



**STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE  
TENNESSEE STATE BOARD OF BARBER EXAMINERS  
500 JAMES ROBERTSON PARKWAY  
NASHVILLE, TN 37243-1148  
615-741-2294**

**Minutes**

**Tennessee State Board of Barber Examiners  
Monday November 18, 2013 – 9:00 A.M. CST  
Conference Room 1-B  
Davy Crockett Tower  
Nashville, Tennessee**

The Tennessee State Board of Barber Examiners held a meeting November 18, 2013 at 9:00 a.m. in Nashville, Tennessee.

The following members were present: J.B. Loring, President, Joe Jones, Vice President, Donald Collins, Larry High, and Ralph Payne.

Others present: Roxana Gumucio, Executive Director, Chris Whittaker, Attorney, Hosam William, Paralegal and Betty Demonbreun, Administrative Assistant.

J.B. Loring, President called the meeting to order.

J.B. Loring, President ask for roll call.

J.B. Loring, President asked all to join in prayer.

J.B. Loring, President called for “Pledge of Allegiance”.

J.B. Loring, President called for change or approval of the October 21, 2013 board meeting minutes.

MOTION made by Ralph Payne and seconded by Larry High for approval of the October 21, 2013 board meeting minutes. Motion carried unanimously.

## **APPLICATIONS FOR EXAMINATION**

Applications for examination for Gabrian Brooks, Latachia Cason, Christopher Clayton, Octavius Martin, Brandon Powell and Carlos Williams who have felonies are submitted for the board's approval. The required information, disclosure from the student and letter of recommendation from the school attended is submitted.

MOTION made by Ralph Payne and seconded by Donald Collins to approve each application for examination with a signed Agreed Order. Motion carried unanimously.

## **APPLICATIONS FOR RECIPROCITY**

Application for reciprocity of master barber license from Puerto Rico for Ibriel Lozada Rivera. Mr. Lozada Rivera was presented to the Board at the October meeting and the decision was to deny reciprocity because the license could not be verified. He contacted the Board office as soon as he received the Board's letter and explained that his license was still being processed. His previously submitted documents are presented once more along with proof from Puerto Rico's online verification system. He was licensed on September 24, 2013 and that license will expire on September 23, 2016. Verification was made possible on Wednesday, November 13<sup>th</sup>. The certification will take over a month to reach him or be mailed to the Board and he is ready to work. Mr. Rivera has provided a transcript which shows 1,155 hours from Puerto Rico completed in 2011. A notarized letter of employment states he worked for Beauty salon UOMO in Puerto Rico between 2004 and 2011. The rules for working without a license and while completing school are different in Puerto Rico.

MOTION made by Donald Collins and seconded by Ralph Payne to deny reciprocity. All the Board members agree that he must go back to school and complete his remaining hours in order to have 1500 hours that a master barber in Tennessee is required. Motion carried unanimously.

Application for reciprocity of master barber license from Israel for Mahmmud Fayiz Ghanim. Included is a transcript of hours obtained in Palestine between 2007 - 2008 as well as original hours in 2004 for a total of 1,800 hours. The certification of hours was issued on December 15, 2006 for 1,000 hours. Also provided is a letter stating Mr. Ghanim owned a salon between 2002 and October 2012.

Recommendation – is that the applicant take the Tennessee examination.

MOTION made by Ralph Payne and seconded by Larry High to approve recommendation. Motion carried unanimously.

## **Continuing Education Seminars for 2014:**

The three seminars approved for 2013 will present their information to the Board prior to March 2014. Results from their seminars have been previously presented to the Board and are always available at the Board office if members would like to review the surveys prior to or after the groups presentation for next year.

Because ExpertEase offers their first session in February, we will be updating the website with all tentative 2014 dates. However the Nashville, Memphis and Knoxville groups will present their information separately in the next few Board meetings. In future years each group will be required to present the following years information before the December meeting. This will give instructors enough notice of dates to properly plan their schedules and budget accordingly.

On December 9<sup>th</sup> the Executive Director will be attending the planning meeting in Knoxville. A Board member is welcome to attend.

**CONSENT ORDERS** - for October and November totaling \$250.00 were presented for the board's approval.

MOTION made by Donald Collins and seconded by Ralph Payne to approve the October/November Consent Orders. Motion carried unanimously.

## **LEGAL REPORT**

Assistant General Counsel, Chris Whittaker presented the legal report as follows:

### **NEW CASES**

- 1. 2013016351**  
First License Obtained: 10/16/2002  
License Expiration: 10/15/2014

The Notice of Violation alleges that the area inspector observed multiple violations during the inspection of a licensed barber school. The inspector observed, at various times throughout the inspection, students teaching other students with no instructor present, two students performing barber services on a client without an instructor present, more students present for instruction than allowed by law given the number of instructors present (in violation of the maximum 15:1 student to instructor ratio), students improperly dressed, work stations without barber chairs, and uncovered trash containers. The Respondent signed a Consent Order and paid a \$ 500.00 civil penalty in 2012 for allowing students to perform barbering services on a client without an instructor present. Given that this school is back before the Board a year after it signed a Consent Order for multiple violations, including a violation for which the school was disciplined last year, enhanced disciplinary action is recommended.

**Recommendation: Authorize a formal hearing with authority to settle by Consent Order which requires payment of a \$ 2,500.00 civil penalty and a follow-up inspection of the school within thirty (30) days of the date the Consent Order is executed.**

**2. 2013016501**

First License Obtained: N/A  
License Expiration: N/A

The Notice of Violation alleges that the area inspector observed a shop that appeared to be open for business which offered barbering services to the public. The inspector was unable to obtain entry into the business because the door was locked. As such, the inspector was unable to serve a copy of the Notice of Violation to anyone at the shop.

**Recommendation: Close this complaint upon the issuance of a Cease and Desist advisory notice. Additionally, an inspector shall schedule a follow-up inspection visit ten (10) days from the date the Cease and Desist Letter is sent, and this entity shall be referred to local licensing and/or tax authorities to determine if this entity is appropriately licensed to do business.**

**3. 2013016621**

First License Obtained: 10/05/1993  
License Expiration: 08/31/2015

The Notice of Violation alleges that the area inspector observed an individual who has a cosmetology license but not a barber license providing services to a client in a licensed barber shop. The inspector states that the shop owner intends to get a cosmetology license and that he appears to have been trying to help out someone who needed to work rather than trying to intentionally or maliciously evade licensing requirements. Because this shop has been in business for over twenty (20) years with no prior complaints, a Letter of Warning is recommended.

**Recommendation: Close this complaint upon the issuance of a Letter of Warning containing cease and desist language advising the shop owner that he may not employ cosmetologists in his shop who do not also possess a barber license until and unless his shop obtains a cosmetology shop license.**

**4. 2013016661**

First License Obtained: N/A  
License Expiration: N/A

The Notice of Violation alleges that the area inspector observed a shop which appeared to be open for business. The individual in the shop in question stated that there were no clients present and that he was only there to let the plumber in to install the shampoo bowl. The individual obtained a shop license application from the inspector and stated that he would be

filing it as soon as the shop is ready to open. Because there is insufficient proof available to conclusively establish that the shop was open for business or offering to provide barbering services to the public, a Letter of Warning is recommended.

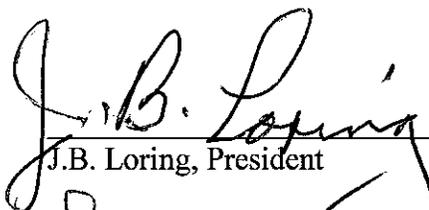
**Recommendation: Close this complaint upon the issuance of a Letter of Warning containing cease and desist language advising the shop that it may not open for business or provide barbering services to the public until it obtains a shop license.**

MOTION made by Ralph Payne and seconded by Larry High to approve the Legal Report. Motion carried unanimously.

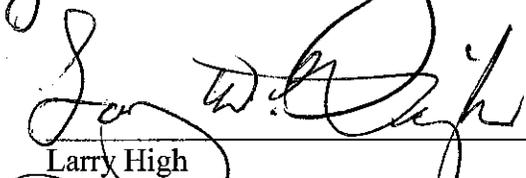
J. B. Loring, President welcomed and acknowledged the attendance of barber school Shear Academy from Crossville.

**ADJOURN**

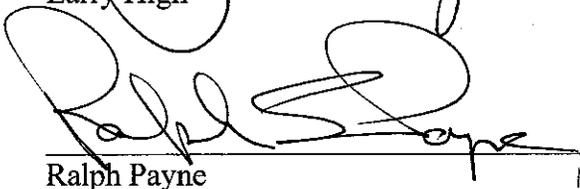
MOTION to adjourn made by Larry High and seconded by Ralph Payne. Motion carried unanimously.

  
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J.B. Loring, President

  
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Joe Jones, Vice President

  
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Larry High

  
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Donald Collins

  
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Ralph Payne