

MINUTES

FLORIDA BARBERS' BOARD
HILTON DAYTONA BEACH - 100 N. ATLANTIC AVENUE
DAYTONA BEACH, FLORIDA 32118

Monday, May 6, 2013

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

Board Members Present

Herman White, Chair
Thomas Vaughn, Vice Chair
Edwin Stewart
Bill Gilbert
Andrew Raines

Board Members Absent

Julie Rivera

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation, (DBPR)
Julie Rowland, Government Analyst, DBPR
Elizabeth Henderson, Assistant General Counsel, Office of the General Counsel (OGC), DBPR
Rachel Clark, Assistant Attorney General, Office of the Attorney General
Blythe Riggs, Court Reporter
Zainab Zayed
Ahmad Abdu
Loai Yaseen
Michael Jones
Joseph Harris
Reinaldo Cordero
Joseph Jackson

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

APPROVAL OF MINUTES

Mr. Bill Gilbert moved to accept the minutes from the April 2, 2013, Board meeting. Mr. Edwin Stewart seconded the motion and the motion passed unanimously.

DISCIPLINARY MATTERS

Informal Hearing

Ms. Elizabeth Henderson, Assistant General Counsel, presented the following cases for consideration by the Board. The Board found that the Respondent was 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:

Michael Jones; Orlando; Case No. 2011.054244

Mr. Jones was present for the meeting and was sworn in by Ms. Blythe Riggs, Court Reporter. Vice Chair Tommy Vaughn moved that the Board impose a fine of \$500 and costs of \$158.32, to be paid over a period of six months, with the first payment of \$158.32 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against barber license BB23783. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the barber license will be suspended. Mr. Gilbert seconded the motion and the motion passed unanimously.

Headquarter South Corp.: Cutler Bay; Case Nos. 2011.060079 and 2011.060140

The Respondent was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$1,000 and costs of \$128.28, to be paid over a period of six months, with the first payment of \$128.28 due within 30 days of the final order and five monthly payments of \$200 each, plus six months stayed suspension against barbershop license BS1079564. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the barbershop license will be suspended. Mr. Andrew Raines seconded the motion and the motion passed unanimously.

Razor Cutz; Orlando; Case Nos. 2011.060198 and 2012.002968

Mr. Joseph Jackson was present for the meeting and was sworn in by the Court Reporter. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$125.74, to be paid over a period of six months, with the first payment of \$125.74 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against barbershop license BS1079366. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the barbershop license will be suspended. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Joseph Harris; Orlando; Case No. 2012.008215

Mr. Harris was present for the meeting and was sworn in by the Court Reporter. The Board referred the case to the Division of Administrative Hearings for a formal hearing.

Motion for Waiver of Rights and Final Order

Ms. Henderson presented the following cases for consideration by the Board. The Board found that the Respondent was 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:

April Michelle Thomas; Sarasota; Case No. 2011.023579

Ms. Thomas was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$1,500 and costs of \$141.56. Mr. Gilbert seconded the motion and the motion passed unanimously.

Ground Zero Barbershop, Inc.; Orlando; Case No. 2011.045261

The Respondent was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$500 and costs of \$84.20. Mr. Gilbert seconded the motion and the motion passed unanimously.

Redmon & Dallas and Dallas B. Redmon; Perry; Case Nos. 2012.002077 and 2011.059788

The Respondents were not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$1,500 and costs of \$859.77, to be paid over a period of six months, with the first payment of \$859.77 due within 30 days of the final order and five monthly payments of \$300 each, plus revocation of barbershop license BS12853 and barber license BB28987. Mr. Gilbert seconded the motion and the motion passed unanimously.

Miami Fades Barber Shop Inc.; Miami; Case No. 2011.052131

The Respondent was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$1,500 and costs of \$134.93, to be paid over a period of six months, with the first payment of \$134.93 due within 30 days of the final order and five monthly payments of \$300 each, plus six months stayed suspension against barbershop license BS1078248. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the barbershop license will be suspended. Mr. Raines seconded the motion and the motion passed unanimously.

Amigos Barbershop Inc. and Wilson M. Brioso and Rancisco Manzueta; Orlando; Case Nos. 2011.054707, 2012.009014 and 2012.009009

The Respondent was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$900 and costs of \$516.48, to be paid over a period of six months, with the first payment of \$516.48 due within 30 days of the final order and five monthly payments of \$180 each, plus six months stayed suspension against barbershop license BS1078462, barber license BB8891306 and barber license BB91662. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the barbershop license and barber licenses will be suspended. Mr. Gilbert seconded the motion and the motion passed unanimously.

Stephen A. Lancaster; Ft. Pierce; Case No. 2011.051079

Mr. Lancaster was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$500 and costs of \$66.25, to be paid over a period of six months, with the first payment of \$66.25 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against barber license BB8891660. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the barber license will be suspended. Mr. Raines seconded the motion and the motion passed unanimously.

Geronimo Lopez; Orlando; Case No. 2012.009348

Mr. Lopez was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$500 and costs of \$70.55, plus revocation of barber license BB8895549. Mr. Gilbert seconded the motion and the motion passed unanimously.

Luis Malave; Kissimmee; Case No. 2012.009352

Mr. Malave was not present for the meeting. Mr. Raines moved that the Board impose a fine of \$500 and costs of \$57.42, plus revocation of barber license BB8894631. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Harold Rivera; Orlando; Case No. 2012.022964

Mr. Rivera was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$500 and costs of \$268.46, plus revocation of barber license BB8894789. Mr. Raines seconded the motion and the motion passed unanimously.

Juan Carlos Ayala Garcia; Orlando; Case No. 2012.008226

Mr. Garcia was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$129.92, plus revocation of barber license BB8894647. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Eric M. Cancel Ruiz; Deland; Case No. 2012.025776

Mr. Ruiz was not present for the meeting. Vice Chair Vaughn moved that the Board impose a fine of \$500 and costs of \$181.06, plus revocation of barber license BB8895563. Mr. Raines seconded the motion and the motion passed unanimously.

Ramon Perrez; Lake Worth; Case No. 2012.026946

Mr. Perez was not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$500 and costs of \$183.21, plus revocation of barber license BB8894792. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Settlement Stipulation

Blades NYC Barbershop; Atlantis; Case No. 2011.045056

The Respondent was not present for the meeting. Mr. Raines moved that the Board 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 impose a fine of \$500 and costs of \$81.08, to be paid over a period of six months, with the first payment of \$81.08 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against barbershop license BB9976767. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the barbershop license will be suspended. Mr. Gilbert seconded the motion and the motion passed unanimously.

Jean Mendez; Loxahatchee; Case No. 2012.009313

Mr. Mendez was not present for the meeting. Mr. Raines moved that the Board 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 impose a fine of \$500 and costs of \$170.21, to be paid over a period of six months, with the first payment of \$170.21 due within 30 days of the final order and five monthly payments of \$100 each, plus attendance at two board meetings before January 2014 and voluntary relinquishment of barber license BB8894997. Mr. Gilbert seconded the motion and the motion passed unanimously.

Edgar Brandon Angel; Davie; Case No. 2012.001960

Mr. Angel was not present for the meeting. Mr. Stewart moved that the Board 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 impose voluntary relinquishment of barber license BB8894820. Mr. Gilbert seconded the motion and the motion passed unanimously.

Joshua Feldman; Miami; Case No. 2012.008639

The Board tabled this matter for a future meeting.

Department Attorney Report

Ms. Henderson informed the Board that as of April 12, 2013, there were 461 open barber cases in the legal section.

APPLICATIONS

Informal Hearing

Loai Yasseen / Jordan

Mr. Yasseen was present for the meeting and was sworn in by the Court Reporter. Ms. Robyn Barineau, Executive Director, noted that the licensure application was denied at the February 4, 2013, Board meeting because the applicant failed to demonstrate that he holds a current active barber license in another state or country as required by Rule 61G3-16.005, Florida Administrative Code. After review, Mr. Stewart moved to approve the application. Mr. Raines seconded the motion and the motion passed unanimously.

Initial Review

Yuraima Sanchez / Israel

Ms. Sanchez was not present for the meeting. After review, Mr. Gilbert moved to deny the application based on discrepancies in the documentation provided. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Wilson Tejeda / Israel

Mr. Tejeda was not present for the meeting. After review, Vice Chair Vaughn moved to deny the application based on discrepancies in the documentation provided. Mr. Gilbert seconded the motion and the motion passed unanimously.

Galit Seadia / Israel

Mr. Seadia was not present for the meeting. After review, Vice Chair Vaughn moved to deny the application based on discrepancies in the documentation provided. Mr. Gilbert seconded the motion and the motion passed unanimously.

Demetrius Gray

Mr. Gray was not present for the meeting. After review, Mr. Stewart moved to approve the application. Mr. Gilbert seconded the motion and the motion passed unanimously.

Ahmad Mohammad Abdu / Palestine

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

Perry Maurice Kennedy

Mr. Kennedy was not present for the meeting. After review, Mr. Gilbert moved to approve the application. The Board also imposed probation on the license to run concurrent with his criminal probation. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Reinaldo Cordero

Mr. Cordero 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.

Andrew Parrilla

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

Tanjar Shuler

Mr. Shuler was not present for the meeting. After review, Mr. Gilbert moved to approve the application. The Board also imposed probation on the license to run concurrent with his criminal probation. Mr. Stewart seconded the motion and the motion passed unanimously.

Adams Richard Lopez / Puerto Rico

Mr. Lopez was not present for the meeting. After review, Mr. Raines moved to deny the application based on discrepancies in the documentation provided. Mr. Gilbert seconded the motion and the motion passed unanimously.

OTHER BUSINESS

Executive Director's Report

Financial Report ending December 31, 2012

Ms. Barineau reported that the balance in the Board's operating account on December 31, 2012, was over \$1.6 million and the balance in their unlicensed activity account was over \$298,000 for the same period.

Board Attorney Report

Ms. Rachel Clark, Assistant Attorney General, informed the Board of the progression of the following rule amendments.

Rule 61G3-16.0091, Florida Administrative Code – Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) for Continuing Education

The rule amendment was effective March 31, 2013.

Rule 61G3-16.0092, Florida Administrative Code – Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) Education Provider Requirements

The rule amendment was effective April 25, 2013.

Division of Regulation

Complaints and Investigative Statistics Report – July 2012 – March 2013

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

Bureau of Education and Testing

Barber Examination Summary – January 2013 – March 2013

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

Dates and Locations of Future Meetings

November 4, 2013 – Jacksonville

February 17, 2014 – Gainesville

May 5, 2014 – Fernandina Beach

August 4, 2014 – Pensacola

November 3, 2014 – Orlando

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 12:00 p.m.