



Arizona State Board of Barbers

1400 West Washington, Suite 220

Phoenix, Arizona 85007

(602) 542-4498

**NOTICE AND AGENDA OF REGULAR MEETING
OF THE ARIZONA BOARD OF BARBERS**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Arizona Board Of Barbers (Board) and to the general public that the Board will hold a regular meeting open to the public on:

**Monday, May 18, 2015 at 9:30 a.m.
1400 West Washington
Conference Room B-2
Phoenix, Arizona 85007**

Title 2 of the Americans with Disability Act (ADA) prohibits the Board from discriminating on the basis of disability in its public meetings. Persons with a disability may request a reasonable accommodation by calling Mary Jane Jones at the Board office at 602-542-4498, or the TDD number at 800-367-8939. Requests should be made as early as possible to allow time to arrange the accommodation.

During the course of the meeting, the Board, upon a majority vote of a quorum of the members, may hold an executive session for the purposes of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03 (A) (3). The executive session will be held immediately after the vote and will not be open to the public.

The agenda is subject to change up to 24 hours prior to the meeting. The Board Chairperson reserves the right to change the order of the items on the agenda, except for matters set for a specific time.

Please be aware that the Board may take action on any item listed on the agenda. Please note that any recommendations listed on the agenda are merely suggested Board actions. These recommendations do not become final until adopted by the Board. The Board has the authority to accept, reject, or modify any recommendations listed on the agenda.

AGENDA

The Agenda for the meeting is as follows:

- 1. Call to Order**
- 2. Roll Call**

3. Declaration of Recusal or Conflict of Interest

4. Review, Discussion and Approval of Board Meeting Minutes for March 16, 2015

5. Review, Discussion and Legal Action on Formal Hearings. Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to A.R.S. § 38-431.03(A)(2), for the purposes of discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

a. Case No: **2014-037** Inspection Report No. **25242**
 Licensee: **Kyra Whitton** License No(s): **0118-E**
 Possible Violation(s): **Allowing an employee to practice barbering with a lapsed license**
 By Sam Barcelona **Allowing an employee to practice barbering without posting a license**
 Staff Report **Complaint & Notice of Hearing was mailed 3-9-15 by both certified and regular mail. Certified mail was returned.**

b. Case No: **2014-039** Inspection Report No. **25216**
 Licensee: **Gerardo Rivera** License No(s): **3138**
 Possible Violation(s): **Working with a lapsed license**
 By Sam Barcelona
 Staff Report **Complaint & Notice of Hearing was mailed 2-27-15 by both certified and regular mail.**

c. Case No: **2014-042** Inspection Report No. **25201**
 Licensee: **Ezequiel R Lopez** License No(s): **1274-E**
 Possible Violation(s): **Allowing an employee to practice barbering with a lapsed license**
 By Sam Barcelona **Allowing an employee to practice barbering without posting a license**
 Staff Report

d. Case No: **2014-043** Inspection Report No. **25213**
 Licensee: **Emmanuel J Menchaca** License No(s): **1196**
 Possible Violation(s): **Inadequate dip sanitizer, unsanitary work stand, unsanitary neck duster**
 By Sam Barcelona
 Staff Report **Complaint & Notice of Hearing was mailed 3-2-15 by both certified and regular mail.**

e. Case No: **2014-044** Inspection Report No. **25213**
 Licensee: **Ralph Miller** License No(s): **4231**
 Possible Violation(s): **Unsanitary work stand and unsanitary neck duster**
 By Sam Barcelona
 Staff Report **Complaint & Notice of Hearing was mailed 3-2-15 by both certified and regular mail.**

f. Case No: **2015-004** Inspection Report No. **25283**
 Student: **Julian Atencio, Jr** Barber Student Card **8493**
 No.
 Possible Violation(s) **Working as a barber while a student**
 By Sam Barcelona
 Staff Report **Certified and regular mail of the Complaint & Notice of Hearing were returned 3-12-2015.**

6. Review, Discussion and Legal Action on Informal Interviews.

Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to A.R.S. § 38-431.03(A)(2), for the purposes of discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

a. Case No: **2014-031** Inspection Report No. **24824**
 Licensee: **Claudio Rodriguez** License No(s): **5849**
 Possible Violation(s): **Lapsed license, inadequate dip sanitizer and unsanitary work station**
 By Joyce Voss
 Staff Report **Notice of Informal Interview was sent 3-9-15 by Certified and regular mail. Certified mail has been returned.**

b. Case No: **2014-036** Inspection Report No. **25242**
 Licensee: **Julio A Lopez** License No(s): **5799**
 Possible Violation(s): **Working with a lapsed license**
 By Sam Barcelona **Working without posting a license**
 Staff Report **Notice of Informal Interview was sent 2-27-15 by Certified and regular mail. Certified mail has been returned.**

c. Case No: **2015-028** Inspection Report No. **25965**
 Licensee: **Oscar G Wulf-Ornelas** License No(s): **217**
 Possible Violation(s) **Lapsed license**
 By Joyce Voss **Unsanitary work stand**
Unsanitary neck duster
 Staff Recommends **He called the office on 3-9-15 asking what the Notice of Informal Interview was about. Certified mail was returned 3-23-15.**

d. Case No: **2015-030** Inspection Report No. **25965**
 Student: **Manuel Flores** License No. **5769**
 Possible Violation(s) **Inadequate dip sanitizer**
 By Joyce Voss **Unsanitary work stand**
 Staff Recommends **Notice of Informal Interview was sent 3-9-15 by Certified mail was accepted 3-20-15 (signature was illegible). Response due 4-9-2015.**

e. Case No: **2015-032** Inspection Report No. **25965**
 Licensee: **Juan D Redondo** License No. **5654**
 Possible Violation(s) **Lapsed license**
 By Joyce Voss
 Staff Recommends **Notice of Informal Interview was sent 3-9-15 by Certified mail and regular mail was returned.**

8. Review, Discussion and Legal Action on Consent Orders -- Paid .

Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to A.R.S. § 38-431.03(A)(2), for the purposes of discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

a. Case No: **2014-045** Inspection Report No. **25213**
 Licensee: **Renddy B Humphrey** License No(s): **3518 and 1643-E**
 Possible Violation(s): **For Barber License No. 3518: inadequate dip sanitizer and unsanitary neck duster**
 By Sam Barcelona
For Establishment License No. 1643-E: overall condition of the shop
 Staff Report **Consent Agreement was signed and civil penalty paid.**

b. Case No: **2015-020** Inspection Report No. **25896**
 Licensee: **Manuel Reyes and Timothy Rupe** License No(s): **0529-E**
 Possible Violation(s): **Unlicensed barber**
 By Sam Barcelona
 Staff Recommends **Consent Agreement was signed and \$500 civil penalty paid.**

c. Case No: **2015-038** Inspection Report No. **25971**
 Licensee: **Jesus Uriarte** License No(s): **0566-E**
 Possible Violation(s): **Shop license not renewed**
 By Joyce Voss
Overall condition of shop
 Staff Recommends **Consent Agreement signed and civil penalty paid.**

d. Case No: **2015-039** Inspection Report No. **26314**
 Licensee: **Svetlana Yakubova** License No(s): **2337**
 Possible Violation(s): **Unsanitary work station**
 By Joyce Voss
 Staff Recommends **Consent Agreement was signed 1-24-2015 and \$50 civil penalty was paid.**

e. Case No: **2015-040** Inspection Report No. **26314**
 Licensee: **Josif Yakubov** License No(s): **2730 and 1538-E**
 Violation(s): **For License No 2730 – unsanitary tool drawer**
 By Joyce Voss
For License No 1538-E – dirty restrooms, dirty floors and dirty sinks
 Staff Recommends **Consent Agreement was signed 1-24-2015 and \$200 civil penalty was paid.**

f. Case No: **2015-044** Inspection Report No. **26318**
 Licensee: **John Ilyayev** License No(s): **6201**
 Possible Violation(s): **No spray disinfectant**
 By Joyce Voss
Unsanitary work stand
 Staff Recommends **Consent Agreement was signed and \$100 civil penalty paid.**

g. Case No: **2015-045** Inspection Report No. **26318**
 Student: **Nurian Baiseitov** License No. **5915**
 Possible Violation(s): **Unsanitary tool drawer**
 By Joyce Voss
 Staff Recommends **Consent Agreement was signed 3-24-2014 and \$50 civil penalty was paid.**

h. Case No: **2015-046** Inspection Report No. **26328**
 Licensee: **Sergio Alvarado** License No(s): **5411**
 Possible Violation(s): **Unsanitary work station**
 By Joyce Voss
 Staff Recommends **Consent Agreement was signed 3-26-2015 and \$50 civil penalty was paid.**

i. Case No: **2015-047** Inspection Report No. **26328**
 Licensee: **Ruben Rivera** License No. **3710**
 Possible Violation(s): **Lapsed license**
 By Joyce Voss
 Staff Recommends **Consent Agreement was signed 3-26-2015 and \$160 civil penalty was paid.**

j. Case No: **2015-063** Inspection Report No. **26163**
 Licensee: **Leonard Gastelum** License No. **1111**
 Possible Violation(s): **Inadequate dip sanitizer**
 By Sam Barcelona **Unsanitary work station**
Unsanitary neck dusters
 Staff Recommends **Consent Agreement was signed 4-13-2015 and \$150 civil penalty was paid.**

k. Case No: **2015-111** Inspection Report No. **27617**
 Licensee: **Gabriel Villegas** License No(s): **241**
 Possible Violation(s): **Unsanitary neck duster**
 By Sam Barcelona
 Staff Recommends **Consent Agreement was signed and civil penalty paid 4-24-2015.**

l. Case No: **2015-112** Inspection Report No. **27617**
 Licensee: **Cesar Alcantar** License No(s): **4507**
 Possible Violation(s): **Unsanitary neck duster**
 By Sam Barcelona
 Staff Recommends **Consent Agreement was signed and \$100 civil penalty was paid.**

9. Review, Discussion and Legal Action on Consent Orders.

Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to A.R.S. § 38-431.03(A)(2), for the purposes of discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

- a.** Case No: **2014-041** Inspection Report No. **25201**
 Licensee: **Adam Mendivil** License No(s): **5477**
 Possible Violation(s): **Working with a lapsed license**
 By Sam Barcelona **Working without posting a license**
 Staff Report **Consent Agreement was signed 7-28-2014. No payments have been made. License was brought current but was due on 4-28-2015.**
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- b.** Case No: **2014-053** Inspection Report No. **25153**
 Licensee: **Jose Vasconcelos** License No(s): **4665 and**
 Possible Violation(s): **For Barber License No. 4665: unsanitary neck duster**
 By Joyce Voss **For Establishment License No. 1653-E: unlicensed barber**
 Staff Report **Consent Agreement was signed 7-15-14 and due 9-18-14. No payments have been made**
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- c.** Case No: **2015-009** Inspection Report No. **25486**
 Licensee: **Andre E Taylor** License No(s): **5658**
 Possible Violation(s): **Inadequate dip sanitizer, unsanitary work stand and lapsed license (still lapsed)**
 By Sam Barcelona **Consent Agreement was mailed by regular and certified mail on 8-15-14. Certified mail was accepted but signature was illegible.**
 Staff Report
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- d.** Case No: **2015-036** Inspection Report No. **25971**
 Student: **Deysi Castaneda** License No. **5167**
 Possible Violation(s): **License not posted**
 By Joyce Voss **Consent Agreement was mailed by regular and certified mail on 2-10-15. Certified mail was returned.**
 Staff Recommends
- e.** Case No: **2015-037** Inspection Report No. **25971**
 Licensee: **Moises Sandoval** License No(s): **3628**
 Possible Violation(s): **Inadequate dip sanitizer**
 By Joyce Voss **Unsanitary work stand**
 Staff Recommends **Consent Agreement was mailed by regular and certified mail on 2-10-15. Certified and regular mail was returned.**
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- g.** Case No: **2015-041** Inspection Report No. **26315**
 Licensee: **Diana Irakliev** License No(s): **3656 and 1069-E**
 Possible Violation(s): **For License No 3656 – lapsed license**
 By Joyce Voss **For License No 1069-E – employee working with lapsed license**
 Staff Recommends **Certified mail was accepted 3-20-2015. Response was due 4-15-2015.**
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- h.** Case No: **2015-048** Inspection Report No. **26328**
 Licensee: **AZ Barbers LLC** License No. **0885-E**
 Possible Violation(s): **Employee with a lapsed license**
 By Joyce Voss **Certified Mail was returned to office.**
 Staff Recommends

- i.** Case No: **2015-110** Inspection Report No. **27617**
 Licensee: **Jose Gonzales** License No(s): **5692**
 Possible Violation(s): **Unsanitary neck duster**
 By Sam Barcelona
 Staff Recommends **Certified mail was accepted 3-27-2015 by Mariah H. Response was due 4-22-2015.**
- j.** Case No: **2015-113** Inspection Report No. **27617**
 Licensee: **Juan Munoz** License No(s): **5876**
 Possible Violation(s): **Unsanitary workstand**
 By Sam Barcelona **Unsanitary neck duster**
 Staff Recommends **Consent Agreement was mailed by certified and regular mail on 3-25-2015. Both envelopes were returned.**
- k.** Case No: **2015-114** Inspection Report No. **27617**
 Licensee: **Kyra Whitten** License No(s): **0118-E**
 Possible Violation(s): **Unlicensed barber**
 By Sam Barcelona **Overall condition of shop**
 Staff Recommends **Consent Agreement was mailed by certified and regular mail on 3-25-2015. Certified and regular mail was returned.**
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- l.** Case No: **2015-115** Inspection Report No. **27638**
 Licensee: **Jose J Ahumada** License No(s): **3954**
 Possible Violation(s): **Lapsed License**
 By Sam Barcelona **License not posted**
Unsanitary neck duster
 Staff Recommends **Consent Agreement was mailed by certified and regular mail on 3-25-2015. Certified mail was returned.**
- m.** Case No: **2015-116** Inspection Report No. **27638**
 Licensee: **Jacob A Galvez** License No(s): **448**
 Possible Violation(s): **Lapsed License**
 By Sam Barcelona **Unsanitary tool drawer**
Unsanitary neck duster
 Staff Recommends **Consent Agreement was mailed 3-2-2015 by certified and regular .**
- n.** Case No: **2015-117** Inspection Report No. **27638**
 Licensee: **John A Perales** License No(s): **3055**
 Possible Violation(s): **Lapsed License**
 By Sam Barcelona **License not posted**
 Staff Recommends **Certified mail was received 3-26-2015 by John Perales. Response due 4-21-2015.**
- o.** Case No: **2015-118** Inspection Report No. **27638**
 Licensee: **Eduardo Morales** License No(s): **1615-E**
 Possible Violation(s): **3 Lapsed License**
 By Sam Barcelona **2 License not posted**
 Staff Recommends **Certified mail was received 3-27-2015 by Eduardo Morales. Response due 4-22-2015.**

9. Review, Discussion and Legal Action on Investigative and Inspection Reports.

Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to A.R.S. § 38-431.03(A)(2), for the purposes of discussion or consideration of records exempt by law from public

inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

- a.** Case No: **2015-119** Inspection Report No. **27717**
 Licensee: **Luz Carrillo** License No(s): **5451**
 Possible Violation(s): **Inadequate dip sanitizer**
 By Joyce Voss **Unsanitary tool drawer**
 Staff Recommends **Consent Agreement for Barber License No. 5451 with a \$50 civil penalty for working with an inadequate dip sanitizer and a \$50 civil penalty for working with an unsanitary tool drawer for a total of a \$100 civil penalty , this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.**
- b.** Case No: **2015-120** Inspection Report No. **27717**
 Licensee: **Benjamin Carrillo** License No(s): **1651 & 0272-E**
 Possible Violation(s): **For Barber License 1651 working with a lapsed license**
 By Joyce Voss **For Establishment License 0272-E an employee working with a lapsed license**
 Staff Recommends **Consent Agreement for Barber License No. 1651 with a \$160 civil penalty for working with a lapsed license and for Establishment License 0272-E a \$100 civil penalty for allowing an employee to work with a lapsed license for a total of a \$260 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.**
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- c.** Case No: **2015-121** Inspection Report No. **27718**
 Licensee: **Andrew Ordonez** License No(s): **4488**
 Possible Violation(s): **Unsanitary tool drawer**
 By Joyce Voss
 Staff Recommends **Consent Agreement for Barber License No. 4488 with a \$50 civil penalty for working with an unsanitary tool drawer for a total of a \$50 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.**
- d.** Case No: **2015-122** Inspection Report No. **27718**
 Licensee: **Reynaldo Dominguez** License No(s): **2982**
 Possible Violation(s): **Inadequate dip sanitizer**
 By Joyce Voss
 Staff Recommends **Consent Agreement for Barber License No. 2982 with a \$50 civil penalty for working with an inadequate dip sanitizer for a total of a \$50 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.**
- e.** Case No: **2015-123** Inspection Report No. **27718**
 Licensee: **Julio Diaz** License No(s): **1266**
 Possible Violation(s): **Unsanitary tool drawer**
 By Joyce Voss
 Staff Recommends **Consent Agreement for Barber License No. 1266 with a \$50 civil penalty for working with an unsanitary tool drawer for a total of a \$50 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.**

- f.** Case No: **2015-124** Inspection Report No. **27718**
 Licensee: **Claudia Cisneros** License No(s): **0377-E**
 Possible Violation(s): **Unlicensed employee**
 By Joyce Voss
 Staff Recommends **Consent Agreement for Establishment License No. 0377-E with a \$500 civil penalty for an unlicensed employee working as a barber for a total of a \$500 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.**
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- g.** Case No: **2015-125** Inspection Report No. **27744**
 Licensee: **Dora Delgado** License No(s): **4178 & 1448-E**
 Possible Violation(s): **For Barber License No. 4178--Lapsed license**
 By Joyce Voss **For Establishment License No. 0521--Employee working with a lapsed license**
 Staff Recommends **Consent Agreement for Barber License No. 4178 with a \$160 civil penalty for working with a lapsed license and for Establishment License No. 1448-E a \$100 civil penalty for allowing an employee to work with a lapsed license for a total of a \$260 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.**
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- h.** Case No: **2015-126** Inspection Report No. **27772**
 Licensee: **Alexist R Hernandez** License No(s): **5124**
 Possible Violation(s): **License not posted**
 By Sam Barcelona **Unsanitary workstand**
 Staff Recommends **Consent Agreement for Barber License No. 5124 with a \$100 civil penalty for working without posting a license and a with a \$50 civil penalty for working with an unsanitary workstand for a total of a \$150 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.**
- i.** Case No: **2015-127** Inspection Report No. **27772**
 Licensee: **Darnell Van** License No(s): **0949-E**
 Possible Violation(s): **Employee working with a lapsed license**
 By Sam Barcelona
 Staff Recommends **Consent Agreement for Establishment License No. 0949-E with a \$100 civil penalty for an employee working with a lapsed license for a total of a \$100 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.**

10. Review and Discussion of Employee’s Complaints against Gerardo Magdaleno’s Business Practices.

11. Review, Discussion and Legal Action on General Agency Operations.

a. Report from Assistant Attorney General

- i. Board’s options when there are multiple cases against the same licensee and noncompliance with Board’s orders.**

b. Report from Executive Director

12. Establishment of Future Meeting Dates

a. July 13, 2015

13. Call to the Public

The Board may make an open call to the public during the meeting, subject to reasonable time, place, and manner restrictions, to allow individuals to address the Board on any issue within its jurisdiction. Those wishing to address the Board should fill out a speaker request form. Pursuant to A.R.S. § 38-431.01 (H), members of the Board are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. However, the Board may ask staff to review a matter or may ask that a matter be placed on a future agenda.

14. Discussion of Items to be placed on a future meeting agenda

15. Adjournment

16. POSTED May 11, 2015