



**MINUTES FOR THE
ARIZONA BOARD OF BARBERS
May 19, 2014**

Call to Order – Gary Roberts presided and called the meeting to order at 9:30 a.m.

Roll Call -- Roll was called with all members present. Also present were Chris Munns, Solicitor General's Office; Mona Baskin, Assistant Attorney General; Sam LaBarbera, Executive Director; Sam Barcelona, Assistant Director; Joyce Voss, Administrative Assistant III and Mary Jane Jones, Administrative Assistant II.

Present: Gary Roberts Steve Sandler
 John Lewis Ron Thomas
 Marshall Knox

Declaration of Recusal or Conflict of Interest – there were no declarations

Election of Officers

The Board elected the new officers. Ron Thomas nominated Gary Roberts for Chairman of the Board. John Lewis seconded the motion; motion passed unanimously. Mr Lewis nominated Steve Sandler for the Vice-Chairman of the Board. Mr Roberts seconded the motion; motion passed unanimously.

Review, Discussion and Approval of Board Meeting Minutes for March 17, 2014

Mr Thomas moved to adopt the minutes for March 27, 2014. Mr Sandler seconded the motion; motion passed unanimously.

Motion for Rehearing.

a.	Case No:	2013-059	Inspection Report No.	22703
	Licensee:	Ali O'Neil	License No(s):	1195-E
	Possible Violation(s): by Sam LaBarbera	Unlicensed barber		
	Staff Report	An Order in this case was delivered to licensee on March 12, 2014. The Order stated: Responsible for \$200 due and unpaid per Consent Agreement Civil penalty of \$500 Suspension of 30 days to start on effective date of Order to be automatically stayed for 15 days If the \$700 civil penalties are not paid within 15 days, the full 30 day suspension will start on day 16 without further action of the Board If the \$700 civil penalties are paid, the stay of suspension will be indefinite.] The request for rehearing was received April 10, 2014.		

Mr O'Neil was not present at the beginning of this meeting. This part of the Agenda was held until the end of the meeting to give Mr O'Neil time to appear. He did not appear and the Board continued with this item at the end of meeting. Mr LaBarbera told the Board that Mr O'Neil wanted to talk to

the Board about his Order in the above case. It was unclear whether Mr O'Neil had been informed he should be at this meeting. Mr Munns advised the Board to put this item back on the Agenda. Mr Lewis moved to send an invitation to Mr O'Neil to come to the next meeting. Mr Thomas seconded the motion; motion passed unanimously.

Review, Discussion and Legal Action on Formal Hearings.

a.	Case No:	2014-006	Inspection Report No.	23532 & 24047
	Licensee:	Larry Reinhart	License No(s):	1257-E
	Possible Violation(s): by Sam LaBarbera	Two unlicensed barbers		
	Staff Report	Case No. 2014-006 and Case No. 2014-011 was combined into Case No, 2014-006 on 3-17-2014. Copy of Formal Hearing was mailed 4-10-2014. Sam talked to him on 4-11-2014 about the Notice of Complaint. Return Receipt signed 4-11-2014, signature illegible; mail returned from home address. This licensee is also listed at 9.d of this Agenda (Investigative Reports).		

Mr Reinhart was present and represented himself. Mona Baskin represented the State and Christopher Munns from the Solicitor General's office was present to advise the Board. Ms Baskin gave the State's Opening Statement wherein she said there had been two inspections with violations. Mr Reinhart did not give an Opening Statement. Sam LaBarbera and Sam Barcelona were sworn in for this and all other hearings.

Mr LaBarbera testified as to his Inspection No. 23532 on July 31, 2013 when he found two unlicensed barbers. Mr Reinhart was not present at the time of the inspection. Mr Reinhart had no questions for Mr LaBarbera. Ms Baskin asked that this inspection sheet be entered as evidence as Exhibit 1 and it was accepted.

Mr Barcelona testified as to his Inspection No. 24047 on October 17, 2013 when he found the shop had dirty floors. He found three licensed barber and a fourth work station was set up without a barber license being displayed but no one was working. The floors of this shop were very dirty. Ms Baskin asked that this inspection sheet be entered as evidence as Exhibit 2 and it was accepted. Mr Roberts asked Mr Barcelona to define "dirty". Mr Barcelona replied that the hair was caked on the floor. Mr Reinhart asked for clarification on some of his testimony.

Mr Reinhart was sworn in to testify. Mr Reinhart was concerned about the confusion of his shop license name. Ms Baskin and Mr Munns reminded the Board that there had been no allegations by the Board about the issue of his license in this case. He admitted that he had two unlicensed barbers in the shop; he had not checked the licenses. He said he sets up all of the stations even though he does not have that many barbers. He felt the floors were the result of high traffic.

Ms Baskin had no cross-examination. Mr Thomas asked Mr Reinhart how much time he spent at the shop. Mr Reinhart said he spent about one day a week at the shop. There were no more questions. This concluded the evidentiary portion of the Hearing.

Ms Baskin gave her closing argument and recommended a civil penalty of \$500 for each unlicensed barber and \$100 for the dirty floors.

Mr Reinhart gave his closing argument and informed the Board that since these inspections he has hired a professional manager to manage this business. He wants to keep this business open because of his employees.

Mr Roberts moved to adopt the Factual Allegations of the Complaint and Notice of Hearing as the Findings of Fact. Mr Lewis seconded the motion; motion passed unanimously.

Mr Roberts moved to adopt the Allegations of Unprofessional Conduct of the Complaint and Notice of Hearing as the Conclusion of Law. Mr Thomas seconded the motion; motion passed unanimously.

Mr Lewis then moved to Order a civil penalty of \$500 for each unlicensed barber and \$100 for dirty floors. Mr Sandler seconded the motion. Mr Roberts amended the motion to drop the \$100 for dirty floors. Mr Thomas seconded the amendment; amendment passed unanimously.

b.	Case No:	2014-009	Inspection Report No.	24040
	Licensee:	Daniel Valenzuela and Kyra Whitten	License No(s):	4131 and 0118-E
	Possible Violation(s): by Sam Barcelona	License No. 4131: License not posted and lapsed license License No. 0118-E: permitting an employee to work without posting a license and permitting an employee to work with a lapsed license.		
	Staff Report	Case No. 2014-009 and Case No. 2014-010 was combined into Case No, 2014- 009 on 3-17-2014. Copy of Formal Hearing was mailed 4-10-2014. Return Receipt for Kyra Whitten at shop was signed, no date given, signature illegible. Regular mail for Kyra Whitten and certified mail to shop was returned. Certified mail for Daniel Valenzuela was accepted and signed for by Daniel Valenzuela.		

Neither Mr Valenzuela nor Ms Whitten were present. Mona Baskin represented the State and Christopher Munns from the Solicitor General's office was present to advise the Board. Ms Baskin gave the State's Opening Statement wherein she said there had been two inspections with violations. Mr Reinhart did not give an Opening Statement. Sam LaBarbera and Sam Barcelona were reminded they were still under oath.

Ms Baskin informed the Board that after the complaint had been issued, the inspector discovered that Mr Valenzuela's name was given to the inspector but the Daniel Valenzuela named in the Complaint had never worked at this shop. The State cannot proceed against him. The unlicensed barber's name is unknown. The State requested and was granted permission to remove Daniel Valenzuela's name in the Complaint will be replaced with an unknown person was found to be working. Ms Baskin gave her opening statement.

Sam Barcelona was called as a witness. He inspected the shop of Kyra Whitten on October 17, 2013. She was not present and he found a person working without having a license posted. He gave his name as Daniel Valenzuela. This person left to get his license but did not return. After receiving the notice of this hearing, Mr Valenzuela telephoned our office. He was surprised to be called for a hearing about a shop where he had never worked. After further investigation, we were able to determine he was not the barber I saw during the inspection. Upon questioning by Mr Roberts, Mr Barcelona said he had filled in the license number on the inspection upon returning to the office after finding a Daniel Valenzuela in our database.

Ms Baskin gave her closing argument wherein she said the allegations against Daniel Valenzuela were unsupported and should be removed. The allegations against the shop license still stand and stand rebutted. She requested a civil penalty of \$500, payable within sixty days of the issuance of the Order, and a six-month probation with inspections.

Upon questioning by Mr Sandler, Mary Jane Jones said the regular mail was returned but somebody accepted the certified mail. Mr Thomas asked if it was legal to hold a hearing when the person is not present. Mr Munns said it was perfectly legal. All the Board is required to do is to send notice to the last known address by certified mail; the person is not required to be present.

Mr Roberts moved to adopt paragraphs 1, 4, 6, 7, 8 9, 10 and 11 of the Factual Allegations of the Complaint and Notice of Hearing as the Findings of Fact, adopt the Allegations of Unprofessional Conduct of the Complaint and Notice as the Conclusion of Law as it regards the shop license and impose of \$500 civil penalty, payable in 60 days and impose a 6 month probation with an inspection to be made by the Board.. Mr Thomas is seconded the motion; motion passed unanimously.

Review, Discussion and Legal Action on Informal Interviews.

a. Case No.: **2014-013** 24157
Licensee: **Eduardo Lopez** License No(s): **5460**
Possible Violation(s): **Working with a lapsed license**
by Sam Barcelona
Staff Report: **The Notice of Informal Interview was mailed 4-10-2014. Certified Mail was accepted 4-11-2014 but signature was illegible. Consent Agreement was not returned.**

Mr Lopez was not present. Mr Barcelona reported on this inspection. Mr Roberts moved to hold a formal hearing. Mr Lewis seconded the motion; motion passed unanimously.

Review, Discussion and Legal Action on Consent Orders.

a. Case No: **2013-029** Inspection Report No. **22042**
Licensee: **Alejandro Heredia** License No(s): **61**
Possible Violation(s): **Working with a lapsed license (\$160), unsanitary dip sterilizer (\$50),**
by Sam Barcelona **unsanitary work stand (\$50) and unsanitary tool drawer (\$50)**

Staff Report **The civil penalty has been paid in full.**

Mr LaBarbera reported that the civil penalty has been paid in full.

b. Case No: **2014-012** Inspection Report No. **24049**
Licensee: **Eduardo Morales** License No(s): **1615-E**
Possible Violation(s): **No hot or cold running water and dirty mirrors**
by Sam Barcelona
Staff Report **Hot and cold water is available in shop now. Civil penalty has been paid.**

Mr LaBarbera reported that the civil penalty has been paid in full.

c. Case No: **2014-016** Inspection Report No. **24694**
 Licensee: **Jesus U Gamez** License No(s): **5879**
 Possible Violation(s): **License not posted, inadequate dip sanitizer and unsanitary work station**
 By Sam Barcelona
 Staff Report **Consent Agreement was mailed 4-3-2014. Certified mail was returned.**

Mr Gamez was present and said that he never worked at this barber shop. Mr Barcelona agreed Mr Gamez was not present during this inspection. He got this information from the person cutting hair. Mr Roberts moved for dismissal. Mr Lewis seconded the motion; motion passed unanimously.

d. Case No: **2014-017** Inspection Report No. **24694**
 Student: **Ricardo Hernandez** Student Card No(s): **8767**
 Possible Violation(s): **Working without a barber license**
 By Sam Barcelona
 Staff Report **Consent Agreement has been signed and civil penalty paid.**

Mr LaBarbera reported that the civil penalty has been paid in full.

e. Case No: **2014-018** Inspection Report No. **24694**
 Licensee: **Cindy Payan** License No(s): **6170**
 Possible Violation(s): **Inadequate dip sanitizer**
 By Sam Barcelona
 Staff Report **Consent Agreement has been signed and civil penalty paid in full.**

Mr LaBarbera reported that the civil penalty has been paid in full.

f. Case No: **2014-019** Inspection Report No. **24694**
 Licensee: **Antonio Brookins** License No(s): **334**
 Possible Violation(s): **inadequate dip sanitizer, unsanitary work station and unsanitary tool drawer**
 By Sam Barcelona:
 Staff Report **Civil penalty has been paid in full.**

Mr LaBarbera reported that the civil penalty has been paid in full.

g. Case No: **2014-020** Inspection Report No. **24694**
 Licensee: **Nalley Orozco** License No(s): **5233 & 0023-E**
 Possible Violation(s): **For #5233 for inadequate dip sanitizer, unsanitary work station and unsanitary tool drawer**
 By Sam Barcelona **For #0023-E for unlicensed barber**
 Staff Report **Consent Agreement has been signed and civil penalty paid in full.**

Mr LaBarbera reported that the civil penalty has been paid in full.

h. Case No: **2014-021** Inspection Report No. **24888**
 Licensee: **Suleyman Uvaydov** License No(s): **3002**
 Possible Violation(s): **Unsanitary tool drawer and dirty neck duster**
 By Joyce Voss
 Staff Report **Consent Agreement has been signed and civil penalty paid in full.**

Mr LaBarbera reported that the civil penalty has been paid in full.

i. Case No: **2014-022** Inspection Report No. **24888**
Licensee: **Effray Uvaydov** License No(s): **1144**
Possible Violation(s): **Inadequate dip sanitizer and unsanitary tool drawer**
By Joyce Voss
Staff Report **Consent Agreement has been signed and civil penalty paid in full.**

Mr LaBarbera reported that the civil penalty has been paid in full.

j. Case No: **2014-023** Inspection Report No. **24888**
Licensee: **Joseph Acevedo** License No(s): **5440**
Possible Violation(s): **Unsanitary work station**
By Joyce Voss
Staff Report **Consent Agreement was sent 4-3-2014. Certified mail was returned.**

Mr Roberts moved to hold an informal interview. Mr Lewis seconded the motion; motion passed unanimously.

k. Case No: **2014-024** Inspection Report No. **26001**
Licensee: **Vlad Pinkhasov** License No(s): **3752 & 0064-E**
Possible Violation(s): **For #3752 license not posted, unsanitary work station and unsanitary tool drawer**
By Sam La Barbera **for #0065-E shop license not posted**
Staff Report **Consent Agreement has been signed and civil penalty paid in full.**

Mr LaBarbera reported that the civil penalty has been paid in full.

l. Case No: **2014-025** Inspection Report No. **24955**
Licensee: **Feras Jamous** License No(s): **0292-E**
Possible Violation(s): **Unlicensed barber**
By Sam LaBarbera
Staff Report **Consent Agreement has been signed and civil penalty paid in full.**

Mr LaBarbera reported that the civil penalty has been paid in full.

m. Case No: **2014-026** Inspection Report No. **24890**
Licensee: **Nydia Vera** License No(s): **4925**
Possible Violation(s): **Inadequate dip sanitizer and unsanitary work station**
By Joyce Voss
Staff Report **Consent Agreement was sent 4-4-2014. Certified mail was accepted 4-7-2014 by Lourdes Vera. Response was due 4-28-2014.**

Mr Barcelona presented this case. Mr Roberts moved to hold an informal interview. Mr Thomas seconded the motion; motion passed unanimously.

n. Case No: **2014-027** Inspection Report No. **24890**
Licensee: **Sergio I Alvarado** License No(s): **5411**
Possible Violation(s): **Unsanitary tool drawer**
By Joyce Voss
Staff Report: **Consent Agreement has been signed and civil penalty paid in full**

Mr LaBarbera reported that the civil penalty has been paid in full.

a. Case No: **2014-028** Inspection Report No. **24846**
Licensee: **Manuel Majias** License No(s): **6040**
Possible Violation(s): **License not posted**
By Joyce Voss
Staff Report **Consent Agreement was sent 4-3-2014. Certified and regular mail was returned.**

Mr Barcelona presented this case. Mr Roberts moved to hold an informal interview. Mr Lewis seconded the motion; motion passed unanimously.

o. Case No: **2014-029** Inspection Report No. **24843**
Licensee: **Christopher M Thomas** License No(s): **3936**
Possible Violation(s): **Unsanitary tool drawer**
By Joyce Voss
Staff Report **Consent Agreement was signed 4-30-2014. Civil Penalty is due 7-5-2014.**

Mr Barcelona presented this case. This matter was continued to the next agenda.

p. Case No: **2014-030** Inspection Report No. **24842**
Licensee: **Jesus B Limon** License No(s): **0029-E**
Possible Violation(s): **Unlicensed barber**
By Joyce Voss
Staff Report **Consent Agreement was mailed 4-4-2014. Certified mail was accepted by Alma (signature illegible) and no date was given. Estimated time for response was 4-26-14.**

Mr Barcelona presented this case. Mr Roberts moved to hold an informal interview. Mr Knox seconded the motion; motion passed unanimously.

q. 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 **Consent Agreement was mailed 4-4-2014. Certified mail was accepted -4-5-2014by signature illegible. Response was due 4-26-14. Mr Rodriguez will be present 5-19-2014.**

Mr Rodriguez was present and said that he was not there on the day of the inspection. He said he was not working at the shop because his license was not current. He says he left his station clean and someone must have been using his station. His license was due last year and sometimes cut hair at

home. He leaves his tools at work because he was told to leave them. He only cuts family at home. Mr Roberts moved to reoffer a consent agreement for the lapsed license with a civil penalty for \$160. Mr Lewis seconded the motion; motion passed unanimously. Mr Rodriguez went to the office to renew his license.

r. Case No: **2014-032** Inspection Report No. **24822**
 Licensee: **Carlos Pineda** License No(s): **3183 & 1588-E**
 Possible Violation(s): **For #3183 unsanitary work station, unsanitary tool drawer and dirty neck duster**
 By Joyce Voss
For #1588-E overall condition of shop
 Staff Report **Consent Agreement was signed and civil penalty paid.**

Mr LaBarbera reported that the civil penalty has been paid in full.

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

- a.** Case No: **2014-033** Inspection Report No. **25236**
 Licensee: **Saul A VanRavenswaay** License No(s): **2208**
 Possible Violation(s): **Practicing barbering without an adequate source of water.**
 By Sam Barcelona
 Staff Recommends **The Board has not discussed this matter before.**
- b.** Case No: **2014-034** Inspection Report No. **25236**
 Student: **Francisco M Cruz** License No(s): **3864**
 Possible Violation(s): **Practicing barbering without an adequate source of water.**
 By Sam Barcelona
 Staff Recommends **The Board has not discussed this matter before.**
- c.** Case No: **2014-034** Inspection Report No. **25236**
 Licensee: **Edgar Zubiri** License No(s): **0206-E**
 Possible Violation(s): **No water in restroom and no water in barbering area (using buckets of water)**
 By Sam Barcelona
 Staff Recommends **Consent Agreement for Establishment License No. 0206-E with a \$100 civil penalty for an inadequate restroom and a \$100 civil penalty for no water in barbering area, for a total of \$200 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.**

Mr LaBarbera told the Board this case number should be 2014-035. Mr Barcelona reported on this inspection. There has been no running for some time, the owner always claims that it just broke down and is being repaired in the next few days. Mr Lewis moved to hold a formal hearing for Edgar Zubiri. Mr Roberts seconded the motion; motion passed unanimously. Mr Lewis amended the motion to reflect the correct case number. Mr Knox seconded the motion; motion passed unanimously. Mr Roberts moved to dismiss the charges against Saul A VanRavenswaay and Francisco M Cruz. Mr Lewis seconded the motion; motion passed unanimously because the issue at hand is the responsibility of the shop owner and not the employees.

d.	Case No:	2014-054	Inspection Report No.	25246
	Licensee:	Larry L Reinhart	License No(s):	5944 and 1257-E
	Possible Violation(s) By Sam Barcelona:	For Barber License No. 5944: License was not posted and license was not current		
	Staff Recommends	For Establishment License No 1257-E: Shop License not posted This barber license and establishment license were scheduled for a formal hearing today.		

Case number 2014-035 now becomes 2014-054. Mr LaBarbera reported that Mr Reinhart had never received his shop license. Mr Reinhart was before this Board earlier today. The floors were still dirty. Mr Reinhart's license was posted but was out of date and he was not present the day of inspection. Mr LaBarbera suggested a letter of concern. Mr Roberts moved to send Mr Reinhart a nondisciplinary letter. There was no second and motion died. Mr Roberts then moved to send a consent agreement with a \$100 civil penalty for not posting a current license. Mr Lewis seconded the motion; motion passed unanimously.

e.	Case No:	2014-036	Inspection Report No.	25242
	Licensee:	Julio Lopez	License No(s):	5799
	Possible Violation(s) By Sam Barcelona	Working with a lapsed license Working without posting a license		
	Staff Recommends	Consent Agreement for Barber License No. 5799 with a \$160 civil penalty for practicing barbering without a current barber license and a \$100 civil penalty for practicing barbering without posting a barber license for a total of \$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.		

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Knox seconded the motion; motion passed unanimously.

f.	Case No:	2014-037	Inspection Report No.	25242
	Licensee:	Kyra Whitton	License No(s):	0118-E
	Possible Violation(s) By Sam Barcelona	Allowing an employee to practice barbering with a lapsed license Allowing an employee to practice barbering without posting a license		
	Staff Recommends	This establishment license was scheduled for a formal hearing today.		

Mr Barcelona presented this inspection. Mr Lewis asked if this case could be consolidated with Case No. 2014-009. Ms Baskin said the other case had already been heard. This case needs to be separate so Ms Whitton can have her due process in this case. One case can become a precedent for the other. Mr Lewis moved to offer a consent agreement Consent Agreement for Establishment License No. 0118-E with a \$500 civil penalty for an employee working with a lapsed license for a total of \$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. Mr Thomas seconded the motion; motion passed unanimously.

g. Case No: **2014-038** Inspection Report No. **25216**
 Licensee: **Mario Bueno-Diaz** License No(s): **5815**
 Possible Violation(s): **License not posted and unsanitary work stand**
 By Sam Barcelona
 Staff Recommends **Consent Agreement for Barber License No. 5815 with a \$100 civil penalty for not posting a license and a \$50 civil penalty for an unsanitary tool stand for a total of \$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.**

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Lewis seconded the motion; motion passed unanimously.

h. 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 Recommends **Consent Agreement for Barber License No. 3138 with a \$160 civil penalty for working with a lapsed license, 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.**

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Sandler seconded the motion; motion passed unanimously.

i. Case No: **2014-040** Inspection Report No. **25216**
 Licensee: **Carlos Felix** License No(s): **0117-E**
 Possible Violation(s): **Employee working with a lapsed license**
 By Sam Barcelona
 Staff Recommends **Case No. 2014-014 was for an employee working with a lapsed license on October 18, 2013. In that case Mr Felix signed a consent agreement and paid a civil penalty in full on March 7, 2014. The current case occurred on March 25, 2014. Consent Agreement for Establishment License No. 0117-E with a \$100 civil penalty for an employee working with a lapsed license for a total of \$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.**

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement with a \$200 penalty for allowing two employees to work with a lapsed license. Mr Thomas seconded the motion; motion passed unanimously. Mr Roberts amended his motion to offer a consent agreement with a \$100 penalty because only one employee was working with a lapsed license. Mr Lewis seconded the amendment; motion passed unanimously.

j. 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 Recommends **Consent Agreement for Barber License No. 5477 with a with a \$160 civil penalty for practicing barbering without a current barber license and a \$100 civil penalty for practicing barbering without posting a barber license for a total of \$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.**

Mr Barcelona presented this inspection. Mr Mendivil had posted his pocket license. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Thomas seconded the motion; motion passed unanimously.

k. 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 Recommends **Consent Agreement for Establishment License No. 1274-E with a \$100 civil penalty for an employee working with a lapsed license and a \$100 civil penalty for an employee working without posting a license for a total of \$200 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.**

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Sandler seconded the motion; motion passed unanimously.

l. 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 Recommends **Consent Agreement for Barber License No. 1196 with a \$50 civil penalty for an inadequate dip sanitizer, \$50 civil penalty for an unsanitary work stand and a \$50 civil penalty for unsanitary neck duster a total of \$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.**

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Sandler seconded the motion; motion passed unanimously.

m.	Case No:	2014-044	Inspection Report No.	25213
	Licensee:	Ralph Miller	License No(s):	4231
	Possible Violation(s): By Sam Barcelona	Unsanitary work stand and unsanitary neck duster		
	Staff Recommends	Consent Agreement for Barber License No. 4231 with a \$50 civil penalty for an unsanitary work stand and a \$50 civil penalty for unsanitary neck duster a total of \$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.		

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Lewis seconded the motion; motion passed unanimously.

n.	Case No:	2014-045	Inspection Report No.	25213
	Licensee:	Renddy B Humphrey	License No(s):	3518 and 1643-E
	Possible Violation(s): By Sam Barcelona	For Barber License No. 3518: inadequate dip sanitizer and unsanitary neck duster		
	Staff Recommends	For Establishment License No. 1643-E: overall condition of the shop Consent Agreement for Barber License No. 3936 with a \$50 civil penalty for unsanitary work stand and a \$50 civil penalty for unsanitary neck duster and for Establishment License No. 1643-E a \$100 civil penalty for the overall condition of the establishment, for a total \$200 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.		

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Sandler seconded the motion; motion passed unanimously.

o.	Case No:	2014-046	Inspection Report No.	25233
	Licensee:	Korina Rascon Molina	License No(s):	1178-E
	Possible Violation(s): By Sam Barcelona	Unlicensed barber		
	Staff Recommends	Consent Agreement for Establishment License No. 1178-E with a \$500 civil penalty for an unlicensed barber, 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.		

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Thomas seconded the motion; motion passed unanimously.

p. Case No: **2014-047** Inspection Report No. **25037**
Licensee: **Ronald Jackson Jr** License No(s): **1737**
Possible Violation(s): **Inadequate dip sanitizer**
By Sam Barcelona
Staff Recommends **Consent Agreement for Barber License No. 1737 with a \$50 civil penalty for an inadequate dip sanitizer, 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.**

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Thomas seconded the motion; motion passed unanimously.

q. Case No: **2014-048** Inspection Report No. **25037**
Licensee: **Angel E Martinez** License No(s): **5343**
Possible Violation(s): **Unsanitary work stand**
By Sam Barcelona
Staff Recommends **Consent Agreement for Barber License No. 53431 with a \$50 civil penalty for an unsanitary work stand, 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.**

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Sandler seconded the motion; motion passed unanimously.

r. Case No: **2014-049** Inspection Report No. **25037**
Licensee: **Arthur Antunez** License No(s): **4082 and 1586-E**
Possible Violation(s): **For Barber License No. 4082: unsanitary work stand, unsanitary tool drawer and unsanitary neck duster**
By Sam Barcelona
Staff Recommends **For Establishment License No. 1586-E: overall condition of the shop**
Consent Agreement for Barber License No. 4082 with a \$50 civil penalty for unsanitary work stand, with a \$50 civil penalty for unsanitary tool drawer and a \$50 civil penalty for unsanitary neck duster and for Establishment License No. 1586-E a \$100 civil penalty for the overall condition of the establishment, for a total \$250 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.

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Sandler seconded the motion; motion passed unanimously.

s. Case No: **2014-050** Inspection Report No. **25380**
 Licensee: **Biayne Vargas** License No(s): **1666**
 Possible Violation(s): **License not posted**
 By Joyce Voss
 Staff Recommends **Consent Agreement for Barber License No. 1666 with a \$100 civil penalty for working without posting a license, 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.**

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Sandler seconded the motion; motion passed unanimously.

t. Case No: **2014-051** Inspection Report No. **25380**
 Licensee: **Oscar A Medina** License No(s): **4298 and 0086-E**
 Possible Violation(s): **For Barber License No. 4298 inadequate dip sanitizer and unsanitary work station**
 By Joyce Voss **For Establishment License No. 0086-E: overall condition of the establishment**
 Staff Recommends **Consent Agreement for Barber License No. 4298 with a \$50 civil penalty for an inadequate dip sanitizer and a \$50 civil penalty for unsanitary work station and for Establishment License No. 0086-E a \$100 civil penalty for a total of \$200 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.**

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Thomas seconded the motion; motion passed unanimously.

u. Case No: **2014-052** Inspection Report No. **25153**
 Licensee: **Jose M Soberanes** License No(s): **3030**
 Possible Violation(s): **Unsanitary neck duster**
 By Joyce Voss
 Staff Recommends **Consent Agreement for Barber License No. 3030 with a \$50 civil penalty for unsanitary neck duster, 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.**

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Lewis seconded the motion; motion passed unanimously.

V. 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 Recommends **Consent Agreement for Barber License No. 4665 with a \$50 civil penalty**
for unsanitary neck duster, 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.

Mr Barcelona presented this inspection. Mr Roberts moved to offer a consent agreement as suggested in the Agenda and if the consent agreement is not accepted this will move to an informal interview. Mr Sandler seconded the motion; motion passed unanimously.

Review, Discussion and Legal Action on General Agency Operations.

a. Report from Assistant Attorney General

- i. Discussion of the differences between informal interviews and formal hearings**
- ii. Discussion of when is it appropriate to proceed directly to a formal hearing**

Ms Baskin had to leave the meeting early. This is to be put back on the agenda.

b. Report from Executive Director

- i. Sunset Review action in the Senate and the House**

Mr LaBarbera reported that the Board had passed its Sunset Hearing and will not be reviewed again for eight years.

Request to address the Board -- None

Establishment of Future Meeting Dates -- The next meeting will be held on July 21, 2014

Call to the Public -- None

Discussion of Items to be placed on a future meeting agenda -- None

Adjournment -- The meeting was adjourned at 1:00 pm

Sincerely,

May 19, 2014

Gary Roberts, Chairman

Mary Jane Jones, Secretary