff recommendations for all those listed below under Step B and C. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

85234 Stephanie E Lynch #11001083 *(No evidence to support allegations)*

85799 Nails by Yuri, Unlicensed *(No evidence to support allegations)*

86040/86041 Tony's Hair Salon C21548 *(Salon is closed)*

86077 Dzuong Vong #50800649, Owner
Paul Mitchell The School Phoenix #S96 *(No evidence to support allegations)*
PMAZ-Phoenix LLC, Owner

John K Cole, Member
Yovania Rose-Gomez #91200042

86210 JC Penney #C17477 *(No evidence to support allegations)*
JC Penny Corporation Inc., Owner

Maria Cancilla #10501367, Manager
Melissa Federici #19600796, Licensee

86267 Illusion Barber Shop, Unlicensed *(Refer to proper authorities)*

86268 Belize Hair/Nail Salon #C17708 *(No evidence to support allegations)*
Elva Schmidt, Owner

86310 Mirabella Hair Design #C21017 *(No evidence to support allegations)*
Salon Veinte LLC, Owner

R Angela Simpson, Member
86338 Hair Treasures #C20239 *(Found salon in compliance)*
Linda Treasure #17314504, Owner

86339 Alvadora Spa #C18828 *(No violations found)*
Commonwealth Royal Palms Operating Corp, Owner

Charles S Peck, President
Dennis J Fischer, V-P

Dona Tanaka, Secretary/Assistant V-P
86351 Naomi V Olson #10000681 *(No evidence to support allegations)*

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86355	Lasting White Teeth, Pseudo Unlicensed Steven Jones	(No jurisdiction, refer to proper authorities)
86356	Sonal's Beauty Care, Pseudo Unlicensed	(Refer to proper authorities)
86364	Stella Bella, Pseudo Unlicensed Kristin Provvidenti, Unlicensed	(No jurisdiction, refer to proper authorities)
86365	Anti-Aging by Olda, Pseudo Unlicensed Olga N Sikes, Unlicensed	(No jurisdiction, refer to proper authorities)

C. Recommend Letter of Concern

86366	Eyes are it #A16441 Roseann Wright #30400754, Owner/Manager	(Delinquent Establishment)
86374	Déjà vu Nail Spa #M17277 Tuyet Mai T. Connolly #59816936, Owner/Manager	(Personal license display)
86375/86376	Pink Polish Mani-Pedi Spa #A17654 & #M17148 T & Tod LLC., Owner Tammi Do #30300002 & #50200765, Member/Manager Thai Thanh Nguyen #59700517, Member/Manager	(Delinquent personal license)
86378	G Skin & Beauty Institute #S30 United Investments of Illinois Inc Carol & Grant Westphal, Members Elaine Beaver #71200004, Director Heather Kery #71200007, Instructor in Charge	(No proof of work experience – received proof within 24-hours)
86382	Bonnie & Clydes Hair & Nails #C22971 Tamy Mattingly #19100544, Co-Owner/Manager Justin Jackson, Co-Owner	(Delinquent personal license)
86384	Great Clips #C15744 Tucson Clips LLC Bonnie Dehler #18601387, Manager	(Delinquent personal license)
86385	KC's Hair & More #C10672 Kathryn Frklich #17011525, Owner/Manager	(Delinquent personal license)
86391/86392	My Nails Spa of Gilbert #A16797 & #M16581 Tammy Thi Nguyen #50500266, Owner/Manager	(Del est license & adv diff)
86393	European Wax Center #A18120 Location #4 Inc Jill Batista #31100361, Manager	(Incorrect license type)
86394	Snip-Its #82 #C22163 MMKSR LLC., Owner	(Delinquent establishment posted & establishment license display)
86395	Ulta Salon Cosmetics & Fragrance #C15851 Ulta Salon Cosmetics & Fragrance Inc	(Del personal license, license display & advertising differently)
86396/86397	Yuma Nails and Spa #A17094 & #M16673 Kelly Tran #31000485 & #51000319, Owner/Manager	(Delinquent personal license)
86398	Da Vi Nails #5342 #M14647 Duc Phan #59700455, Owner/Manager	(Delinquent establishment license & containers not labeled)
86399	Fantastic Sams 44 #C20193 Legacy Associates LLC., Owner	(No TB HIV-1 HEP B & personal license display)
86402	Teazers Hair Salon #C4254 Hai Thi Collard #17820124, Co-Owner Chin Thi Nguyen #18600384, Co-Owner/Manager	(Delinquent personal license)

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- 86404 Foothills Design Center #C20564 *(Delinquent establishment license)*
Anita Kimball #11001994, Owner/Manager
- 86405 Smart Style #1396 #C17161 *(Delinquent personal license)*
Minnesota Regis Corp., Owner
Paul Finkelstein, President
Susan Warren #97800019, Manager
- 86406 Daniel Family Beauty Shop #C4243 *(Restroom being used for storage)*
Daniel Medina, Owner
- 86412 Diamond Nails Expert & Spa #C23013 *(No shampoo bowl)*
Loi Chi Nguyen Owner
Tony Pham #51000132 Manager
- 86413 Posh Salon #22777 *(Delinquent Personal License)*
Adriana Ornelas # 19814230 Co-Owner/Manager
Kala Harris #10702172 Co-Owner/Manager
- 86423 Barbershop in Yuma #C18671 *(Delinquent establishment license)*
Jesus Daniel Medina, Owner
- 86424 Euphoria Spa & More #C20867 *(No shampoo bowl)*
Wendy M. Nguyen #10700531 & #30900697, Owner/Manager
- 86425 Obsession by Myrla #C20656 *(Delinquent establishment license)*
Mirla L. Zerega #10700761, Owner/Manager
- 86428 Rafael's Hair Studio #C19886 *(Delinquent establishment license)*
Rafael L Brown #18700422, Owner/Manager
- 86429 Sunee's Therapeutic Spa #C13242 *(Delinquent establishment license)*
Sunee Paul #30200004, Owner/Manager
- 86430 Arantxa Beauty Salon #C14749 *(Delinquent establishment license, license not posted)*
Maria Elena Sanchez #10200039, Owner
- 86434 Felicita's Beauty Salon #C19451 *(Delinquent personal license)*
Felicita Garcia #10800235, Owner/Manager
- 86437 Passions Salon "LLC" #C20796 *(Delinquent personal license)*
Tiffany Mazzella #10500070, Owner
- 86438 Brookdale Place of PV Salon # C20816 *(Personal license display)*
BLC Phoenix GC, LLC, Owner
- 86439 Bellazza Salon-Tatum Ranch #C11196 *(Delinquent personal license)*
Tracy Ziegler, Owner

D. Recommend Informal Interview or Negotiation Terms

MOTION by Joe Verdugo to accept staff recommendations for all those listed below under Step D. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

1. 85926 Devine's Salon #C10049
Linda Devine #18022399, Owner/Manager
Jennifer Vega #10802388, Licensee
Offer a consent agreement to assess \$100 restitution, see motion above.
2. 85952 Pauline Presswood #19200445, Licensee

Offer a consent agreement to assess \$250 civil penalty and Board costs and \$80 restitution, see motion above.

3. 86024

V Nails & Spa #M15314

Thuan N Nguyen #50501101, Owner/Manager

Lua T Tran #11102034, Licensee

Offer a consent agreement to assess \$500 civil penalty and Board costs, see motion above.

Ryan Pham #51000414, Licensee

Offer a consent agreement to assess \$100 civil penalty and Board costs and to attend and complete the Infection Protection/Law Review class given by the Board, see motion above.

4. 86183

Vicky's Nails & Spa #M16931

Offer a consent agreement to assess \$500 civil penalty and Board costs, see motion above.

Yvette Hong Tran #51000154, Owner/Manager

Offer a consent agreement to attend and complete the Infection Protection/Law Review class given by the Board, see motion above.

5. 86207/86208

Estrella Nails & Spa #'s A16522 & M16292

Thuy Duong Giang #'s 30900363 & 50900294, Owner

Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.

6. 86209

Rachael E Cipparone #30700287

Offer a consent agreement to assess \$500 civil penalty and Board costs, see motion above.

7. 86367/86474

Andy's Nails, Nail & Skin Care Studio #M16090 & A16257

Offer a consent agreement to assess \$500 civil penalty and Board costs, see motion above.

Derek Nguyen #50501000, Owner/Manager

Offer a consent agreement to attend and complete the Infection Protection/Law Review class given by the Board, see motion above.

8. 86245

A Perfect Ten by Elise #M14824

Elise Caultron #59500147, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.

9. 86246

Trenz Academy of Cosmetology #S142

Trenz Academy LLC, Owner

Darrin Workman, Member

Jill Workman, Member

Terri Green #99400011, Director

Offer a consent agreement to assess \$1,000 civil penalty and Board costs, see motion above.

Diana Workman #90400078, Instructor

Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.

10. 86247 & 86480 Hair by Manuel #C7029
Manuel Sanchez #17820044, Owner/Manager
Offer a consent agreement to assess \$500 civil penalty and Board costs, see motion above.

11. 86248 Lavish Nails & Spa #A16967
Paula Nguyen, Owner
Offer a consent agreement to assess \$80 restitution, see motion above.

Jackie Trang Nguyen #30500513, Licensee

Offer a consent agreement to attend Eyelash Extension Class

12. 86249 Flourish Salon & Spa #C20783
Flourish Salon & Spa LLC, Owner
Van M Powell, Member
Eric Bullen, Member
Offer a consent agreement to assess \$500 civil penalty and Board costs, see motion above.

13. 86264 Wax Werks #A16852
Wax Werks LLC, Owner
Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.

Martha Browatzici, Member

Rosemarie Alfaro #10600506, Licensee

Offer a consent agreement to attend and complete the Infection Protection/Law Review class given by the Board, see motion above.

14. 86266 Kimberly Planks #11202286, Licensee
Offer a consent agreement to assess \$500 civil penalty and Board costs and to attend and complete the Infection Protection/Law Review class given by the Board, see motion above.

15. 86269/86270 Win Nails #'s M17068 & A17547
Ha Cong Hoang #50200445, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and Board costs and to attend and complete the Infection Protection/Law Review class given by the Board, see motion above.

16. 86271 Super 7 Nails & Spa #M17318

Thang Nguyen #50100335, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and Board costs and \$30 Restitution, see motion above.

Ngoc T Kieu #50200419, Licensee
Offer a consent agreement to assess \$100 civil penalty and Board costs, see motion above.

17. 86293 Brenda G Owens #18326906
Offer a consent agreement to assess \$500 civil penalty and Board costs, see motion above.
18. 86294 Painted Mane Hair and Nail Corral #C14459
Painted Mane LLC
Judith Wombacher, Member
Issue a Letter of Concern, see motion above.
19. 86299 Alberto's Beauty Salon #2 #C22898
Belinda Salgado-Roliles #19301055, Owner/Manager
Offer a consent agreement to assess \$500 civil penalty and Board costs and to attend and complete the Infection Protection/Law Review class given by the Board, see motion above.
20. 86300 & Tiffany's Nail Salon #M17066
Vivian Vo #59400738, Current Owner
86301 Thuy Mai Hong Dau #'s 50500617, New Owner
Offer a consent agreement to assess \$500 civil penalty and Board costs, see motion above.
21. 86304 Dapper Downtowns #C20289
Susanna Urquijo #10225012, Co-Owner/Manager
Lucia Valenzuela #10021522, Co-Owner/Manager
Lindsey Klastow #10800409, Co-Owner
Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.
22. 86305 Sachi Salon #C10291
Sachi LLC., Owner
Dov Safir, President
Sandra Karas, Manager
Offer a consent agreement to assess \$1,500 civil penalty and Board costs, see motion above.
23. 86307 Eric Flotta #10802286
Offer a consent agreement to assess \$1,000 civil penalty and Board costs and to attend and complete the Infection Protection/Law Review class given by the Board, see motion above.

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24. 86308 Vicki J. Mogilner #30400221
Offer a consent agreement to assess \$500 civil penalty and Board costs, see motion above.

25. 86311 & Sasha's Beauty Salon #C19890
Babic Investments LLC., Owner
Sasha Babic, Member

86312 Sanela Zahirovic #10700142, New Owner
Offer a consent agreement to assess \$500 civil penalty and Board costs, see motion above.

26. 86314 Millennium Day Spa #C13407
Just Deserts Inc., Owner
Michael Murphy, President
Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.

27. 86315 Esthetique Paris #C4256
Piotr Slowinski, Owner
Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.

28. 86317 Willow Stream Spa @ Fairmont Scottsdale #C16870
DTRS Scottsdale LLC, Owner
Laurence S. Geller, President/CEO
Trish Wagner, Manager
Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.

29. 86318 Petit Nails #M14413
Vivian Nguyen #50200409, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.

30. 86319/86320 Tee Perfect Nails & Spa #A17365
Tweety's Perfect Nails & Spa #M16166
Ngu T. Le #30500067 & #50400622, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.

31. 86321 Too Hotties Haircuts #C17685
Too Hotties AZ LLC., Owner
Gary J. Nicolaou, Member
Kurtis L. Kenobble, Member
Offer a consent agreement to assess \$250 civil penalty and Board costs and to attend and complete the Infection Protection/Law Review class given by the Board, see motion above.

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32. 86322 Cost Cutters #6926
Minnesota Regis Corp., Owner
Paul Finkelstein, President
Offer a consent agreement to assess \$500 civil penalty and Board costs, see motion above.
33. 86323/86324 Alice Nails & Spa #'s A17593 & M17112
Mai Thi Cuc Nguyen #11100972, Owner/Manager
Offer a consent agreement to assess \$750 civil penalty and Board costs and to attend and complete the Infection Protection/Law Review class given by the Board and Issue a Letter of Concern to Anna Thanh Truong Thi Le #50500113, see motion above.
34. 86327 Susy's Hair Design #C16235
Genoveva Martinez #19501003, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.
35. 86329 Smart Style #438 #C13700
Minnesota Regis Corp., Owner
Paul Finkelstein, President
Priscilla Martinez #10400528, Manager
Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.
36. 86331 Kiwi Nails #M15922
Nguyen Dam #50700145, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.
37. 86334 Elizabeth Espinoza Mitchell #59600018
Offer a consent agreement to assess \$500 civil penalty and Board costs, see motion above.
38. 86340 E Boutique & Beauty Salon #C20987
Rouzana Grigorian #19400768, Owner/Manager
Offer a consent agreement to assess \$500 civil penalty and Board costs and to attend and complete the Infection Protection/Law Review class given by the Board, see motion above.
39. 86341 Anthony-Lee Nails #M10103
Paul Phi Le #59816384, Co-Owner/Manager
Tam Nguyen, Co-Owner
Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.
40. 86342 Tony's Nail Salon #M16765

Manh Dung Hoang #50500103, Co-Owner

Linh Loi #50331301, Co-Owner

Offer a consent agreement to assess \$250 civil penalty and Board costs and to attend and complete the Infection Protection/Law Review class given by the Board, see motion above.

41. 86343

Life Care Center of Paradise Valley #C3735

Life Care Center of Paradise Valley

Ben Wygal, President

Michael Johnson, Executive Director

Offer a consent agreement to assess \$250 civil penalty and Board costs and Issue a Letter of Concern to Brenda Blehm #19300073, see motion above.

42. 86344

L'Amour Nails III #M14138

L'Amour Nails III LLC, Owner

Chau Pham, Member

Tao Phan, Member

Tram Phan #'s 50123684 & 30600148, Member

Informal Interview without consent, see motion above.

43. 86345/86347

Pretty Nails & Spa by Siu #'s A17501 & M17039

Tri D. Siu #50200302, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.

44. 86348

Thairapy #C14911

John Poole #19301115, Owner/Manager

Issue a Letter of Concern, see motion above.

45. 86349

Exclusive Nails #M17175

Exclusive Nails LLC., Owner

Sabrina Fernandez #51200137, Member/Manager

Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.

46. 86350

7th Ave Hair Design #C21320

Kim Lovell #58700298, Owner/Manager

Offer a consent agreement to assess \$500 civil penalty and Board costs and to attend and complete the Infection Protection/Law Review class given by the Board, see motion above.

47. 86352

Salon Embellish #C18679

Salon Embellish LLC., Owner

Dianna M. Carranza #10122508, Member/Manager

Offer a consent agreement to assess \$500 civil penalty and Board costs and to attend and complete the Infection Protection/Law Review class given by the Board, see motion above.

48. 86358

Village Salon Tucson #C22959

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TMD Tucson LLC., Owner

Tracy McColl, Member

Offer a consent agreement to assess \$500 civil penalty and Board costs, see motion above.

49. 86359

Nail Spa 101 #M16474

Nghi Cong Mai #59800429, Owner/Manager

Vuong Thi Huynh #50300198, Licensee

Continued

50. 86361

My Nails Boutique & Spa #C20990

My Nails Boutique & Spa LLC., Owner

Victoria Linh Huynh #10900827, Member/Manager

Issue a Letter of Concern, see motion above.

51. 86362

Laveen Nails & Day Spa #C20476

Laveen Nails & Day Spa LLC., Owner

Xoan Xieu Tieu, President

Issue a Letter of Concern, see motion above.

52. 86363

Mirabella Hair Design #C21017

Salon Veinte LLV, Owner

R Angela Simpson, Member

Offer a consent agreement to assess \$250 civil penalty and Board costs and \$65.00 in restitution, see motion above.

Leslie Watkins #10601044, Licensee

Offer a consent agreement to attend a chemical hair relaxer class, see motion above.

53. 86373

Great Clips #C6003

Kula Inc DBA Great Clips

Mike DeCarla, President

Richard Holston #10502008, Manager

Offer a consent agreement to assess \$250 civil penalty and Board costs, see motion above.

54. 86377

Hair & More #C18571

Bill Wombacher, Co-Owner

Debra Wombacher-Finley, Co-Owner

Offer a consent agreement to assess \$500 civil penalty and Board costs and offer a consent agreement to assess \$100 civil penalty and Board costs to Maria Rae #19500178, see motion above.

END OF CONSENT AGENDA

STEP 2: INFORMAL INTERVIEWS

All Staff present and planning to give testimony for any case was sworn in by the Chairman

A. Without Negotiation Options

NONE

B. With Negotiation Options

1. 85541 Sabrina C Burke #10225782 **10:00 a.m.**
Continued from May Board Meeting
Sabrina C. Burke appeared, was sworn in, and stated she did complainant's hair at her home to help her out. Tricia Haberlack the complainant, was sworn in, and stated that she paid in full for a hair extension service that was not completed. The Investigator summarized her findings that services were being performed in an unlicensed establishment.

MOTION by Larry Bulechek to maintain the previously offered consent agreement for \$500 and \$850 Restitution. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.
2. 86066 Passion for Beauty Spa #C21122 **10:00 a.m.**
Lucila R. Acosta #19401340, Owner/Manager
Continued from May Board Meeting
NEGOTIATED \$250/PAID \$100/1st Payment, 4-Months Probation
3. 86159 John R. Marko #18801382 **10:00 a.m.**
Continued from May Board Meeting
John R. Marko appeared, was sworn in, and stated he was not aware of the licensure rules when he moved into an individual suite. The Inspector testified that she found the establishment to be unlicensed.

MOTION by Sandra Hecksel to rescind the previous consent agreement of \$500 and instead Board Order the Infection Protection/Law Review Class. MOTION SECONDED BY Joe Verdugo. MOTION CARRIED.

MOTION by Sandra Hecksel to issue a Board Order requiring: 1) John R. Marko to attend the Infection Protection/Law Review class within 6-months. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

MOTION BY Sandra Hecksel to issue a Board Order including the following Findings and Facts: John R. Marko was operating an unlicensed establishment and adopting as Conclusions of Law: the Substantiated violations listed in the Investigative Report.

MOTION SECONDED by Joe Verdugo. MOTION CARRIED. Karla Clodfelter VOTED NAY.

4. 85182 Ultimate Nails & Beauty Salon #C16888 **10:00 a.m.**
Dien T Lopez #50000206, Partner
Richard E Becknell, Partner
NEGOTIATED \$250
5. 85838 Hair Academy of Safford #S54 **10:00 a.m.**
Safford College of Beauty Culture Inc, Owner
Joey Scott #98900017, Instructor
NEGOTIATED \$250/PAID
6. 85965 Nail Trick & Spa #M14402 **10:00 a.m.**
Brandon Pham #50100074, Owner
NEGOTIATED \$250/PAID
7. 86028 Tip To Toe Spa #M16889 **10:00 a.m.**
Lisa P Wikstrom #59900109, Owner
NEGOTIATED \$250/PAID
8. 86370 & Felicia Chavez #10501781 **10:00 a.m.**
NEGOTIATED \$50/PAID
86371 Andrea Delgado #10800780
NEGOTIATED \$50
9. 86372 Catherine Miller #30900079 **10:00 a.m.**
No show; to formal hearing.
10. 86051 Candace Ann Zenor #10600850 **10:00 a.m.**
Candace Ann Zenor appeared, was sworn in, and stated she does perform cosmetology services at her mother's home for family members and a few friends. The Investigator testified that she found the home to be unlicensed and a full salon was set up.

MOTION by Tammy Acton to revise the previous consent agreement from \$500 and reduce the fine to \$250, to attend the Infection Protection/Law Review Class and 6-months probation. MOTION SECONDED by Jessica Stall. MOTION CARRIED.
11. 86052 Michele Lynn Brown #31100552 **10:00 a.m.**
NEGOTIATED \$500
12. 86096 Maria Rodriquez #19800266 **10:00 a.m.**
NEGOTIATED \$500/PAID \$100/1st Payment, 4-Months Probation
13. 86098 & Silvia Quezada-Dorame #19500921 **10:00 a.m.**

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- 86414 **NEGOTIATED \$500/1ST Payment Submitted**
Veronica Diaz #10701890
NEGOTIATED \$50/PAID
14. 86100 & Juan P Bernal #10701541 **10:00 a.m.**
CONTINUANCE GRANTED
86415 & Marilyn A Limas #10700591
NEGOTIATED \$50
86416 & Jose DJ Canico-Molina #19001433
No show; to formal hearing.
- 86417 Eustaquio R Bernal #19000501
No show; to formal hearing.
15. 86146 Toni & Guy Hairdressing Academy #S147 **10:00 a.m.**
International School of Cosmetology Inc, Owner
Bruno Mascolo, CEO
Kenneth Gibson, President
Kimber Summers, Secretary
Aaron Mack #91100015, Director
Amanda Lynn Austin #90400086, Instructor
NEGOTIATED \$250
16. 86147 Magen Nails #A17216 **10:00 a.m.**
Quang Ngo #50700353, Owner
Vu H Duong #50800461 Manager
No show; to formal hearing.
17. 86148 & Nails 45 Sonny Bee Tranvinh #M17210 **10:00 a.m.**
NEGOTIATED \$250/6-Months Probation/1st Pymt submitted
86421 Tien My Vo #50701097, Owner/Manager
SCHEDULED TO ATTEND BOARD CLASS
18. 86154 Regal Nails #M13389 **10:00 a.m.**
Kim Cuc Trinh #10200289, Owner
No show; to formal hearing.
19. 86179 Sunrise Nails & Spa #A17778 **10:00 a.m.**
Viet Quoc Huynh, Owner
"David" Hung H Nguyen #50100545, Licensee
NEGOTIATED \$500/PAID
20. 86187 You Need Nails & Facials #M17257 **10:00 a.m.**
Anh Tuyet Thi Dong #30300012 & #50000388, Owner/Manager
Anh Tuyet Thi Dong appeared, was sworn in, and stated she was with a customer when the Inspector entered the salon and was going to clean pedicure spa when finished. The Inspector testified that Anh Tuyet Thi Dong's son opened the pedicure spa for the Inspector. Inspector found a soiled pedicure spa, reusing of pumice stones and advertising differently than the name issued on the license.

MOTION by Larry Bulechek to amend the previous consent agreement of \$250 and to issue a Letter of Concern. MOTION DIES FOR A LACK OF A SECOND.

MOTION By Joe Verdugo to maintain consent agreement. SECONDED BY Sandra Hecksel. MOTION DIES. Karla Clodfelter, VOTED NAY, Jessica Stall, VOTED NAY, Larry Bulechek, VOTED NAY AND Tammy Acton, VOTED NAY.

MOTION by Karla Clodfelter to rescind previous consent agreement from \$250 and instead issue a Board Order requiring: 1) Anh Tuyet Thi Dong to attend the Infection Protection/Law Review class within 3-months. MOTION SECONDED by Larry Bulechek. MOTION CARRIED.

MOTION BY Karla Clodfelter to issue a Board Order including the following Findings and Facts: On March 15, 2013, You Need Nails & Facials received an "unsatisfactory grade" due to a soiled pedicure spa, reuse of pumice stones and advertising differently and adopting as Conclusions of Law: the Substantiated violations listed in the Investigative Report.

MOTION SECONDED by Larry Bulechek. MOTION CARRIED. Joe Verdugo VOTED NAY.

21. 86190/86191 Holly Paulene's Nails #A16326 & #M16140 **10:00 a.m.**
Jennie T Nguyen #30900282 & 59600701, Co-Owner/Manager
Benjamin Yen #59817691, Co-Owner

Benjamin Yen appeared, was sworn in, and stated the paraffin wax is not used and was from previous owners and that they clean and sanitize the files and blocks with a brush. Benjamin Yen asked the Board because it is his first time if they would pardon and remove this from the record. Inspector testified that there was soiled paraffin wax, reuse of files, blocks and pumice blocks.

MOTION By Jessica Stall to maintain consent agreement. SECONDED BY Tammy Acton. MOTION CARRIED.

22. 86192 Splendid Nails #A14843 **10:00 a.m.**
Nhan Nguyen #59500237, Owner/Manager
NEGOTIATED \$250/PAID

23. 86196 Aries Unisex #C12498 **10:00 a.m.**
Nelly Cota #10000040, Co-Owner/Manager
Ruben Salas, Co-Owner
NEGOTIATED \$250/PAID

24. 86197 & Kay Nails #M17268 **10:00 a.m.**
86418 Eva Thi Nguyen #50000343, Owner/Manager
SCHEDULED TO ATTEND BOARD CLASS

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25. 86198 & Elements Salon #C20945 **10:00 a.m.**
Elements Salon Ltd
Lisa Rasmussen #59200272, President/Manager
Lisa Rasmussen appeared, was sworn in, however she did not offer testimony. Inspector testified that there was an unlicensed salon within a salon. MOTION By Joe Verdugo to rescind previous consent agreement from \$250 to issue a Letter of Concern. **SECONDED BY Jessica Stall. MOTION DIES.** Karla Clodfelter, VOTED NAY, Sandra Hecksel, VOTED NAY, Tammy Acton, VOTED NAY and Larry Bulechek, **ABSTAINED**
MOTION By Larry Bulechek to maintain consent agreement. **SECONDED BY Joe Verdugo. MOTION CARRIED.**
- 86199/86200 Elizabeth Longoria #30329340 & #58600543, Licensee
Elizabeth Longoria appeared, was sworn in, and stated she applied for her establishment license the day after the Inspector came to her salon.
- MOTION By Larry Bulechek to rescind previous consent agreement to issue a Letter of Concern with the Board's concern being an unlicensed establishment. **SECONDED BY Joe Verdugo. MOTION CARRIED.** Karla Clodfelter, VOTED NAY.
26. 86211 Benny's Valley Beauty Salon #C1357 **10:00 a.m.**
Beniamino Signore #17213743, Owner/Manager
NEGOTIATED \$250
27. 86214 Donna Van Dang 30600624 **10:00 a.m.**
No show; to formal hearing.
28. 86220 Unisex Barber & Beauty #C16614 **10:00 a.m.**
Unisex Barber & Beauty LLC
Rita Bueno #10332708, Member/Manager
NEGOTIATED \$750/
29. 86222 Val Vista Village Salon & Spa #C22383 **10:00 a.m.**
Cal-Am Properties Inc
Cory Sukert, Member
Holly Corral #19500419, Manager
Debra Foster #10401288, Regional Manager
No show; to formal hearing.
30. 86224 & Arely's Beauty Salon #C11274 **10:00 a.m.**
NEGOTIATED \$500
86419 Ana M. Espinoza #19300054, Owner/Manager
NEGOTIATED TO ATTEND BOARD CLASS
31. 86229 Salon Jo.El #C22091 **10:00 a.m.**
Joe Porter #90500067 & #19000737, Owner/Manager
NEGOTIATED \$250/PAID

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32. 86231 Office Salon #C22741 **10:00 a.m.**
Kevin Anderson Consulting LLC
Devin Anderson #10602200, Member/Manager
NEGOTIATED \$250/PAID
33. 86232 Leidan Mitchell Salon #C11491 **10:00 a.m.**
Leidan Mitchell LLC
Erinn Essert #18327799, Member/Manager
NEGOTIATED \$250
34. 86233/86234 Seduction Nails & Spa #A17789 & #M17247 **10:00 a.m.**
Phong Hung Le #50601362, Owner/Manager
NEGOTIATED \$250/PAID
35. 86240 Jason Orozco #10017564 **10:00 a.m.**
NEGOTIATED \$500
36. 86241 European Wax Center-Chandler #A17533 **10:00 a.m.**
Ocotillo Ranch LLC
Nicholas Madsen, Member
NEGOTIATED \$250
37. 86252 April Grimes #59100035 **10:00 a.m.**
April Grimes appeared, was sworn in, and stated she does her mom's, sister's and a niece's nails at her home. Investigator testified that she found the home to be unlicensed and a full salon set up with nail clippings on the floor. MOTION by Tammy Acton to amend the previous consent agreement from \$500 and reduce the fine \$250, to attend the Infection Protection/Law Review Class and 6-months probation. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.
38. 86260 Mane Obsessions Hair & Nail Studio #C3746 **10:00 a.m.**
Nina Hartnett #17921024, Owner/Manager
NEGOTIATED \$250/PAID
39. 86261 Lan Ngoc Lam Nguyen #51100627 **10:00 a.m.**
NEGOTIATED \$500/PAID
40. 86263 & Nina Salon #C22475 **10:00 a.m.**
NEGOTIATED \$2,000/1ST Payment Submitted
86420 Zabel Amiri #10602352, Owner/Manager
SCHEDULED TO ATTEND BOARD CLASS
41. 86272 Julie Spa & Nails #M17015 **10:00 a.m.**
Ri Van Doan #50800590, Co-Owner
Phuong T. Nguyen #50300293, Co-Owner
NEGOTIATED \$500/6-Months Probation

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42. 86273 J Bella Salon & Spa #C21370 **10:00 a.m.**
Jillian Sanschagrin #10600477, Owner/Manager
NEGOTIATED \$250/PAID
43. 86274 Hair by Seketha #C22090 **10:00 a.m.**
Seketha Wedderburn #10401744, Owner/Manager
NEGOTIATED
44. 86275 Hana's Nails #C22006 **10:00 a.m.**
Nhan T. Nguyen #50500946, Owner/Manager
No show; to formal hearing.
45. 86282 Shear Attitudes Hair Salon #C4920 **10:00 a.m.**
Terry Pina #17718365, Owner
NEGOTIATED \$250
46. 86285 Great Clips #C10436 **10:00 a.m.**
Scoe II Inc
William Jackson, President
Nancy Megia #10701306, Manager
NEGOTIATED \$250
47. 86286 DD Nails #M17065 **10:00 a.m.**
Quang N. Truong #50100391, Owner
NEGOTIATED \$250/PAID

STEP 3: HEARINGS

A. Denial Appeals

None

B. Motion to Deem Allegations Admitted

81707/81708 V Spot Salon #M16716 & #A17065 **9:45 a.m.**
82463/82464 Laurelle Burt, Owner

This case has settled with the Licensee agreeing to the Consent Agreement previously approved by the Board.

83057 Addiction Salon #C20397 **9:45 a.m.**
Megan Smith #10600898, Owner/Manager

Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, was available by telephone. Licensee did not appear.

MOTION by Joe Verdugo to grant the State's MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Jessica Stall. MOTION CARRIED.

MOTION by Joe Verdugo to adopt the factual allegations in the Complaint and Notice of Hearing as Findings of Fact and the alleged violations in the Complaint and Notice of Hearing as Conclusions of Law. MOTION SECONDED by Jessica Stall. MOTION CARRIED.

MOTION by Joe Verdugo to issue an Order of discipline to revoke all licenses and to impose civil penalties and costs for \$250, and that the agency recovers its total costs incurred for this case in an amount to be determined later by the agency. MOTION SECONDED by Jessica Stall. MOTION CARRIED.

C. Hearing Officer Recommendations

None

D. Request for Reinstatement

None

E. Appeal Board Orders

None

F. Discussion, Consideration and Possible Action on Proposed Consent Agreement Terms.

82266/82267 City Nails by Cindy #A14793 & #M13633
82739 Chuong V. Tran #50000065, Owner/Manager

Compliance Director Joanne Ayotte reported to the Board that this case was Deemed at the April 12, 2013, Board meeting, the fine of \$250 was paid in December of 2012, the owner only needed to sign the consent agreement which he did on June 3, 2013 and he needed to comply with attending the Infection Protection/Law Review class which was completed on June 10th, 2013.

MOTION by Karla Clodfelter to accept staff recommendations and rescind the previous action granting the state's Motion to Deem from April 14th, 2013, Board meeting and accept Consent Agreement for \$250. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

82790 Christina Raymond #19600135

Compliance Director Joanne Ayotte reported to the Board that after further review of this case there is insufficient evidence to prove the alleged violations.

MOTION by Karla Clodfelter to accept staff recommendations and rescind the previous consent agreement of voluntary revocation and to Dismiss, due to insufficient evidence. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

83373 Stacey Epperson #10400180

Compliance Director Joanne Ayotte reported to the Board that this case was Deemed at the May 17, 2013, Board meeting, Stacey Epperson paid \$500 on June 5, 2013, and is now in compliance.

MOTION by Joe Verdugo to accept staff recommendations and rescind the previous action granting te stae's Motion to Deem from May 17th, 2013, Board meeting and accept Consent Agreement for \$500. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

STATUS AND ADDITIONS TO TENTATIVE AGENDA

86099 Ilusion Real Institute Cosmetology School #S131
Ilusion Real Institute Cosmetology School LLC
Leticia Ortiz #91000009, Member/Director/Instructor in Charge

Compliance Director Joanne Ayotte reported to the Board that this case needs to be Re-Noticed for the July Board for Informal Interview without Consent.

85939 & Rosalind D Brown#18225217, Owner
86107 & Mildred Rushing #10701989, Licensee
86108 & Yolanda Russell #18124353, Licensee
86109 & Felicia Timmons #18901411, Licensee
86110 & Steve M Campbell #18600377, Licensee
86111 & Tanya L Ngalula #19201203, Licensee

Compliance Director Joanne Ayotte reported to the Board that these four cases 86108 Yolanda Russell #18124353, 86109 Felicia Timmons #18901411, 86110 Steve M Campbell #18600377 and 86111 Tanya L Ngalula #19201203, were from the April 14, 2013, Board meeting and should have been Dismissed because the owner Rosalind Brown wanted to take responsibility and asked the Board to Dismiss at this time.

MOTION by Karla Clodfelter to Dismiss 86108 Yolanda Russell #18124353, 86109 Felicia Timmons #18901411, 86110 Steve M Campbell #18600377 and 86111 Tanya L

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Ngalula #19201203, from April 14th, 2013, Board meeting. **SECONDED** by Tammy Acton. **MOTION CARRIED.**

For Board Information Only:

ADJOURN

MOTION by Tammy Acton to adjourn the meeting. **MOTION SECONDED** by Joe Verdugo. **MOTION CARRIED**

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