

# MINUTES

FLORIDA BARBERS' BOARD  
EMBASSY SUITES ORLANDO - NORTH  
225 SHORECREST DRIVE  
ALTAMONTE SPRINGS, 32701

Monday, February 9, 2015

The Florida Barbers' Board meeting was called to order at approximately 9:00 a.m., by Mr. Herman White, Chair.

## **Board Members Present**

Herman White, Chair  
Thomas Vaughn, Vice Chair  
Edwin Stewart  
Monica Smith  
Bill Gilbert

## **Board Members Absent**

Julie Rivera

## **Other Persons Present**

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)  
Marlene Stern, Assistant Attorney General, Office of the Attorney General (OAG)  
Stephen Johnson, Assistant General Counsel, Office of the General Counsel (OGC), DBPR  
Joe Helton, Chief Attorney, OGC, DBPR  
Julie Rowland, Government Analyst, DBPR  
Cindy Green, Court Reporter  
Jairo Negrón  
Francois Etienne  
Benedetto DiPiazza  
Perry Cooper  
Carlos Rivera  
Wayne Lerz  
Robert Sterling  
Dulce Canaveral  
William Romero  
Jean Claude Eliassaint  
Bria Covington

The meeting was opened with a roll call and a quorum was established.

## **APPROVAL OF MINUTES**

The Board approved the minutes from the December 16, 2014, Board meeting.

## **DISCIPLINARY MATTERS**

### **Informal Hearing**

Mr. Stephen Johnson, Assistant General Counsel, presented the following cases for consideration by the Board. The Board found that the Respondents were properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint and adopts them as the findings of fact and conclusions of the law of the Board and imposed the penalties shown below:

William Romero; Tampa; Case No. 2013011394

Mr. Romero, Ms. Yanilet Punte, and Ms. Dulce Canaveral, translator, were present for the meeting and were sworn in by Ms. Cindy Green, Court Reporter. The Board moved to impose a fine of \$500 and costs of \$192.40, revocation of license BR2448, and the Board waived the three year time period to reapply for licensure.

- Richard Saint Hubert; Stuart  
Case No. 2012034632  
\$226.25 costs only  
Voluntary relinquishment of license BB8893700, the three year time period to reapply for licensure was waived
- Desmond Atkins; Orlando  
Case No. 2013001526  
\$1,000 fine and \$53.68 costs  
Revocation of license BB8894382
- Diamond Exclusive Barbers; Coral Springs  
Case No. 2013019907  
\$800 fine and \$30.37 costs
- Urbanstylez Downtown; Orlando  
Case No. 2014021652  
\$1,500 fine and \$532.76 costs

**Voluntary Relinquishment**

Jairo Negron; Winter Haven; Case No. 2014023289

Mr. Negron was present for the meeting and was sworn in by the Court Reporter. The Board moved to impose a fine of \$500 and costs of \$153.42, voluntary relinquishment of license BR2779, and the Board waived the three year time period to reapply for licensure.

**Motion for Waiver of Rights and Final Order**

Mr. Johnson presented the following cases for consideration by the Board. The Board found that the Respondents were properly served with the Administrative Complaint, the Respondents failed to respond within 21 days thereby waiving their right to elect a hearing in this matter, that the Board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the Board and imposed the penalties shown below:

Montana's Barber Shop; Orlando; Case No. 2014027443

Mr. Carlos Rivera was present for the meeting and was sworn in by the Court Reporter. The Board moved to impose a fine of \$1,500 and costs of \$224.47, to be paid within 12 months.

- Francisco Delestre; Clermont  
Case No. 2012037187  
\$500 fine and \$151.41 costs  
Revocation of license BB8892947
- Ritchie Sandoval; Sunrise  
Case No. 2013005380  
\$800 fine and \$153.39 costs

Revocation of license BR417

- Jesus Corez; Kissimmee  
Case No. 2013003708  
\$500 fine and \$181.37 costs  
Revocation of license BB8894454
- Raul Diaz; Hialeah  
Case No. 2013049609  
\$500 fine and \$244.27 costs
- Luis Parra; Pembroke Pines  
Case No. 2013041431  
\$500 fine and \$348.05 costs
- Leon Scott; Lauderhill  
Case No. 2013048953  
\$500 fine and \$152.35 costs
- Barber Zone 2; Orlando  
Case No. 2014005615  
\$500 fine and \$181.03 costs
- Miami Fades Barber Shop; Miami  
Case No. 2013051578  
\$500 fine and \$174.26 costs  
Revocation of license BS1078248
- Curtis Cahill; Fort Myers  
Case No. 2014024788  
\$500 fine and \$107.21 costs
- Salla Barber Shop; Pembroke Pines  
Case No. 2014026456  
\$500 fine and \$189.58 costs
- Allstar Barber Shop; Miramar  
Case No. 2014025956  
\$800 fine and \$212.75 costs  
Revocation of license BS12974
- Mack's Barber and Hair Salon; West Hollywood  
Case No. 2014026284  
\$800 fine and \$146.27 costs  
Revocation of license BS13585
- First Klass Barbershop; Miami  
Case No. 2014014900  
\$300 fine and \$181.89 costs
- North End Barber Shop and S. Brooks; Riviera Beach  
Case Nos. 2014025477 & 2014025486  
\$900 fine and \$263.79 costs

- Andrew Thomas; Fort Myers  
Case No. 2014024801  
\$500 fine and \$30.48 costs
- Express Barber and Beauty Salon; Ft. Lauderdale  
Case No. 2014026233  
\$400 fine and \$106.28 costs
- Top Cut Barber Shop; N. Lauderdale  
Case No. 2013019896  
\$300 fine and \$210.51 costs

**Settlement Stipulation**

Mr. Johnson presented the following cases for consideration by the Board. The Board moved to adopt the Stipulation of the parties as the Board’s final action in this matter and incorporate it and all of its terms into a final order and imposed the penalties shown below:

- Sidelines Barbershop; Boca Raton  
Case No. 2013041715  
\$100 fine and \$77.88 costs
- Phat Fades Barbers; Riviera Beach  
Case No. 2014003869  
The Board rejected the Stipulation

**Department Attorney Report**

Mr. Johnson informed the Board that as of January 14, 2015, there were 132 open barber cases in the legal section.

**APPLICATIONS**

**Licensure Applications**

**Initial Review**

Jose Ortega

Mr. Ortega was not present for the meeting. After review, Ms. Monica Smith moved to deny the application based on unsatisfied previous discipline. Vice Chair Tommy Vaughn seconded the motion and the motion passed unanimously.

Mike Munoz

Mr. Munoz was not present for the meeting. After review, Ms. Smith moved to deny the application based on the noted criminal history. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Robert Sterling

Mr. Sterling was present for the meeting and was sworn in by the Court Reporter. After review, Vice Chair Vaughn moved to approve the application. Ms. Smith seconded the motion and the motion passed unanimously.

Mario Vasquez

Mr. Vasquez was not present for the meeting. After review, Ms. Smith moved to deny the application based on the noted criminal history. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Jean Eliassaint / Haiti

Mr. Eliassaint was present for the meeting and was sworn in by the Court Reporter. After review, Mr. Eddie Stewart moved to deny the application as the application fails to demonstrate that the applicant meets the requirements of Section 476.144(6), Florida Statutes, and Rule 61G3-16.006, Florida Administrative Code. Vice Chair Vaughn seconded the motion and the motion passed with Mr. Bill Gilbert voting against the motion.

Benedetto Dipiazza / United Kingdom

Mr. Dipiazza was present for the meeting and was sworn in by the Court Reporter. After review, Mr. Stewart moved to approve the application. Mr. Gilbert seconded the motion and the motion passed unanimously.

Darren Fuller

Mr. Fuller was not present for the meeting. After review, Ms. Smith moved to deny the application based on the noted criminal history. Mr. Gilbert seconded the motion and the motion passed unanimously.

Wayne Lerz / Connecticut

Mr. Lerz was present for the meeting and was sworn in by the Court Reporter. After review, Mr. Stewart moved to approve the application. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Percy Cooper / Ohio

Mr. Cooper was present for the meeting and was sworn in by the Court Reporter. After review, Mr. Stewart moved to approve the application. The Board also imposed probation on the license for a period of five years. Mr. Gilbert seconded the motion and the motion passed unanimously.

Tara Ashtari / Canada

Ms. Ashtari was not present for the meeting. After review, Mr. Gilbert moved to approve the application. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Mauricio Ospina

Mr. Ospina was not present for the meeting. After review, Mr. Gilbert moved to deny the application based on unsatisfied previous discipline. Mr. Stewart seconded the motion and the motion passed unanimously.

Santos Ventura / Venezuela

Mr. Ventura was not present for the meeting. After review, Mr. Gilbert moved to approve the application. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Nelson Rivera

Mr. Rivera was not present for the meeting. After review, Mr. Stewart moved to deny the application based on unsatisfied previous discipline. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

**OTHER BUSINESS**

**Board Attorney Report**

Ms. Marlene Stern, Assistant Attorney General, informed the Board that the amendments to the following rules continue to move through the rulemaking process.

- Rule 61G3-21.009, Florida Administrative Code – Citations
- Rule 61G3-19.011, Florida Administrative Code – Barbershop Requirements

### **Executive Director Report**

#### **Financial Report ending September 2014**

Ms. Robyn Barineau, Executive Director, reported that the balance in the Board's operating account as of September 30, 2014, was over \$1.8 million, and the balance in their unlicensed activity account was over \$290,000 for the same period.

### **Correspondence**

#### **Complaints and Investigative Statistics – July 2014 – December 2014**

Ms. Barineau informed the Board that the Complaints and Investigative Statistics Report was included in the agenda for informational purposes.

#### **Barber Examination Summary – January 2014 – December 2014**

Ms. Barineau informed the Board that the Barber Examination Summary was included in the agenda for informational purposes.

### **Dates and Locations of Future Meetings**

May 11, 2015 – Fernandina Beach

August 10, 2015 – Atlantic Beach

November 2, 2015 – Destin

### **Board Member Comments**

Vice Chair Vaughn informed the Board that he will no longer serve as a member of the Board. The Board thanked him for his service.

### **Elections**

The Board unanimously elected Mr. Bill Gilbert, Vice Chair, of the Florida Barbers' Board.

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at approximately 1:00 p.m.