

# MINUTES

FLORIDA BARBERS' BOARD  
RESIDENCE INN – AMELIA ISLAND  
2301 SADLER ROAD  
FERNANDINA BEACH, FL 32034

Monday, May 18, 2015

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

## **Board Members Present**

Bill Gilbert, Vice Chair  
Edwin Stewart  
Julie Rivera  
Monica Smith  
Veronica Wold  
Lionel Rodriguez

## **Board Members Absent**

Herman White, Chair

## **Other Persons Present**

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)  
Rachel Clark, Assistant Attorney General, Office of the Attorney General (OAG)  
Stephen Johnson, Assistant General Counsel, Office of the General Counsel (OGC), DBPR  
Julie Rowland, Government Analyst, DBPR  
Lalonda Hall, Court Reporter  
Denis Saint Louis  
Jean Baron  
Beverline Baron  
Mauricio Ospina  
Bryce Lombardi  
Mike Munoz  
John Reid  
Elijah Goldman  
Romy Amertil  
Vitaly Bababekov  
Sidney Better

The meeting was opened with a roll call and a quorum was established. Vice Chair Gilbert excused the absence of Chair Herman White from the meeting.

## **APPROVAL OF MINUTES**

The Board approved the minutes from the February 9, 2015, 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:

- Isner Pierre; Lauderdale Lakes  
Case No. 2012022547  
\$250 fine and \$282.32 costs to be paid within six months  
Revocation of license BB8895205, the three year time period to reapply for licensure was waived
- Jeans Unisex Barbershop; Coral Springs  
Case No. 2013020237  
\$300 fine and \$66.35 costs to be paid within six months
- Reyad Khan; Miramar  
Case No. 2014001740  
\$500 fine and \$159.81 costs to be paid within six months
- 1 Love Barber Shop and Denis Saint Louis; Port St. Lucie  
Case Nos. 2013045326 & 2013043609  
\$800 fine and \$252.37 costs to be paid within six months
- Home Team Barber Shop; Homestead  
Case No. 2014008142  
\$800 fine and \$45.09 costs to be paid within six months
- My Shop Unisex Salon; Miami  
Case No. 2014020168  
\$500 fine and \$23.93 costs to be paid within six months, re-inspection within 30 days
- BJ Barber Shop; Opa-Locka  
Case No. 2014018525  
\$900 fine and \$23.93 costs to be paid within six months, re-inspection within 30 days
- Urban Style Barbershop; Clermont  
Case No. 2014014067  
\$550 fine and \$426.62 costs to be paid within six months  
Probation on license BS1079894 for 12 months and re-inspection within 30 days
- Konpa Barber Shop; Miramar  
Case No. 2014026446  
\$900 fine and \$134.31 costs to be paid within six months  
Probation on license BS1079894 and re-inspection within 30 days
- New Era Barbershop; Deerfield Beach  
Case No. 2014017496  
\$600 fine and \$239.24 costs to be paid within six months
- Blessing Barber Shop; North Miami  
Case No. 2014014713  
\$300 fine and \$114.93 costs to be paid within six months
- Klean Kutt Barber Shop; Ft. Lauderdale  
Case No. 2014026435  
\$500 fine and \$134.32 costs to be paid within six months  
Suspension of license BS13409 until successful re-inspection
- Inspired Cuts; Eatonville

Case No. 2014027534  
\$500 fine and \$350.75 costs to be paid within six months

- Cristhian Morales Berrios; Kissimmee  
Case No. 2014026162  
\$500 fine and \$231.20 costs to be paid within six months
- Supreme Barbershop; Ft. Lauderdale  
Case No. 2014026053  
\$800 fine and \$238.36 costs to be paid within six months  
Suspension of license BS1080354 until successful re-inspection
- Upper Cuts; Hialeah  
Case No. 2014021687  
\$1,000 fine and \$29.12 costs to be paid within six months
- Patrick Ferril; Port St. Lucie  
Case No. 2014025405  
\$500 fine and \$119.56 costs to be paid within six months
- Millenium Barber Shop; Orlando  
Case No. 2014046322  
\$600 fine and \$200.82 costs to be paid within six months
- Bladez; Ft. Myers  
Case No. 2014019409  
\$300 fine and \$336.49 costs to be paid within six months
- VIP Barbershop and Ritchie Sandoval; West Palm Beach  
Case Nos. 2014027656 & 2014025375  
Mr. Johnson requested that the cases be pulled from the agenda

### **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:

- Caleb Joseph; Orlando  
Case No. 2012009540  
\$500 fine and \$82.05 costs to be paid within six months  
Revocation of license BB8895070
- Samuel Cirino; Kissimmee  
Case No. 2012037077  
\$500 fine and \$185.14 costs to be paid within six months  
Revocation of license BB8892945
- Edwin Stella; Orlando  
Case No. 2012037196  
\$500 fine and \$168.34 costs to be paid within six months  
Revocation of license BB8892623
- Romy Amertil; Miami  
Case No. 2013001475

\$110.14 costs only

Revocation of license BB8895161, the three year time period to reapply for licensure was waived

- Lorenzo Lee; Lauderdale Lakes  
Case No. 2013032484  
\$500 fine and \$124.77 costs to be paid within six months
- 3GS Barbershop and Leandro Grullon; Davie  
Case Nos. 2013043210 & 2013043494  
Mr. Johnson requested that the cases be pulled from the agenda
- Herbert Holmes; Panama City  
Case No. 2013046356  
\$500 fine and \$21.15 costs to be paid within six months
- Phil Unisex; Ft. Lauderdale  
Case No. 2013043036  
\$300 fine and \$75.83 costs to be paid within six months
- Diamond Exclusive Barbers; Coral Springs  
Case No. 2014008285  
\$600 fine and \$181.44 costs to be paid within six months  
Suspension of license BS1079797 for 30 days
- Best Barbershop & Beauty Salon; Lauderdale Lakes  
Case No. 2014021202  
\$150 fine and \$135.92 costs to be paid within six months
- Jerrod Mesa; Pompano Beach  
Case No. 2014021727  
\$500 fine and \$83.60 costs to be paid within six months
- GQ Barbershop #2; Ft. Lauderdale  
Case No. 2014023668  
\$100 fine and \$113.58 costs to be paid within six months
- Barbaro Rodriguez; Hialeah  
Case No. 2014021801  
\$500 fine and \$52.23 costs to be paid within six months
- Roberto Martinez; Miami  
Case No. 2014021783  
\$500 fine and \$86.37 costs to be paid within six months
- Anthony Ortiz; Riverview  
Case No. 2014025808  
\$500 fine and \$82.02 costs to be paid within six months
- Sunrise Bladez Barbershop; Sunrise  
Case No. 2014018708  
\$900 fine and \$130.35 costs to be paid within six months
- VIP Barbershop; Davie  
Case No. 2014025790  
Mr. Johnson requested that the case be pulled from the agenda

- DJ's Unisex Barber Shop; Cutler Bay  
Case No. 2014019682  
\$800 fine and \$186.39 costs to be paid within six months
- Raul Wilfredo; Tampa  
Case No. 2014037275  
\$500 fine and \$61.08 costs to be paid within six months
- Mr. Cutz; Pembroke Pines  
Case No. 2014024578  
\$400 fine and \$354.41 costs to be paid within six months, re-inspection within 30 days
- Mauricio Ospina; West Palm Beach  
Case No. 2014039796  
\$500 fine and \$135.89 costs to be paid within six months
- Unice Morris; Lake City  
Case No. 2014041821  
\$500 fine and \$163.11 costs to be paid within six months
- Leruntes Barber; Lake Park  
Case No. 2014012439  
\$150 fine and \$119.56 costs to be paid within six months

### **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:

- Go's Barber Shop; Lehigh Acres  
Case No. 2013027750  
\$800 fine and \$246.55 costs to be paid within six months
- Five Star Cuts; Opa-Locka  
Case No. 2014020173  
\$300 fine and \$23.93 costs to be paid within six months
- Jose Sanchez; Wimauma  
Case No. 2014029170  
\$500 fine and \$186.38 costs to be paid within six months
- Jeffrey Allen; Tallahassee  
Case No. 2014042092  
\$500 fine and \$13.55 costs to be paid within six months
- Next Level Barbers; Orlando  
Case No. 2014026559  
\$250 fine and \$546.46 costs to be paid within six months
- JNS and Armand Saturne; Ft. Pierce  
Case Nos. 2014035995 & 2014036897  
\$700 fine and \$247.45 costs to be paid within six months

- Kache Barber Shop; Miami Gardens  
Case No. 2014016637  
\$300 fine and \$164.73 costs to be paid within six months

Severe Barbershop; Miami; Case No. 2014014727

The Respondent was not present for the meeting. Mr. Eddie Stewart moved that the Board reject the Stipulation of the parties. Vice Chair Gilbert seconded the motion and the motion passed unanimously. The Board proposed a counter offer of a fine of \$1,000 and \$164.25 costs, plus suspension of license BS1077116 for 30 days.

**Voluntary Relinquishment**

- Peter Patrick; Orlando  
Case No. 2012027333  
\$500 fine and \$294.52 costs to be paid within six months  
Voluntary relinquishment of license BB8895025, the three year time period to reapply for licensure was waived
- Quincy Sorrell; Lehigh Acres  
Case No. 2013003093  
\$500 fine and \$305.54 costs to be paid within six months  
Voluntary relinquishment of license BB8892824, the three year time period to reapply for licensure was waived

**Department Attorney Report**

Mr. Johnson informed the Board that as of May 15, 2015, there were 124 open barber cases in the legal section.

**APPLICATIONS**

**Licensure Applications**

**Informal Hearing**

Mike Munoz

Mr. Munoz and Mr. John Reid were present for the meeting and were sworn in by Ms. Lalonda Hall, Court Reporter. Ms. Robyn Barineau, Executive Director, informed the Board that the application was denied at the February 9, 2015, Board meeting, based on the noted criminal history. After review, Mr. Stewart moved to approve the application. Ms. Julie Rivera seconded the motion and the motion passed unanimously.

**Initial Review**

Hareton Tejada

Mr. Tejada was not present for the meeting. After review, Mr. Stewart moved to deny the application because the application failed to demonstrate he successfully completed 1,200 hours of barber training at a barbering school. Ms. Monica Smith seconded the motion and the motion passed unanimously.

Jean Baron

Mr. Baron and Ms. Beverline Baron were present for the meeting and were sworn in by the Court Reporter. After review, Mr. Stewart moved to approve the application. Ms. Rivera seconded the motion and the motion passed unanimously.

Calvin Gonzalez

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

David Tal / Israel

Mr. Tal was not present for the meeting. After review, Ms. Rivera moved to deny the application as the application fails to demonstrate that the applicant meets the requirements of Rule 61G3-16.005, Florida Administrative Code. Mr. Stewart seconded the motion and the motion passed unanimously.

Vanessa Cohn / France

Ms. Cohn was not present for the meeting. After review, Ms. Smith moved to deny the application as the application fails to demonstrate that the applicant meets the requirements of Rule 61G3-16.005, Florida Administrative Code. Mr. Stewart seconded the motion and the motion passed unanimously.

Elijah Goldman / Missouri

Mr. Goldman was present for the meeting and was sworn in by the Court Reporter. Mr. Stewart recused himself from voting on this matter. After review, Ms. Rivera moved to approve the application. Mr. Lionel Rodriguez seconded the motion and the motion passed unanimously.

Elliott Carrasquillo / Kansas

Mr. Carrasquillo was not for the meeting. After review, Ms. Rivera moved to approve the application. The Board also imposed probation on the license to run concurrent with his criminal probation. Ms. Veronica Wold seconded the motion and the motion passed unanimously.

Sidney Better

Mr. Better 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 to run concurrent with his criminal probation. Ms. Rivera seconded the motion and the motion passed unanimously.

Angel Reyes

Mr. Reyes was not present for the meeting. After review, Ms. Smith 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. Ms. Rivera seconded the motion and the motion passed unanimously.

Joshua Morris / Canada

Mr. Morris was not present for the meeting. After review, Ms. Smith moved to deny the application as the application fails to demonstrate that the applicant meets the requirements of Rule 61G3-16.005, Florida Administrative Code. Mr. Stewart seconded the motion and the motion passed unanimously.

Jean Damier / Haiti

Mr. Damier was not present for the meeting. After review, Mr. Stewart moved to deny the application as the application fails to demonstrate that the applicant meets the requirements of Rule 61G3-16.005, Florida Administrative Code. Ms. Rivera seconded the motion and the motion passed unanimously.

Pierre Casseus / Haiti

Mr. Casseus was not present for the meeting. After review, Ms. Rivera 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. Mr. Stewart seconded the motion and the motion passed unanimously.

Vitaly Bababekov / New York

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

Bryce Lombardi

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

Javier Arias Jr.

Mr. Arias was not present for the meeting. After review, Ms. Smith moved to deny the application for failure to disclose previous denials on the application. Ms. Veronica Wold seconded the motion and the motion passed unanimously.

Kenson Jacques

Mr. Jacques was not present for the meeting. After review, Vice Chair Gilbert moved to approve the application. The Board also imposed probation on the license to run concurrent with his criminal probation. Ms. Rivera seconded the motion and the motion passed with Ms. Smith and Ms. Wold voting against the motion.

**OTHER BUSINESS**

**Board Attorney Report**

Rule 61G3-16.002, Florida Administrative Code – Reexamination

The Board approved the following language and they agreed that there would be no negative impact on small business nor would there likely be any increase in regulatory costs in excess of \$200,000 in the aggregate within one year after implementation.

(1) An applicant who fails the state examination for licensure ~~in whole or in part~~ shall be required to pay the reexamination fee as set forth in Rule 61G3-20.002, F.A.C.

~~(2) An applicant must pass the examination within a one year period from the date of the first licensure examination in order to qualify for licensure.~~

~~(3)~~ (2) An applicant who fails the examination may apply to the Department to retake the examination by providing an reexamination application and paying the reexamination fee as set forth in Rule 61G3-20.002, F.A.C. Rulemaking Authority 455.217(2), 476.064(4), 476.114(3) FS. Law Implemented 455.217(2), 476.114(3) FS. History—New 7-16-80, Amended 4-6-82, 4-21-83, Formerly 21C-16.02, Amended 11-12-87, Formerly 21C-16.002, Amended 11-12-00, 2-11-10.

Rule 61G3-21.012, Florida Administrative Code – Notice of Non-Compliance

The Board agreed that this rule should be opened for discussion at their August 2015 meeting. They also agreed that there would be no negative impact on small business nor would there likely be any increase in regulatory costs in excess of \$200,000 in the aggregate within one year after implementation.

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

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

The rule amendment was effective February 26, 2015.

Rule 61G3-21.009, Florida Administrative Code – Citations

The rule amendment was effective February 26, 2015.



2015-2016 Annual Regulatory Plan

Ms. Clark provided the Board with the proposed Annual Regulatory Plan. The Board approved the plan as provided by Ms. Clark.

**Executive Director Report**

Financial Report ending December 2014

Ms. Barineau reported that the balance in the Board's operating account as of December 31, 2014, was over \$2 million, and the balance in their unlicensed activity account was over \$291,000 for the same period.

**Correspondence**

Complaints and Investigative Statistics – July 2014 – March 2015

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

Barber Examination Summary – January 2015 – March 2015

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

**Dates and Locations of Future Meetings**

August 10, 2015 – Atlantic Beach

November 2, 2015 – Destin

January 10, 2016 – Howie-in-the-Hills

April 17, 2016 – Brandon

July 17, 2016 – Naples

October 17, 2016 – Orlando

**ADJOURNMENT**

There being no further business, the meeting was adjourned at approximately 2:45 p.m.