



STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE  
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS  
500 JAMES ROBERTSON PARKWAY  
NASHVILLE, TN 37243  
615-741-2515

## MINUTES

The State Board of Cosmetology and Barber Examiners held a meeting April 1, 2024, at 9:00 a.m. in person in Room 1A and via Teams.

The Meeting was called to order by Chairman Ron Gillihan.

Ron Gillihan, Board Chairman welcomed everyone to the Board meeting. He explained that a member of the public may provide comments as they relate to the agenda. This opportunity is added at the end under new business.

Roxana Gumucio, Executive Director, called roll. The following members participated: Perry Baldwin, Anita Charlton, Ron Gillihan, Monica Lemons, Judy McAllister, David McElreath, Jeffery Moran, Layne Petty, Becky Russell, Mona Sappenfield, Amy Tanksley, Ryan Timmons, and Tamika Turner.

Not available:

Others participating: Roxana Gumucio, Executive Director, Joe Wharton, Attorney for the Board, and Jon Lillard, Director.

### MINUTES-

Minutes for the February 2024 board meetings were submitted for changes and/or approval.

Motion made by David McElreath and seconded by Layne Petty to approve the February 2024 minutes. The motion carried unanimously.

### Legislative Updates:

Legal Counsel for the Board, Joe Wharton presented updates the Board regarding three (3) bills currently before the legislature. SB1752/HB1809 extends Tennessee Promise scholarships to students enrolled in cosmetology and barber private schools. The second SB2506/HB2613 allows for restricted retail businesses to sell alcohol. SB2732/HB2781 approves the cosmetology compact.

## **PRESENTED BEFORE THE BOARD-**

### **K.O. Barber Academy – Change in Location, Barber School**

Mr. Robert Johnson participated to answer questions for the board. The school is located in Morristown. The application, floor plan, enrollment agreement, catalog and contingency plan were all received timely.

MOTION made by David McElreath and seconded by Monica Lemons to approve the change in location pending a complete inspection by a field inspector. The motion carried unanimously.

### **Students 2 Masters Barber College, LLC. – Change in Location**

Mr. Jamal Arnold participated to answer questions for the board. The school is located in Memphis. The application, floor plan, enrollment agreement, catalog and contingency plan were all received timely.

MOTION made by David McElreath and seconded by Mona Sappenfield to approve the new school pending an inspection by a field inspector. The motion carried unanimously.

### **Naturalistic Art Academy – New Natural Hair Styling School**

Ms. Nicole Crutcher participated to answer questions for the board. The school is located in Bartlett. The application, floor plan, enrollment agreement, catalog and contingency plan were all received timely.

MOTION made by Tamika Turner and seconded by Judy McAllister to approve the new school pending an inspection by a field inspector. The motion carried unanimously.

### **731 Vibes Lash University – New Aesthetics – Eyelash Specialty School**

Ms. Rachel Shoults participated to answer questions for the board. The school is located in Paris, Tennessee. The application was previously presented at the February board meeting. The

application, floor plan, enrollment agreement, catalog and contingency plan were all received timely.

MOTION made by David McElreath and seconded by Monica Lemons to approve the new school pending an inspection by a field inspector. The motion carried unanimously.

### **Revive Beauty and Wellness Institute – New Cosmetology School**

Ms. Emily Fendley appeared before the board to answer questions for the board. The school is located in Clarksville. The request was previously presented at the December 2023 board meeting. The application, enrollment agreement, catalog and contingency plan were all received timely. Revisions to the floor plan and business plan were presented.

MOTION made by Monica Lemons and seconded by Tamika Turner to approve the new school pending an inspection by a field inspector and board member. The motion carried unanimously.

### **Franklin Hair Academy School of Cosmetology – Change of Ownership**

Mr. Michael Marks and Ms. Patricia Parsons participated to answer questions for the board. The school is located in Franklin. This school has been a licensed barber school since 2007. The application, enrollment agreement, catalog and contingency plan were all received timely.

MOTION made by Ryan Timmons and seconded by Judy McAllister to approve the new school pending an inspection by a field inspector. The motion carried unanimously.

### **Mid-South Cosmetology & Barber Association – Change in Location**

Ms. Shadonna Banks participated to answer questions for the board. The school is located in Memphis and has a cosmetology and a barber school license. The application, floor plan, enrollment agreement, catalog and contingency plan were all received timely.

MOTION made by Monica Lemons and seconded by Layne Petty to approve the new school pending an inspection by a field inspector. The motion carried unanimously.

## **LEGAL REPORT- STAFF ATTORNEY**

The State Board of Cosmetology and Barber Examiners met to review the allegations of 118 complaints and make recommendations to the Board.

### **1. COS- 2023061281**

**First License Obtained:** 05/01/2017

**License Expiration:** 05/31/2025

**Complaint history:** None

This 11-12-23 Attorney General – Consumer Affairs referral alleges a negligent service and requests a refund. Negligence actions/refunds are outside the scope of the Board’s authority.

**Recommendation:** Closure.

**Decision:** Approved.

**2. COS- 2023058871**

**First License Obtained:** 01/28/2021

**License Expiration:** 01/31/2025

**Complaint history:** 2023053491, closure; 2023054601, closure

This 11-15-23 competitor complaint alleges unlicensed individual activity. Multiple competitor complaints in the past (including several on the last legal report) have been filed for the same unlicensed activity complaint, and a recent inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure and grant authority to close repetitive or duplicative competitive complaints until the next annual inspection.

**Decision:** Approved.

**3. COS- 2023059001**

**First License Obtained:** 01/12/2024

**License Expiration:** 12/31/2025

**Complaint history:** None

This 11-16-23 consumer complaint alleges unlicensed activity with alleged screenshots in support. Inspection revealed an unlicensed shop. A Notice of Violation was issued. The shop license was subsequently procured on 12-31-23 and is current through 12-31-25.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.

**Decision:** Approved.

**4. COS-2023059821**

**First License Obtained:** 06/29/1995

**License Expiration:** 06/31/2025

**Complaint history:** None

This 11-16-23 annual inspection revealed an expired shop license (expiration 8-31-23). A Notice of Violation was issued. The shop license was subsequently renewed through 6-31-25.

**Recommendation:** Letter of warning (expired shop license).

**Decision:** Approved.

**5. COS- 2023060511**

**First License Obtained:** 04/21/2011

**License Expiration:** 03/31/2025

**Complaint history:** 2016000991, closed by Consent Order and payment of \$50.00 civil penalty for this complaint; 2017023991,

**closed by Consent Order and payment of \$100.00 civil penalty**

This 11-20-23 annual inspection revealed an expired shop license (expiration 3-31-23). A Notice of Violation was issued. The shop license has since been renewed through 3-31-25. This is Respondent's third offence for an expired shop license.

**Recommendation: Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.**

**Decision: Approved.**

**6. COS- 2023060531**

**First License Obtained: 10/24/1995**

**License Expiration: 10/31/2025**

**Complaint history: 201600101, closed by Consent Order and payment of \$50.00 civil penalty for this complaint; 201603860, closed by an Agreed Citation and payment of \$500.00 civil penalty**

Please see fact pattern for Item #5 above. This Respondent is the owner cited for failure of responsibilities. This would be a duplicate penalty against the shop and its owner.

**Recommendation: Closure.**

**Decision: Approved.**

**7. COS- 2023059901**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

This 11-21-23 consumer complaint alleges unlicensed activity and unsanitary conditions. Inspector went to the business address and was unable to make entry; it appears the business is by appointment only. The inspector sent a letter to the shop requesting for an annual inspection to be performed on the shop. Further, the Respondent's last name was unknown. CORE indicates the shop was "closed" on 3-1-24 and therefore an inspection was unable to be performed.

**Recommendation: Closure.**

**Decision: Approved.**

**8. COS- 2024003361**

**First License Obtained: 10/25/2012**

**License Expiration: 09/30/2024**

**Complaint history: 2014007381, closed with Letter of Warning; 201501098, closed by Agreed Citation and payment of \$500.00 civil penalty**

This 11-22-23 Tennessee Attorney General – Consumer Affairs referral alleges a customer was up-charged for a service they did not request. Respondent provided a picture of their posted pricing in the store, added that English is a secondary language used in the store, and the customer would be credited with a refund for the misunderstanding.

**Recommendation: Closure.**

**Decision:**     **Approved.**

**9. COS-2023061811**

**First License Obtained:**             **09/23/2010**

**License Expiration:**                 **07/31/2024**

**Complaint history:**                 **None**

This 11-30-23 annual inspection revealed an unlicensed individual practicing on a client. A Notice of Violation was issued.

**Recommendation:**             **Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.**

**Decision:**     **Approved.**

**10. COS-2023061851**

**First License Obtained:**             **05/02/2007**

**License Expiration:**                 **05/31/2025**

**Complaint history:**                 **None**

Please see fact pattern for Item #9 above. This Respondent is the owner cited for failure of responsibilities. This would be a duplicate penalty against the shop and its owner.

**Recommendation:**             **Closure.**

**Decision:**     **Approved.**

**11. COS-2023063001**

**First License Obtained:**             **N/A**

**License Expiration:**                 **N/A**

**Complaint history:**                 **None**

This 11-30-23 inspection revealed an unlicensed shop. A Notice of Violation was issued.

**Recommendation:**             **Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.**

**Decision:**     **Approved.**

**12. COS-2023062421**

**First License Obtained:**             **01/10/2005**

**License Expiration:**                 **01/31/2023**

**Complaint history:**                 **20150223271, closed by Consent Order and payment of \$125.00 civil penalty for this complaint**

This 12-1-23 annual inspection revealed an expired individual license (expiration 1-31-23 of the shop owner) and thus the shop owner was not present during the operation of the shop. A Notice of Violation was issued.

**Recommendation:**             **Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$600.00.**

**Decision:**     **Approved.**

**13. COS- 2023064841**

**First License Obtained:**             **09/24/2007**

**License Expiration:**                 **02/28/2025**

**Complaint history:** None

This 12-4-23 Attorney General – Consumer Affairs referral alleges a negligent service and requests a refund. Negligence actions/refunds are outside the scope of the Board’s authority.

**Recommendation:** Closure.

**Decision:** Approved.

**14. COS-2023062141**

**First License Obtained:** 10/20/2017

**License Expiration:** 10/31/2025

**Complaint history:** 202302403, closed with Letter of Warning

This 12-6-23 consumer complaint alleges unlicensed activity. Inspection revealed no owner or manager present during the operation of the shop. A Notice of Violation was issued.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$500.00.

**Decision:** Previously paid by agreed citation.

**15. COS-2023063331**

**First License Obtained:** 08/13/2015

**License Expiration:** 07/31/2025

**Complaint history:** None

This 12-7-23 annual inspection revealed an expired shop license (expiration 7-31-23). A Notice of Violation was issued. The shop license has since been renewed through 7-31-25.

**Recommendation:** Letter of warning (expired shop license).

**Decision:** Approved.

**16. COS-2023062561**

**First License Obtained:** 05/24/2022

**License Expiration:** 04/30/2024

**Complaint history:** 2023047141, closed with Letter of Warning

This 12-8-23 consumer complaint alleges MMA use. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

**17. COS-2023062601**

**First License Obtained:** 12/07/2022

**License Expiration:** 12/31/2024

**Complaint history:** None

This 12-9-23 anonymous consumer complaint alleges unlicensed activity from an unlicensed home (with alleged social media in support) and unsanitary conditions. Inspector made telephone contact with the Respondent, which revealed a licensed cosmetologist operating from an unlicensed home; there was not an opportunity to check for unsanitary conditions. A Notice of Violation was not issued.

**Recommendation:** Letter of warning (shop license) and flag.

**Decision:**        **Approved.**

**18. COS- 2023064151**

**First License Obtained:**        **04/21/2022**

**License Expiration:**        **03/31/2024**

**Complaint history:**        **202302125, closed by an Agreed Citation and payment of \$1,500.00 civil penalty**

This 12-11-23 annual inspection revealed an unlicensed individual working on a customer. A Notice of Violation was issued. This is the Respondent's second offense for an unlicensed individual working in the shop.

**Recommendation:**        **Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.**

**Decision:**        **Approved.**

**19. COS- 2024000031**

**First License Obtained:**        **12/01/2021**

**License Expiration:**        **12/31/2025**

**Complaint history:**        **None**

Please see the fact pattern for Item #18 above. This is the shop owner cited for failure of responsibilities. This would be a duplicate penalty against the shop and its owner.

**Recommendation:**        **Closure.**

**Decision:**        **Approved.**

**20. COS-2023062861**

**First License Obtained:**        **08/26/2021**

**License Expiration:**        **08/31/2023**

**Complaint history:**        **2023054181, close and flag; 2023054291, closure; 2023054711, closure**

This 12-11-23 consumer complaint alleges theft of a service deposit. Criminal matters (theft) are outside the scope of the Board's authority.

**Recommendation:**        **Refer the complainant to local law enforcement and close the complaint.**

**Decision:**        **Approved.**

**21. COS- 2023062841**

**First License Obtained:**        **N/A**

**License Expiration:**        **N/A**

**Complaint history:**        **None**

This 12-11-23 anonymous consumer complaint alleges unlicensed individual activity from an unlicensed home shop. Respondent was counseled on individual and shop licensures but was not performing a service at the time of inspection. A Notice of Violation was not issued.

**Recommendation:**        **Letter of warning (individual/shop license) and flag.**

**Decision:**        **Approved.**

**22. COS- 2024002131**

**First License Obtained:**        **12/19/2022**



**License Expiration:** 11/30/2024

**Complaint history:** None

This 12-12-23 inspection revealed an unlicensed individual practicing on a client as well as an inspection sheet not displayed. A Notice of Violation was issued.

**Recommendation:** Letter of warning (inspection sheet not displayed). Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.

**Decision:** Approved.

**23. COS- 2024002151**

**First License Obtained:** 07/16/2015

**License Expiration:** 07/31/2025

**Complaint history:** 2021058781, closed with Letter of Warning; 202104502, closed by an Agreed Citation and payment of \$2,500.00 civil penalty

Please see fact pattern for Item #22 above. This Respondent is the owner cited for failure of responsibilities. This would be a duplicate penalty against the shop and its owner.

**Recommendation:** Closure.

**Decision:** Approved.

**24. COS- 2024002171**

**First License Obtained:** 02/10/2022

**License Expiration:** 02/29/2024

**Complaint history:** None

Please see fact pattern for Item #22 above. This Respondent is the designated manager cited for failure of responsibilities.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.

**Decision:** Approved.

**25. COS- 2023063441**

**First License Obtained:** 03/26/2014

**License Expiration:** 09/01/2024

**Complaint history:** 2014005651, closed with Letter of Caution; 2018008001, closure

This 12-13-23 anonymous student complaint alleges instructor personnel issues (some involving the allegation of accurately recording of student hours depending on whether the instructor likes the student or not – the anonymous student does not state whether they are an affected student or not) and potential unlicensed instructor activity. Inspector went to the school and spoke to the junior instructor and the cosmetology instructor regarding the allegations in the complaint. A Notice of Violation was not issued for unlicensed instructor activity. Instructor personnel issues are outside the scope of the Board's authority.

**Recommendation:** Closure.

**Decision:** Approved.

**26. COS- 2023063501**

**First License Obtained:** 03/26/2014  
**License Expiration:** 09/01/2024  
**Complaint history:** 2014005651, closed with Letter of Caution; 2018008001, closure

This 12-14-23 complaint alleges a client received a negligent service from a student/ Respondent's student clinic (requesting a refund) and the client's necklace was allegedly taken during the same service. Negligence actions/refunds are outside the scope of the Board's authority. Criminal matters (theft) are outside the scope of the Board's authority.

**Recommendation:** Refer the complainant to local law enforcement and close the complaint.

**Decision:** Approved.

**27. COS- 2024000051**

**First License Obtained:** 02/19/2020  
**License Expiration:** 02/29/2024  
**Complaint history:** 2020094011, closure; 2021044901, closure; 2022041671, closure; 2023031611, closed by Consent Order and payment of \$2,500 civil penalty

This 12-14-23 Attorney General – Consumer Affairs referral alleges a bad service, unlicensed activity and unsanitary conditions. Inspection revealed no evidence to substantiate the complaint outside of some minor sanitary infractions that did not result in the issuance of a Notice of Violation.

**Recommendation:** Closure.

**Decision:** Approved.

**28. COS- 2023064051**

**First License Obtained:** 04/08/2019  
**License Expiration:** 03/31/2025  
**Complaint history:** 2019095681, closure; 202201114, closed with Letter of Warning; 2023061541, closure

This 12-18-23 consumer complaint alleges unlicensed activity. An inspection was performed one week prior to the complaint and resulted in no unlicensed activity.

**Recommendation:** Closure.

**Decision:**

**29. COS- 2023064201**

**First License Obtained:** 08/02/1993  
**License Expiration:** 07/31/2025  
**Complaint history:** None

This 12-19-23 consumer complaint alleges the Respondent allowed a homeless person to roam around the salon. Criminal matters (vagrancy) are outside the scope of the Board's authority.

**Recommendation:** Closure.

**Decision:** Approved.

**30. COS- 2023064471**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

This 12-19-23 anonymous consumer complaint alleges unlicensed activity with alleged social media in support. Inspection revealed an unlicensed individual practicing on a client. The Respondent was counseled on individual and shop licensure. A Notice of Violation was not issued.

**Recommendation:** Letter of warning (individual/shop license) and flag.  
**Decision:** Approved.

**31. COS- 2023064551**

**First License Obtained:** 10/13/2015  
**License Expiration:** 10/31/2025  
**Complaint history:** None

This 12-20-23 complaint alleges an unsanitary condition with alleged screenshots in support. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.  
**Decision:** Approved.

**32. COS- 2023064611**

**First License Obtained:** 11/18/2014  
**License Expiration:** 10/31/2024  
**Complaint history:** 201900671, closed by an Agreed Citation and payment of \$100.00 civil penalty

This 12-20-23 consumer complaint alleges unsanitary conditions. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.  
**Decision:** Approved.

**33. COS- 2023064911**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

This 12-21-23 consumer complaint alleges theft of a service deposit. Criminal matters (theft) are outside the scope of the Board's authority.

**Recommendation:** Refer the complainant to local law enforcement and close the complaint.  
**Decision:** Approved.

**34. COS- 2024000161**

**First License Obtained:** 02/14/2019  
**License Expiration:** 02/28/2025  
**Complaint history:** None

This 12-21-23 anonymous consumer complaint alleges a negligent service and unlicensed activity. Respondent owner states they do not know the alleged person in the complaint as being unlicensed and any such negligence would have been reported directly to the owner; owner believes this could be a complaint from a competitor trying to cause trouble.

**Recommendation:** Closure.

**Decision:** Approved.

**35. COS- 2024000191**

**First License Obtained:** 04/01/2015

**License Expiration:** 03/31/2025

**Complaint history:** None

This 12-21-23 annual inspection revealed a licensed shop but no individual licenses were posted. Additionally, there was no owner or manager on duty even though there was a client receiving barbering services. All persons who could have potentially been working on clients left the shop. Thus, a Notice of Violation could not be issued.

**Recommendation:** Letter of Warning (individual licensure/owner or manager present). Re-inspect for individual licensure of all persons working in the shop.

**Decision:** Add unprofessional conduct to the Letter of Warning (for persons leaving the shop when the inspector entered).

**36. COS- 2023064911**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This 12-22-23 consumer complaint makes the same allegation in Item #33 above.

**Recommendation:** Refer the complainant to local law enforcement and close the complaint.

**Decision:** Approved.

**37. COS- 2023065081**

**First License Obtained:** 08/30/2017

**License Expiration:** 08/31/2025

**Complaint history:** 2017078971, closure

This 12-23-23 consumer complaint alleges unsanitary conditions. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved

**38. COS- 2023065101**

**First License Obtained:** 03/26/2014

**License Expiration:** 09/01/2024

**Complaint history:** 2014005651, closed with Letter of Caution; 2018008001, closure

This 12-25-23 appears to make the same allegations as in Item #25 above.

**Recommendation:** Closure.

**Decision:** Approved.

**39. COS- 2023065111**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This 12-25-23 anonymous consumer complaint alleges unlicensed activity with alleged social media in support. Respondent was counseled on individual and shop licensure; she stated she was a cosmetology student and performing services on family and friends. A Notice of Violation was not issued.

**Recommendation:** Letter of warning (individual/shop license) and flag.

**Decision:** Approved.

**40. COS- 2024001581**

**First License Obtained:** 12/02/2021

**License Expiration:** 11/30/2023

**Complaint history:** None

This 12-27-23 annual inspection revealed an expired shop license (expiration 11-30-23) and an unlicensed individual performing services on a client. A Notice of Violation was issued. The shop license remains expired.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,100.00.

**Decision:** Approved.

**41. COS- 2024001601**

**First License Obtained:** 10/08/2021

**License Expiration:** 10/31/2025

**Complaint history:** None

Please see fact pattern for Item #40 above. This Respondent is the shop owner cited for failure of responsibilities. This would be a duplicate penalty against the shop and its owner.

**Recommendation:** Closure.

**Decision:** Approved.

**42. COS- 2024001641**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

Please see fact pattern for Item #40 above. This Respondent is the unlicensed individual performing services on a customer in the shop.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.

**Decision:** Approved.

**43. COS- 2024000521**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

This 12-29-23 annual inspection revealed an unlicensed shop. A Notice of Violation was issued.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.

**Decision:** Approved.

**44. COS- 2024000071**

**First License Obtained:** 03/18/1994  
**License Expiration:** 09/01/2024  
**Complaint History:** 200150571, Dismissed; 2002110651, Dismissed; 2006012991, closed with a Letter of Warning; 2007073971, closed with action; 2007085211, Dismissed; 2008006181, Dismissed; 2009025561, closed w/no action; 2012017051, closed w/ no action; 2014027021, close the case on the grounds that there is no evidence to show that a violation of a statute or board policy has occurred; 2022008091, closure; 202305521, closure and re-inspect for correction of the plumbing/mold areas around the sink basins.

This 1-2-24 anonymous student complaint alleges unlicensed instructor activity, not enough licensed instructors for the amount of students, and unsanitary conditions. Respondent provided an appropriate line-item response (with exhibits) regarding the allegations.

**Recommendation:** Closure.

**Decision:** Approved.

**45. COS- 2024000081**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

This 1-2-24 anonymous complaint alleges a cosmetology student (unlicensed) is providing services out of a third-party business and without a shop license (with alleged social media in support). Inspection revealed no evidence to substantiate the allegation (there were no customers present or the Respondent present at the time of inspection); however, telephone contact with the Respondent revealed that some services were being provided but for no compensation. Inspector informed Respondent of the requirements for individual/shop licensure.

**Recommendation:** Letter of warning (individual/shop license).

**Decision:** Approved.

**46. COS- 2024000461**

**First License Obtained:** 10/15/2021  
**License Expiration:** 10/31/2023  
**Complaint history:** None

This 1-3-24 anonymous consumer complaint alleges unprofessional conduct (with specificity) and expired license activity. The complaint did not list a specific suite location; thus, inspector could not locate the Respondent suite. CORE did show an expired hair braider license (expiration 10-31-23) but Respondent was unable to be located to see if they were actually practicing on a client. Thus, a Notice of Violation was not issued.

**Recommendation:** Letter of instruction (unprofessional conduct).

**Decision:** Approved.

**47. COS- 2024000371**

**First License Obtained:** 07/12/2016

**License Expiration:** 07/31/2024

**Complaint History:** 2019074901, closed by Agreed Citation and payment of \$500.00 civil penalty; 2021041451, closure; 2023000491, closed by Agreed Citation and payment of \$2,000 civil penalty

This 1-3-24 consumer complaint alleges unlicensed activity. Inspection revealed an unlicensed individual sitting at a pedicure station alone but not working on a client. The shop owner admitted to the individual performing services in the past but would not be used to perform unlicensed services in the future. A Notice of Violation was not issued.

**Recommendation:** Letter of instruction (individual license).

**Decision:** Approved.

**48. COS- 2024000801**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This 1-4-24 consumer complaint alleges theft of a service deposit and requests a refund. Criminal matters (theft) and refunds are outside the scope of the Board's authority.

**Recommendation:** Refer the complainant to local law enforcement and close the complaint.

**Decision:** Approved.

**49. COS- 2024000901**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This 1-4-24 consumer complaint alleges theft of a service deposit and unlicensed activity. The address listed in the complaint was inspected on 12-23-23 and resulted in no evidence of unlicensed activity. Criminal activity (theft) is outside the scope of the Board's authority.

**Recommendation:** Refer the complainant to local law enforcement and close the complaint.

**Decision:** Approved.

**50. COS- 2024002291**

**First License Obtained:** 04/04/2016  
**License Expiration:** 08/31/2024  
**Complaint history:** 2017063691, closed by Agreed Citation and payment of \$100 civil penalty

This 1-4-24 annual inspection revealed the shop owner was performing a service on a customer with an expired individual license (expiration 1-31-23). A Notice of Violation was issued. The shop owner renewed their individual license through 1-31-25. This is the Respondent's second offense for an individual performing services on a customer with an expired individual license.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$500.00.

**Decision:** Approved.

**51. COS- 2024002311**

**First License Obtained:** 01/03/2003  
**License Expiration:** 01/31/2025  
**Complaint history:** 2017063741, closed by Consent Order and payment of \$600.00 civil penalty

Please see fact pattern for Item #50 above. This Respondent is the owner cited for an expired individual license. The individual license was subsequently renewed through 1-31-25. This would be a duplicate penalty against the shop and its owner.

**Recommendation:** Closure.

**Decision:** Approved.

**52. COS- 2024000921**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

This 1-5-24 consumer complaint alleges unlicensed activity and unsanitary conditions. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

**53. COS- 2024000931**

**First License Obtained:** 07/07/2024  
**License Expiration:** 02/28/2026  
**Complaint history:** 2005037331, closed by Consent Order and payment of \$500.00 civil penalty; 2012016551, closed by Consent Order and payment of \$500.00 civil penalty

This 1-5-24 consumer complaint alleges unprofessional conduct in up-charging a minor for a service. Respondent explained how the service fee was calculated and the minor was actually provided a discount for the service.

**Recommendation:** Closure.

**Decision:** Approved.



**54. COS- 2024001021**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This 1-5-24 anonymous consumer complaint alleges unlicensed activity. Inspector went to shop location on several occasions, but the shop was never open for customer activity. A Notice of Violation was not issued.

**Recommendation:** Closure (no evidence).

**Decision:** Approved.

**55. COS- 2024001111**

**First License Obtained:** 06/06/2011

**License Expiration:** 06/30/2025

**Complaint history:** None

This 1-5-24 complaint alleges unlicensed activity with alleged social media in support. Inspector went to address listed in the complaint and found a shop not yet operational; inspector informed respondent that a shop license would need to be procured before the shop could open for business. A Notice of Violation was not issued.

**Recommendation:** Letter of instruction (shop license).

**Decision:** Approved.

**56. COS- 2024001321**

**First License Obtained:** 09/14/2022

**License Expiration:** 09/30/2024

**Complaint history:** 2023057071, closure

This 1-8-24 consumer complaint alleges a negligent service with unsanitized tools and unlicensed activity. The shop was officially “closed” per CORE on 1-24-24 so an inspection could not be performed.

**Recommendation:** Closure.

**Decision:** Approved.

**57. COS- 2024001491**

**First License Obtained:** 02/26/2021

**License Expiration:** 01/31/2026

**Complaint history:** None

This 1-8-24 consumer complaint alleges Respondent is offering outside services. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

**58. COS- 2024001361**

**First License Obtained:** 02/05/2024

**License Expiration:** 05/31/2024

**Complaint history:** None

This 1-8-24 anonymous consumer complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

**59. COS- 2024001831**

**First License Obtained:** 01/05/2001

**License Expiration:** 08/31/2025

**Complaint history:** None

This 1-9-24 anonymous consumer complaint alleges unlicensed activity. Inspector went to address listed in the complaint and was greeted by a man who was not working on customers and claimed to not be the owner/manager of the shop; inspector was instructed to leave the shop and did so. An inspection was not performed and a Notice of Violation was not issued.

**Recommendation:** Close and re-inspect for unlicensed activity (shop and individual).

**Decision:** Add a Letter of Warning for unprofessional conduct (instructing the inspector to leave the shop).

**60. COS- 2024001841**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This 1-9-24 competitor complaint alleges unlicensed activity with alleged social media in support; the complainant later sent in an e-mail stating that they wish the complaint to be withdrawn as it was produced in anger.

**Recommendation:** Closure.

**Decision:** Approved.

**61. COS- 2024001711**

**First License Obtained:** 04/03/2019

**License Expiration:** 04/30/2025

**Complaint history:** None

This 1-9-24 consumer complaint alleges a negligent service. Respondent states that complainant had several services performed for a month after the alleged service and never raised an issue about the previous “negligent” service. Respondent denies the “month” timeframe of waiting; it was a shorter period of time. Negligence actions are outside the scope of the Board’s authority.

**Recommendation:** Closure.

**Decision:** Approved.

**62. COS- 2024001851**

**First License Obtained:** 12/19/2016

**License Expiration:** 09/01/2024

**Complaint history:** 2017070461, closure; 2019055641, closure; 2019067251, closure; 2021044571, closure; 2022022581, closure; 2023026801, closure

This 1-9-24 student complaint alleges Respondent school has provided complainant's personal information to a third-party who may want to harm the complainant. The local law enforcement entity has been contacted by the complainant. Respondent states they do not have FERPA information in the student's file and that the personal information was obtained through a third-party not associated with the school or its staff. Potential criminal matters are outside the scope of the Board's authority.

**Recommendation:** Closure.

**Decision:** Send a letter to Respondent's owner to clarify the statement that they do not have FERPA information in the student's file when the student's file is supposed to contain the student's FERPA information.

**63. COS- 2024001881**

**First License Obtained:** 11/29/2023

**License Expiration:** 11/30/2025

**Complaint history:** None

This 1-10-24 competitor complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

**64. COS- 2024002761**

**First License Obtained:** 02/08/2013

**License Expiration:** 11/30/2024

**Complaint history:** None

This 1-10-24 inspection revealed an unlicensed individual performing services on a client in the Respondent shop. A Notice of Violation was issued.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.

**Decision:** Approved.

**65. COS- 2024002821**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

Please see fact pattern for Item #64 above. This Respondent is the unlicensed individual performing services on a client. A Notice of Violation was issued.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.

**Decision:** Approved.

**66. COS- 2024003251**

**First License Obtained:** 09/21/2021

**License Expiration:** 09/30/2025

**Complaint history:** None

This 1-10-24 annual inspection revealed an expired shop license (expiration 9-30-23) and no owner or manager present during the operation of the shop. A Notice of Violation was issued. Respondent states there were managers present in the shop since the suites are individually operated, and the shop licensed was renewed the following day. The shop license has been renewed through 9-30-25.

**Recommendation:** Letter of warning (expired shop license).

**Decision:** Approved.

**67. COS- 2024002181**

**First License Obtained:** 04/27/2018

**License Expiration:** 09/01/2024

**Complaint history:** 2020086811, closure; 2022039831, closed with Letter of Warning

This 1-11-24 former student complaint alleges unprofessional conduct against the Respondent school regarding an incident that occurred at the school on January 8, 2024 regarding a tax form. Respondent provided an appropriate response explaining the situation regarding the alleged unprofessional conduct.

**Recommendation:** Closure.

**Decision:** Approved.

**68. COS- 2024003131**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This 1-11-24 annual inspection revealed an unlicensed shop. A Notice of Violation was issued.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.

**Decision:** Approved.

**69. COS- 2024003401**

**First License Obtained:** 11/03/2020

**License Expiration:** 10/31/2022

**Complaint history:** None

This 1-11-24 annual inspection revealed an expired shop license (expiration 10-31-22). A Notice of Violation was issued. The shop licensed remains expired.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$100.00.

**Decision:** Approved.

**70. COS- 2024003451**

**First License Obtained:** 08/29/2012

**License Expiration:** 08/31/2024

**Complaint history:** None

Please see the fact pattern for Item #69 above. This Respondent is the owner/manager of the shop cited for failure of responsibilities. This would be a duplicate penalty against the shop and its owner.

**Recommendation:** Closure.

**Decision:** Approved.

**71. COS- 2024003611**

**First License Obtained:** 06/24/2013

**License Expiration:** 06/30/2025

**Complaint history:** None

This 1-11-24 shop inspection revealed an expired shop license (expiration 7-30-23). A Notice of Violation was issued. This Respondent is the designated manager cited for failure of responsibilities.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$100.00.

**Decision:** Approved.

**72. COS- 2024002201**

**First License Obtained:** 06/24/2013

**License Expiration:** 06/30/2025

**Complaint history:** None

This 1-11-24 consumer complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

**73. COS- 2024002381**

**First License Obtained:** 09/28/2011

**License Expiration:** 09/30/2023

**Complaint history:** None

This 1-12-24 consumer complaint alleges a negligent service. Negligence actions are outside the scope of the Board's authority.

**Recommendation:** Closure.

**Decision:** Approved.

**74. COS- 2024002611**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This 1-17-24 anonymous complaint alleges unlicensed activity from an unlicensed home with alleged screenshots/pricing/social media in support. Inspector went to address listed in the complaint and spoke with Respondent's mother, who informed the inspector that Respondent (a future cosmetology student) would take down all social media and cease operating from the home. A Notice of Violation was not issued.

**Recommendation:** Letter of warning (individual/shop license) and flag.

**Decision:** Approved.

75. COS- 2024003171

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This 1-18-24 anonymous complaint alleges unlicensed activity with alleged social media in support. Inspector went to address listed in the complaint and ultimately made contact with Respondent, who stated she used to apply makeup and that the social media had been taken down. The inspector advised the Respondent about individual and shop licensure.

**Recommendation:** Letter of warning (individual/shop license) and flag.

**Decision:** Approved.

76. COS- 2024004131

**First License Obtained:** 08/02/2023

**License Expiration:** 08/31/2025

**Complaint history:** None

This 1-24-24 anonymous complaint alleges an unlicensed mobile cosmetology service. Inspection revealed a licensed cosmetologist providing “residential” services (manicures) to shut-ins and the elderly. The Respondent does not operate a home salon. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

77. COS- 2024006751

**First License Obtained:** 02/14/2019

**License Expiration:** 02/28/2025

**Complaint history:** None

This 1-24-24 anonymous complaint alleges unlicensed individual activity. Inspection revealed no unlicensed individuals practicing cosmetology on clients in the shop. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

78. COS- 2024004161

**First License Obtained:** 08/15/2022

**License Expiration:** 08/31/2024

**Complaint history:** None

This 1-24-24 anonymous complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

79. COS- 2024004731

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

This 1-26-24 anonymous complaint alleges unlicensed activity of a high school student with social media in support. The anonymous complaint does not list a physical address for an inspection; only the student e-mail address of the Respondent.

**Recommendation:** Letter of warning (individual/shop license) to student e-mail address.

**Decision:** Approved.

**80. COS-2024004741**

**First License Obtained:** 01/09/2024  
**License Expiration:** 01/31/2026  
**Complaint history:** None

This 1-26-24 consumer complaint alleges a negligent service and unlicensed activity occurring from a service performed in April 2023. Respondent acknowledged having passed only her theory exam and not being fully licensed when the service was performed in April 2023; Respondent is now fully licensed in natural hair styling. Negligence actions are outside the scope of the Board's authority.

**Recommendation:** Letter of instruction (individual license/shop license).

**Decision:** Approved.

**81. COS-2024004891**

**First License Obtained:** 08/03/2015  
**License Expiration:** 07/31/2025  
**Complaint history:** 2017077451, closed by Consent Order and payment of \$100.00 civil penalty

This 1-28-24 anonymous complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

**82. COS-2024004901**

**First License Obtained:** 05/21/2014  
**License Expiration:** 04/30/2024  
**Complaint history:** None

This 1-28-24 anonymous complaint alleges an unlicensed shop manager. Inspection revealed no evidence to warrant the issuance of a Notice of Violation.

**Recommendation:** Closure.

**Decision:** Approved.

**83. COS-2024005001**

**First License Obtained:** 08/02/2019  
**License Expiration:** 09/01/2024  
**Complaint history:** 2022036721, closure

This 1-29-24 former instructor complaint alleges Respondent school owner does not keep accurate student hours in order to financially benefit the school, uses school supplies and equipment for personal use in Respondent owner's cosmetology shop, does not allow transfers, and has unlicensed individuals teaching students. Inspection revealed no evidence of unlicensed activity. A Notice of Violation was not issued.

**Recommendation:** Send out letter to Respondent to address the other allegations and close the complaint.

**Decision:** Approved.

**84. COS-2024007131**

**First License Obtained:** 08/28/2019

**License Expiration:** 09/01/2024

**Complaint history:** 2023020781, closure

This 1-29-24 student complaint alleges Respondent school is not submitting student hours needed for graduation. Respondent states the student's hours were released the following day on 1-30-24.

**Recommendation:** Closure.

**Decision:** Approved.

**85. COS-2024005121**

**First License Obtained:** 05/24/2022

**License Expiration:** 04/30/2024

**Complaint history:** 2023047141, closed with Letter of Warning

This 1-30-24 consumer complaint alleges a negligent service with alleged pictures in support. Respondent owner states they no longer own the shop and to contact the new owner regarding the complaint. Negligence actions are outside the scope of the Board's authority.

**Recommendation:** Close and re-inspect for unlicensed shop activity (new owner operating under an old shop name/old shop license).

**Decision:** Approved.

**86. COS-2024009761**

**First License Obtained:** 12/13/2023

**License Expiration:** 12/31/2025

**Complaint history:** None

This 1-30-24 anonymous complaint alleges unlicensed individual activity. Respondent owner provided a copy of her current individual Tennessee cosmetology license.

**Recommendation:** Closure.

**Decision:** Approved.

**87. COS-2024005211**

**First License Obtained:** 11/02/2011

**License Expiration:** 09/30/2025

**Complaint history:** 2012011481, closed with Letter of Warning



This 1-30-24 competitor complaint alleges unlicensed activity and unsanitary conditions to include MMA use. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

**88. COS- 2024005301**

**First License Obtained:** 04/26/2012

**License Expiration:** 03/31/2020

**Complaint history:** None

This 1-31-24 competitor complaint alleges unsanitary conditions with alleged pictures in support. The file references a 2-14-24 inspection and Notice of Violation for the same conditions.

**Recommendation:** Closure (due to complaint and NOV in Item #89 below).

**Decision:** Approved.

**89. COS- 2024005651**

**First License Obtained:** 07/04/2018

**License Expiration:** 07/31/2024

**Complaint history:** None

This 2-2-24 former manager complaint alleges multiple sanitary conditions in the salon with alleged pictures in support; please see the fact pattern for Item #88 above. A Notice of Violation was issued for various unsanitary conditions (inadequate lighting and/or ventilation/exposed surfaces not being clean/improperly cleaned and stored tools and implements) and for the shop owner or manager not being present during the operation of the shop.

**Recommendation:** Letter of warning for unsanitary conditions. Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$500.00 (owner or manager not present).

**Decision:** Approved.

**90. COS- 2024005731**

**First License Obtained:** 04/28/2021

**License Expiration:** 04/30/2025

**Complaint history:** 2024005451, closed with Letter of Warning

This 2-2-24 consumer complaint alleges an unlicensed shop. The shop was recently inspected on 2-14-24 and became licensed on 2-16-24. A Letter of Instruction was sent to the Respondent regarding shop licensure.

**Recommendation:** Closure.

**Decision:** Approved.

**91. COS-2024005741**

**First License Obtained:** 02/16/2024

**License Expiration:** 02/28/2026

**Complaint history:** None

Please see the fact pattern for Item # 90 above. This complaint is a duplicate.

**Recommendation:** Closure.

**Decision:** Approved.

92. COS-2024008261

**First License Obtained:** 02/16/2024

**License Expiration:** 02/28/2026

**Complaint history:** None

Please see the fact pattern for Item #90 above. This complaint is a duplicate.

**Recommendation:** Closure.

**Decision:** Approved.

93. COS-2024005921

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This 2-5-24 anonymous complaint alleges unlicensed activity. Inspection revealed no evidence to substantiate the allegations. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

94. COS- 2024006221

**First License Obtained:** 08/04/2023

**License Expiration:** 08/31/2025

**Complaint history:** None

This 2-6-24 competitor complaint alleges unlicensed individual activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

95. COS- 2024010001

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This 2-8-24 inspection revealed an unlicensed shop (moved old license number to a new location). A Notice of Violation was issued.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.

**Decision:** Approved.

96. COS- 2024006851

**First License Obtained:** 10/16/2020

**License Expiration:** 09/01/2024

**Complaint history:** 2022044291, closure; 2022027261, closure; 2021050741, closure; 2023039431, closure

This 2-8-24 student complaint alleges wrongful student termination from the Respondent school. Respondent school states complainant violated several provisions of the student enrollment contract/policy and resulted in the complainant's termination from the program. Chancery court/contractual matters (student enrollment contract) are outside the scope of the Board's authority.

**Recommendation:** Closure.

**Decision:** Approved.

**97. COS-2024007061**

**First License Obtained:** 06/17/2022

**License Expiration:** 04/30/2024

**Complaint history:** None

This 2-9-24 anonymous complaint alleges unlicensed individual activity (with alleged social media in support) and unsanitary conditions. Inspection revealed some minor, correctible sanitation issues; otherwise, there was no evidence to warrant the issuance of a Notice of Violation.

**Recommendation:** Closure.

**Decision:** Approved.

**98. COS- 2024007121**

**First License Obtained:** 11/15/2018

**License Expiration:** 11/30/2024

**Complaint history:** None

This 2-9-24 consumer complaint alleges MMA use at the shop. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

**99. COS-2024007251**

**First License Obtained:** 01/26/2018

**License Expiration:** 01/31/2026

**Complaint history:** None

This 2-10-24 consumer complaint alleges unsanitary conditions that allegedly produced a foot infection, with alleged pictures in support. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

**100. COS-2024007391**

**First License Obtained:** 09/13/2022

**License Expiration:** 09/01/2024

**Complaint history:** None

This 2-15-24 student complaint poses several questions (and requesting possible legal advice) regarding virtual learning pursuant to the student contract/handbook and regarding the receipt of

a 1098T form. Respondent states the student knows to come to the administration regarding any questions the student has, and further, that the student was given a 1098T form. Contractual matters (student contract/student handbook) are outside the scope of the Board's authority.

**Recommendation:** Closure.

**Decision:** Approved.

**101. COS-2024010071**

**First License Obtained:** 06/01/2021

**License Expiration:** 06/30/2025

**Complaint history:** None

This 2-25-24 administrative complaint alleges Respondent's minor daughter is performing Brazilian waxing services requiring an aesthetics license on customers for compensation and from the Respondent's unlicensed home shop (with multiple social media posts/pictures in support). This complaint has received substantial media coverage and an additional 100 complaints to the RB complaints section as seen in Item #102 below. The local law enforcement agency was contacted and Respondent was timely arrested and is being criminally processed; further, the local Department of Human Services agency was contacted and the minor child is being managed by that entity due to the conduct of the Respondent/parent.

**Recommendation:** Authorize formal hearing before the Board of Cosmetology and Barber Examiners for revocation of Respondent's individual cosmetology license and a statutory maximum civil monetary penalty of \$2,000.00 due to Respondent's unprofessional, immoral and unethical conduct as well the unlicensed home shop. Authorize settlement by consent order for revocation of Respondent's individual cosmetology license and a statutory maximum civil monetary penalty of \$2,000.00 due to Respondent's unprofessional, immoral and unethical conduct.

**Decision:** Approved.

**102. COS-2024008611, 2024008751, 2024008761, 2024008771, 2024008791, 2024008801, 2024008811, 2024008881, 2024008961, 2024008841, 2024008851, 2024008861, 2024008891, 2024008911, 2024008921, 2024008931, 2024008941, 2024008951, 2024008971, 2024008981, 2024009001, 2024009001, 2024009031, 2024009051, 2024009061, 2024009081, 2024009091, 2024009101, 2024009111, 2024009121, 2024009131, 2024009141, 2024009161, 2024009171, 2024009181, 2024009191, 2024009201, 2024009211, 2024009231, 2024009241, 2024009251, 2024009261, 2024009271, 2024009281, 2024009291, 2024009301, 2024009311, 2024009321, 2024009331, 2024009341, 2024009351, 2024009361, 2024009371, 2024009381, 2024009391, 2024009401, 2024009411, 2024009431, 2024009441, 2024009451, 2024009461, 2024009471, 2024009481, 2024009501, 2024009531, 2024009541, 2024009551, 2024009571, 2024009581, 2024009601, 2024009611, 2024009631, 2024009641, 2024009691, 2024009711, 2024009721, 2024009731, 2024009771, 2024009781, 2024009801, 2024009821, 2024009861, 2024009871, 2024009881, 2024009951, 2024010011, 2024010021, 2024010031, 2024010041, 2024010061, 2024010141, 2024010151, 2024011791, 2024010181, 2024010201, 2024010211, 2024010231, 2024010311, 2024008741, 2024008491**

**First License Obtained:** 06/01/2021

**License Expiration:** 06/30/2025  
**Complaint history:** None  
Please see fact pattern for Item #101 above. These are duplicate complaints.  
**Recommendation:** Closure.  
**Decision:** Approved.

**BARBER CASES**

103. BAR- 2023056521

**First License Obtained:** 01/16/2007  
**License Expiration:** 01/31/2025  
**Complaint history:** None

This 10-31-23 annual inspection revealed an individual practicing on an expired license (expiration 1-31-23). A Notice of Violation was issued. The individual license has since been renewed through 1-31-25.

**Recommendation:** Letter of warning (expired individual license).  
**Decision:** Approved.

104. BAR-2023062481

**First License Obtained:** 09/27/2007  
**License Expiration:** 09/30/2025  
**Complaint history:** 2014002831, closed with Letter of Warning; 2014000411, closed with Letter of Warning

This 12-1-23 annual inspection revealed an expired shop license (expiration 9-30-21). A Notice of Violation was issued. The shop license has since been renewed through 9-30-25. This is Respondent's second offense for an expired shop license.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$500.00.  
**Decision:** Approved.

105. BAR- 2023062501

**First License Obtained:** 07/18/2003  
**License Expiration:** 09/30/2025  
**Complaint history:** 2014000421, closed with Letter of Warning

Please see fact pattern for Item #104 above. This Respondent is the shop owner cited for failure of responsibilities. This would be a duplicate penalty against the shop and its owner.

**Recommendation:** Closure.  
**Decision:** Approved.

106. BAR- 2023062871

**First License Obtained:** 12/20/2023  
**License Expiration:** 12/31/2025  
**Complaint history:** None

This 12-11-23 anonymous consumer complaint alleges unlicensed individual activity. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

**107. BAR- 2023063071**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** 2019099431, closed by Consent Order and assessment of \$1,000 civil penalty – sent to collections for failure to pay an outstanding balance of \$800.00 civil penalty

This 12-12-23 consumer complaint alleges unlicensed activity. Inspection revealed a former business undergoing renovations; there was not an active operation at the time of inspection. A Notice of Violation was not issued.

**Recommendation:** Close and flag.

**Decision:** Approved.

**108. BAR-2023065841**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** 2019099431, closed by Consent Order and assessment of \$1,000 civil penalty – case was sent to collections for failure to pay an outstanding balance of \$800.00 civil penalty

This 12-31-23 consumer complaint is identical to Item #107 above. A recent inspection was performed resulting in no evidence to warrant a Notice of Violation.

**Recommendation:** Closure.

**Decision:** Approved.

**109. BAR- 2023065491**

**First License Obtained:** 05/23/2018

**License Expiration:** 05/31/2024

**Complaint history:** 2018077291, closure; 2019075721, closed by Consent Order and assessment of \$2,500.00 civil penalty and \$200.00 filing fee – case was sent to collections for failure to pay an outstanding balance of \$1,087.50

This 12-27-23 consumer complaint alleges unlicensed activity and unsanitary conditions. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

**110. BAR-2024001341**

**First License Obtained:** 02/15/2023

**License Expiration:** 02/28/2025

**Complaint history:** None

This 1-8-24 anonymous consumer complaint alleges unlicensed activity and unsanitary conditions. Inspection revealed no evidence to substantiate the complaint. A Notice of Violation was not issued.

**Recommendation:** Closure.

**Decision:** Approved.

**111. BAR-2024003511**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This 1-11-24 annual inspection revealed an unlicensed shop. A Notice of Violation was issued.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.

**Decision:** Approved.

**112. BAR- 2024003481**

**First License Obtained:** 04/20/2015

**License Expiration:** 04/30/2025

**Complaint history:** None

This 1-11-24 inspection revealed Respondent was performing a barbering service on a customer with an expired master barber license (expiration 4-30-23). A Notice of Violation was issued.

The individual license has since been renewed through 4-30-25.

**Recommendation:** Letter of warning (expired individual license).

**Decision:** Approved.

**113. BAR- 2024002591**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This 1-16-24 anonymous consumer complaint alleges unsanitary conditions. Inspector went to residence address listed in the complaint but was ultimately unable to make contact with the Respondent. A Notice of Violation was not issued.

**Recommendation:** Closure (no evidence).

**Decision:** Approved.

**114. BAR- 2024003821**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This 1-22-24 anonymous complaint alleges a minor is advertising mobile haircuts on social media (with no supporting documentation) and could also be a human sex trafficking operation. There is no address listed for an inspection, only a telephone number. Anonymous complainant did provide a return e-mail address. Potential criminal matters (alleged sex trafficking) are outside the scope of the Board's authority.

**Recommendation:** Refer anonymous complainant (by e-mail) to local law enforcement and close the complaint.

**Decision:** Approved.

115. BAR- 2024006611

**First License Obtained:** 03/20/2017

**License Expiration:** 03/31/2019

**Complaint history:** 2022030521, closed by Consent Order and payment of \$100.00 civil penalty

This 1-23-24 annual inspection revealed an expired shop license (expiration 3-31-19). A Notice of Violation was issued. The shop license remains expired.

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$100.00.

**Decision:** Approved.

### **RE-PRESENTS**

116. Case No.: BAR- 2023020191

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

This matter was previously presented to the Board at its August 7, 2023 meeting as follows: *This 4-24-23 inspection revealed an unlicensed shop. A Notice of Violation was issued.*

**Recommendation:** Authorize formal hearing. Authorize settlement by consent order for the civil penalty of \$1,000.00.

**Decision:** Approved.

**Update:** Respondent, while still operating with an unlicensed shop and unlicensed barber's, evaded service of process and would not voluntarily meet with the process server to accept/sign for the Notice of Hearing and Charges. Thus, there is a service issue at a future hearing.

**Recommendation:** Close the current complaint due to lack of service and re-inspect for unlicensed individual activity/shop activity since it is time for another annual inspection. Refer to local law enforcement regarding impersonation of licensed professionals. Refer to attorney general regarding possible physical closure of shop pursuant to the nuisance statute.

**Decision:** Approved.

117. COS- 2023056731

**First License Obtained:** 05/30/2008

**License Expiration:** 09/30/2024

**Complaint history:** 2015001511, closed with Letter of Warning; 2022048191, closed with Letter of Warning

This matter was previously presented to the Board at its February 5, 2024 meeting as follows: *This 11-6-23 anonymous consumer complaint alleges unprofessional conduct (with specificity).*



*The Respondent states the complainant was rude and threatening on the customer service return phone call – Respondent plans to discuss the matter with her attorney regarding potential criminal charges against the complainant for post-telephone call harassment of the business. Respondent did not address her end of the phone call resulting in the allegation of unprofessional conduct. This is Respondent’s second complaint for alleged unprofessional conduct.*

Recommendation: Authorize formal hearing. Authorize settlement by consent order for civil penalty of \$500.00.

Decision: Approved.

**Update: Respondent contacted disciplinary counsel and a productive conversation occurred regarding their “response” regarding the allegation of unprofessional conduct. The response was appropriate and credible.**

**Recommendation: Closure.**

**Decision: Approved.**

#### **118. BAR- 2023034291**

**First License Obtained: 11/05/2018**

**License Expiration: 11/30/2024**

**Complaint history: None**

This matter was previously presented to the Board at its August 7, 2023 meeting as follows: *This 7-13-23 administrative complaint alleges illegal drug distribution out of a barber shop. Barber shop was raided by local law enforcement and drugs were found within. Respondent is the owner of the shop and is currently in the criminal court process. An investigator drove by the establishment and found it to be closed during daytime hours and no clients present.*

Recommendation: Litigation monitoring (criminal case).

Decision: Approved.

**Update: Further research showed the Respondent was never arrested or charged for a crime after the execution of the search warrant on the barber shop.**

**Recommendation: Closure.**

**Decision: Approved.**

Motion made by David McElreath and seconded by Layne Petty to approve the legal report recommendations as amended. The motion carried unanimously.

## **APPLICATIONS FOR EXAMINATION-**

### **Felony Applicants:**

Applications for examination for: Jonathan Scarbrough. The applicant is currently incarcerated. The request to take the Tennessee examination was submitted for the board’s approval along with the required information, disclosure from the student and letter of recommendation are submitted.

The Board approved Agreed Orders for a probation period of two years as prepared by legal counsel.

Motion made by Amy Tanksley and seconded by David McElreath to approve applications for examination with a signed Agreed Order. The motion carried unanimously.

#### **APPLICATIONS FOR RECIPROCIITY-**

Application for reciprocity of aesthetics license from Florida for Lisa Bumpass. Certification shows she was originally licensed in December 1998. Florida does not require state exams for their facial specialist license. Ms. Bumpass requested the board consider her 25 years of experience and waive the exams.

MOTION made by Tamika Turner and seconded by David McElreath to deny request and have applicant complete both exams. The motion passed unanimously.

#### **MISCELLANOUS REQUESTS –**

##### **Request for Waivers, Reconsiderations and Extensions:**

Request made by Ms. Rita Joan Cook to waive the required 300-hour instructor training course. Ms. Cook has her bachelor's and master's degrees in education since 1996. She has held her cosmetology/aesthetics license since 1983. She understands she needs to pass the theory and practical instructor exams.

MOTION made by Amy Tanksley and seconded by Layne Petty to approve the request. The motion carried unanimously.

Request to waive the need to retest pursuant to Tenn. Code Ann § 62-3-124 (b), which states that a barber instructor may for good cause be granted up to one additional year to complete their 16 hours of continued education. The Board may, for good cause such as medical hardship or death in the immediate family, approve such an extension. Mr. Marcus Hopson emailed explaining health issues with his mother-in-law and his wife which caused him to miss completing the requirement prior to his expiration date.

MOTION made by Amy Tanksley and seconded by Monica Lemons to approve the request. The motion carried unanimously.

Request to waive the need to retest pursuant to rule 0440-01-.10 which states an applicant must apply for and pay for the original license within six (6) months after passing the

examination. The Board may, for good cause, waive this requirement. The board previously authorized the Director to approve these extensions past the six months but for only up to a year and for good cause. Ms. Gweniqua Jacobs provided documents regarding a medical issue but was explained she was misinformed. She passed the instructor practical exam on December 2, 2022.

MOTION made by Amy Tanksley and seconded by Mona Sappenfield to approve the request. The motion carried unanimously.

Request to waive the need to retest pursuant to rule 0440-01-.10 which states an applicant must apply for and pay for the original license within six (6) months after passing the examination. The Board may, for good cause, waive this requirement. The board previously authorized the Director to approve these extensions past the six months but for only up to a year and for good cause. Ms. Victoria Hope provided explained that she was in the first group of PSI exams with their new system. Her practical score report could not be pulled. She applied for and paid for her license on February 16, 2022. She then started working in another industry and did not realize her license had never been approved. She passed the cosmetology practical exam on February 8, 2022. The request should have been presented to the board at the February meeting. Due to all the time delays and PSI issue outside of her control, the Director approved her license on February 29, 2024, so she could start working.

MOTION made by Amy Tanskley and seconded by Jeffrey Moran to approve the request. The motion carried unanimously.

Request to grant an extension to the time period for complete of coursework pursuant to Tenn. Code Ann. § 62-4-123. The law says a student has seven (7) years from the original start date to complete the required courses. Ms. Desiree Rumley provided an explanation not being able to complete her aesthetics hours due to having a child. She started school in 2014. She says the school did not give her an option to return and complete the 101 hours pending. The board has grated these extensions few times and always for good cause or prior to them expiring.

MOTION made by David McElreath and seconded by Amy Tanksley to approve the request. The motion carried unanimously.

Request to waive the need to retest pursuant to rule 0440-01-.10 which states an applicant must apply for and pay for the original license within six (6) months after passing the examination. The Board may, for good cause, waive this requirement. The board previously authorized the Director to approve these extensions past the six months but for only up to a year and for good cause. Ms. Sheranda Spencer provided documents and an explanation about

dealing with cancer two months after passing the exams. She is now getting her life back and ready to join the industry. She passed the cosmetology practical exam on January 4, 2022.

MOTION made by Amy Tanksley and seconded by Tamika Turner to approve the request. The motion carried unanimously.

**DIRECTOR'S REPORT:**

The financial information as of January 2024 reflects a deficit of \$76,070 for fiscal year 23-24 leaving the reserve surplus balance at \$1,146,403. The board discussed raising fees.

**NEW BUSINESS:**

Director Gumucio asked if anyone in the public, participating in person or remotely using Teams, had comments as they relate to the agenda. There were no comments provided.

**Additional Questions:**

**Motion to adjourn:**

Meeting adjourned at 11:50 AM

MOTION to adjourn made by David McElreath and seconded by Layne Petty to adjourn the meeting. The motion carried unanimously.