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

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
Julie Rowland, Government Analyst, DBPR
Sandra Rentfrow, Division of Regulation, DBPR
Angela Reichenbaugh, Court Reporter
Yvonne Turner
James Nieva Jr.
Richard Bisbee
Ritchie Sandoval
Paula Canovas
Calvin Gonzalez
Eribin Michel
Assif Bagirov
Micheal Chatman

The meeting was opened with a roll call and a quorum was established. Chair White excused the absence of Ms. Julie Rivera from the meeting.

APPROVAL OF MINUTES
The Board approved the minutes from the May 18, 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 law of the Board and imposed the penalties shown below:
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:

• 3GS Barbershop and Leandroy Grullon; Davie
Case Nos. 2013043494 & 2013043210
$900 fine and $483.32 costs

• The Hair Tavern; Tavernier
Case No. 2014008180
$500 fine and $44.24 costs

• Jose Dionicio Cruz; Miami Beach
Case No. 2014024931
Mr. Johnson requested that the case be pulled from the agenda

• Antonio Rivero; Tampa
Case No. 2014034476
$500 fine and $136.17 costs
• SND Signature Cut & Salon; Miramar  
  Case No. 2014024888  
  $300 fine and $306.35 costs

• Derrick Pernell; Miami  
  Case No. 2014026300  
  $500 fine and $234.39 costs

• Robert Taylor; Wildwood  
  Case No. 2014032135  
  $500 fine and $214.41 costs

• Yassen Rodriguez; Kissimmee  
  Case No. 2014031453  
  $500 fine and $436.73 costs  
  Re-inspection within 30 days

• Exclusive Cuts League and Jose Salcedo; Miramar  
  Case Nos. 2014039136 & 2014042616  
  $1,500 fine and $350.85 costs  
  Revocation of licenses BS1080124 and BB8894727, and re-inspection within 30 days

• Central Barber Shop; Miami  
  Case No. 2014023788  
  $500 fine and $75.54 costs  
  Revocation of license BS7589, and re-inspection within 30 days

• Herard Barber Shop; West Palm Beach  
  Case No. 2014041863  
  $350 fine and $75.54 costs

• Roger Woomer; Labelle  
  Case No. 2014047270  
  $500 fine and $64.06 costs

• Anthony Hendrix; Ft. Lauderdale  
  Case No. 2014033965  
  $500 fine and $427.94 costs

• Gamboa Barbershop; Miami  
  Case No. 2014045357  
  $300 fine and $39.04 costs  
  Re-inspection within 30 days

• Clippers and Scissors; Miami  
  Case No. 2014046548  
  $400 fine and $23.93 costs

• Clippers and Scissors; Miami  
  Case No. 2014045846  
  Mr. Johnson requested that the case be pulled from the agenda

• Eribin Michel; Dover, DE  
  Case No. 2014025316  
  Mr. Johnson requested that the case be pulled from the agenda
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:

- Natural Beauty & Barber Salon; Sunrise
  Case Nos. 2014008736 & 2014033969
  $800 fine and $636.29 costs to be paid within six months

- D-Best Barber Beauty Salon; Ft. Pierce
  Case No. 2014025398
  $900 fine and $119.56 costs to be paid within six months

- Marion Oaks Palace Barber Shop; Ocala
  Case No. 2014032035
  $500 fine and $464.76 costs to be paid within six months

- Stay Sharp Barbershop; Orlando
  Case No. 2014053225
  $500 fine and $343.38 costs to be paid within six months

- You Are Next Barbershop and Juan Blanco; Jupiter
  Case Nos. 2014039562 & 2014039803
  $600 fine and $285.33 costs to be paid within six months

- Cut-N-Edge Barber Shop; Jacksonville
  Case No. 2015008279
  $2,800 fine and $184.39 costs to be paid within six months

Recommended Order

- Martin Rosalez; Wimauma
  Case No. 2014038871
  $500 fine and $131.12 costs to be paid within six months

Appeal

- Ritchie Sandoval; Sunrise
  Case No. 2013005380
  $800 fine and $153.39 costs
  Probation on license BR417 for five years

Department Attorney Report

Mr. Johnson informed the Board that as of July 8, 2015, there were 101 open barber cases in the legal section.

APPLICATIONS

Licensure Applications

Informal Hearing
Calvin Gonzalez
Mr. Gonzalez was present for the meeting and was sworn in by Ms. Angela Reichenbaugh, Court Reporter. Ms. Robyn Barineau, Executive Director, informed the Board that the application was denied at the May 18, 2015, Board meeting, based on the noted criminal history. After review, Ms. Monica Smith moved to approve the application. The Board also imposed probation on the license to run concurrent with his criminal probation. Mr. Eddie Stewart seconded the motion and the motion passed unanimously.

Hareton Tejada
Mr. Tejeda was not present for the meeting. Ms. Barineau informed the Board that the application was denied at the May 18, 2015, Board meeting, because the application failed to demonstrate he successfully completed 1,200 hours of barber training at a barbering school. After review, Mr. Stewart moved to approve the application. Ms. Smith seconded the motion and the motion passed unanimously.

Initial Review

Abijah Spence / New York
Mr. Spence was not present for the meeting. After review, Mr. Stewart moved to approve the application. Ms. Smith seconded the motion and the motion passed unanimously.

Ibtisam Hamdan / Palestine
Mr. Hamdan 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. Smith seconded the motion and the motion passed unanimously.

Fidelina Garcia / El Salvador
Mr. Garcia was not present for the meeting. After review, Mr. Rodriguez moved to approve the application. Vice Chair Bill Gilbert seconded the motion and the motion passed unanimously.

Antonio Russo / New York
Mr. Russo was not present for the meeting. After review, Vice Chair Gilbert moved to approve the application. Ms. Smith seconded the motion and the motion passed unanimously.

Michael Cunningham
Mr. Cunningham was not present for the meeting. After review, Vice Chair Gilbert moved to deny the application based on unsatisfied previous discipline. Ms. Veronica Wold seconded the motion and the motion passed unanimously.

Steven Orenko
Ms. Yvonne Turner 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 five years. Mr. Lionel Rodriguez seconded the motion and the motion passed unanimously.

Renold Marcelin
Ms. Turner was present for the meeting. After review, Mr. Stewart moved to approve the application. The Board also imposed probation on the license for five years. Mr. Rodriguez seconded the motion and the motion passed with Vice Chair Gilbert voting against the motion.

James Amelio
Ms. Turner was present for the meeting. After review, Ms. Smith moved to approve the application. The Board also imposed probation on the license for five years. Ms. Wold seconded the motion and the motion passed unanimously.

Jason Doland
Ms. Turner was present for the meeting. After review, Mr. Stewart moved to approve the application. The Board also imposed probation on the license for five years. Mr. Rodriguez seconded the motion and the motion passed unanimously.

William Upperman, III
Ms. Turner was present for the meeting. After review, Mr. Stewart moved to approve the application. The Board also imposed probation on the license for five years. Mr. Rodriguez seconded the motion and the motion passed unanimously.

Decire Verdecia Barbat / Cuba
Ms. Barbat was not present for the meeting. After review, Vice Chair Gilbert 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.

Yitzhak Isaschar / Spain
Mr. Isachar was not present for the meeting. After review, Mr. Stewart moved to approve the application. Ms. Wold seconded the motion and the motion passed unanimously.

Assif Bagirov / Uzbekistan
Mr. Bagirov 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.

Peter Patrick
Mr. Patrick was not present for the meeting. After review, Mr. Stewart moved to deny the application as the application fails to demonstrate that the applicant successfully completed 1,200 hours of barber training at a barbering school. Ms. Smith seconded the motion and the motion passed unanimously.

James Anthony Martin / Haiti
Mr. Martin 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. Smith seconded the motion and the motion passed unanimously.

Eric Rivera / New York
Mr. Rivera was not present for the meeting. After review, Mr. Stewart moved to approve the application. Ms. Smith seconded the motion and the motion passed unanimously.

OTHER BUSINESS

Board Attorney Report

Rule 61G3-16.002, Florida Administrative Code – Reexamination
The Board approved the following language and 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 and wishes to retake the examination, shall be required to pay the reexamination fee as set forth in Rule 61G3-20.002, F.A.C., and submit a completed re-examination application, a link to which can be found at Rule 61-35.006, 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) An applicant who fails the examination may apply to the Department to retake the examination by providing an 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.

Correspondence

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

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 2, 2015 – Destin
January 10, 2016 – Howie-in-the-Hills
April 17, 2016 – Brandon
July 17, 2016 – Naples
October 17, 2016 – Orlando

Elections

The Board unanimously elected Mr. Herman White, Chair, and Mr. Bill Gilbert, Vice Chair, of the Florida Barbers’ Board.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 1:35 p.m.