

BOARD FOR BARBERS & COSMETOLOGY

MINUTES OF MEETING

The Board for Barbers & Cosmetology met on Monday, February 2, 2009, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia. The following members were present:

Jessie H. Anders
Gloria L. Howard-Seldon
Jonathan W. Minor
Lonnie E. Quesenberry
Virginia Sanders
Laura A. Todd
Jessica B. Weaver

The following board member was present via teleconference:

L. Saphonia Gee

The following board member was not present:

Hien Huu Do

DPOR staff present for all or part of the meeting included:

Jay W. DeBoer, Director
Mark N. Courtney, Deputy Director of LRD
Nick Christner, Deputy Director of Investigations
William H. Ferguson, II, Executive Director
Sharon Sweet, Director of Education & Examinations
Vicki Traylor, Legal Analyst
Michelle Atkinson, Legal Analyst
Tamika Watson, Administrative Assistant

Representative from the Office of the Attorney General was present for the meeting.

Elizabeth B. Peay

Mr. Quesenberry, Chair, determined a quorum was present and called **Call to Order** the meeting to order at 9:14 a.m.

The Board established that in accordance with Section 2.2-3708.1. 2. of the *Code of Virginia*, if a member of a public body notifies the chair of the public body that such member is unable to attend a meeting due to a temporary or permanent disability or other medical condition that **Ms. Gee**

prevents the member's physical attendance and the public body records this fact and the remote location from which the member participated in its minutes, Ms. Gee would be able to participate in the board meeting by phone from Virginia Beach due to her temporary medical condition resulting from back surgery.

Upon a motion by Mr. Anders and seconded by Ms. Weaver the Board voted to adopt the agenda as written.

Approval of Agenda

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Mr. Quesenberry asked if there was any public comment. There was no public comment.

Public Comment

Upon a motion by Ms. Sanders and seconded by Ms. Gee, the Board voted to approve the minutes as written of the:

Approval of Minutes for October 6, 2008, Board Meeting, September 18, 2008, Informal Fact-Finding Conference, October 2, 2008, Informal Fact-Finding Conference, October 23, 2008, Informal Fact-Finding Conference, November 13, 2008, Informal Fact-Finding Conference, November 20, 2008, Informal Fact-Finding Conference, December 9, 2008, Informal Fact-Finding Conference, December 11, 2008, Informal Fact-Finding Conference, and December 17, 2008, Informal Fact-Finding Conference
IFF, October 2, 2008, IFF, October 23, 2008 IFF, November 13, 2008, IFF, November 20, 2008, IFF, December 9, 2009 IFF, December 11, 2008 IFF and, December 17, 2008, IFF.

October 6, 2008, Board for Barbers and Cosmetology Board Meeting
September 18, 2008, Informal Fact-Finding Conference,
October 2, 2008, Informal Fact-Finding Conference,
October 23, 2008, Informal Fact-Finding Conference,
November 13, 2008, Informal Fact-Finding Conference,
November 20, 2008, Informal Fact-Finding Conference,
December 9, 2008, Informal Fact-Finding Conference,
December 11, 2008, Informal Fact-Finding Conference, and
December 17, 2008, Informal Fact-Finding Conference

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2008-04552, Board v. Neal Simpson t/a Skinne's Barber Shop** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Neal Simpson did not appear at the meeting in person, by counsel, or by any other qualified representative

File Number 2008-04552, Neal Simpson t/a Skinne's Barber Shop

Upon a motion by Mr. Anders and seconded by Ms. Todd, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference and found substantial evidence

that Neal Simpson t/a Skinne's Barber Shop violated the following sections of its Regulations.

- Count 1: 18 VAC 41-20-280 A 9 (Effective July 1, 2003)
- Count 2: 18 VAC 41-20-280 C 2 (Effective July 1, 2003)
- Count 3: 18 VAC 41-20-270 B 6 (Effective July 1, 2003)
- Count 4: 18 VAC 41-20-270 C 2 (Effective July 1, 2003)
- Count 5: 18 VAC 41-20-270 C 4 (Effective July 1, 2003)
- Count 6: 18 VAC 41-20-270 C 5 (Effective July 1, 2003)
- Count 7: 18 VAC 41-20-280 C 6 (Effective July 1, 2003)
- Count 8: 18 VAC 41-20-270 D 1 (Effective July 1, 2003)
- Count 9: 18 VAC 41-20-270 E 1 (Effective July 1, 2003)
- Count 10: 18 VAC 41-20-270 E 12 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. Anders and seconded by Ms. Todd, the Board voted to accept the recommend sanction contained in the Summary of the Informal Fact-Finding Conference.

Count 2:	18 VAC 41-20-280 C 2	\$2,500.00
Count 3:	18 VAC 41-20-270 B 6	\$100.00
Count 4:	18 VAC 41-20-270 C 2	\$100.00
Count 5:	18 VAC 41-20-270 C 4	\$100.00
Count 6:	18 VAC 41-20-270 C 5	\$100.00
Count 7:	18 VAC 41-20-280 C 6	\$100.00
Count 8:	18 VAC 41-20-270 D 1	\$100.00
Count 9:	18 VAC 41-20-270 E 1	\$100.00
Count 10:	18 VAC 41-20-270 E 12	\$100.00

Total monetary penalty	\$3,300.00
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In addition, for Counts 1 and 2 the Board imposed revocation of barber shop license number 1304002869 for violation of the regulations.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-02971, Board v. Quach, Chung.**, the Board reviewed the record which consisted of the investigative file, **File Number 2007-02971, Quach,**

transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. **Chung.** Chung Quach did not appear at the meeting in person, by counsel, or by any other qualified representative.

Upon a motion by Ms. Todd and seconded by Ms. Weaver, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference and found substantial evidence that Chung Quach violated the following section of its Regulations.

Count 1: 18 VAC 41-30-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Sanders and seconded by Ms. Weaver the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-30-250 A 3	\$2,500.00

Total monetary penalty		\$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1201102887 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Mr. Quesenberry left the meeting. Ms. Howard-Seldon assumed the chair

**Mr. Quesenberry -
Transfer of Chair**

In the matter of File Number 2007-02975, Board v. Ho, Terry X., the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Terry X. Ho. did not appear at the meeting in person, by counsel, or by any other qualified representative.

**File Number 2007-
02975, Ho, Terry X.**

Upon a motion by Mr. Anders and seconded by Ms. Todd the Board

adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Terry X. Ho violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Quesenberry was not present, did not participate in the discussion, and did not vote on this matter.

Upon a motion by Ms. Todd and seconded by Ms. Sanders the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280 A 3	\$2,500.00

Total monetary penalty		\$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1201102610 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Quesenberry was not present, did not participate in the discussion, and did not vote on this matter.

Mr. Quesenberry returned to the meeting and resumed the chair

**Mr. Quesenberry –
Transfer of Chair**

In the matter of **File Number 2007-03005, Board v. Bui, Linh Mong Thi**, the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Linh Mong Thi Bui did not appear at the meeting in person, by counsel, or by any other qualified representative.

**File Number 2007-
03005, Bui, Linh
Mong Thi**

Upon a motion by Ms. Howard-Seldon and seconded by Ms. Todd the

Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference and found substantial evidence that Ling Mong Thi Bui violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Sanders and seconded by Ms. Weaver the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280 A 3	\$2,500.00

Total monetary penalty		\$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1201103284 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03006, Board v. Nguyen, Kim Phung Thi** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Kim Phung Thi Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03006, Nguyen, Kim Phung Thi

Upon a motion by Ms. Howard-Seldon and seconded by Ms. Weaver the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Kim Phung Thi Nguyen violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Weaver and seconded by Mr. Minor the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280 A 3	\$2,500.00

Total monetary penalty		\$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1201103235 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03010, Board v. Tran, Huong Thu** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Huong Thu Tran did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03010, Tran, Huong Thu

Upon a motion by Ms. Sanders and seconded by Mr. Anders the Board adopted the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Huong Thu Tran violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Sanders and seconded by Ms. Weaver the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the

following sanctions:

Count 1:	18 VAC 41-20-280 A 3	\$2,500.00

Total monetary penalty		\$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1206016584 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03011, Board v. Nguyen, Mai T.** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mai T. Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03011, Nguyen, Mai T.

Upon a motion by Mr. Anders and seconded by Ms. Gee the Board adopted the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Mai T. Nguyen violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Sanders and seconded by Mr. Anders the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280 A 3	\$2,500.00

Total monetary penalty		\$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1201103309 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03012, Board v. Pham, Mai T.** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mai T. Pham did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03012, Pham, Mai T.

Upon a motion by Ms. Howard-Seldon and seconded by Mr. Minor the Board adopted the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Mai T. Pham violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Sanders and seconded by Ms. Weaver the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280 A 3	\$2,500.00
Total monetary penalty		<u>\$2,500.00</u>

In addition, for Count 1 the Board imposed revocation of license number 1206017069 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03065, Board v. Mai, Lanh Kim** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding

File Number 2007-03065, Mai, Lanh Kim.

Conference. Lanh Kim Mai did not appear at the meeting in person, by counsel, or by any other qualified representative.

Upon a motion by Ms. Sanders and seconded by Mr. Minor the Board adopted the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Lanh Kim Mai violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Howard-Seldon and seconded by Mr. Minor the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280 A 3	\$2,500.00

Total monetary penalty		\$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1201100761 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03069, Board v. Nguyen, Ngoc Anh**, the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Ngoc Anh Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03069, Nguyen, Ngoc Anh

Upon a motion by Ms. Sanders and seconded by Mr. Anders the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Ngoc Anh Nguyen violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Weaver and seconded by Ms. Gee the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280 A 3	\$2,500.00

Total monetary penalty		\$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1201102867 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03071, Board v. Vo, Binh Thi** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Binh Thi Vo did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03071, Vo, Binh Thi

Upon a motion by Ms. Howard-Seldon and seconded by Ms. Weaver the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Binh Thi Vo violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Howard-Seldon and seconded by Ms. Weaver the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280 A 3	\$2,500.00

Total monetary penalty		\$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1201103188 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03260, Board v. Vu, Hong Xiem Queen**, the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Hong Xiem Queen Vu did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03260, Vu, Hong Xiem Queen

Upon a motion by Ms. Sanders and seconded by Ms. Todd the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Hong Xiem Queen Vu violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Todd and seconded by Mr. Anders the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280 A 3	\$2,500.00

Total monetary penalty \$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1201103361 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03261, Board v. Nguyen, Larry Hoang**, the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Larry Hoang Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03261, Nguyen, Larry Hoang

Upon a motion by Ms. Todd and seconded by Mr. Anders the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Larry Hoang Nguyen violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Todd and seconded by Mr. Anders the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280 A 3	\$2,500.00
Total monetary penalty		----- \$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1201100623 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed

unanimously.

In the matter of **File Number 2007-03264, Board v. Tran, Hoa Thi** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Hoa Thi Tran did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03264, Tran, Hoa Thi

Upon a motion by Ms. Todd and seconded by Ms. Weaver the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Hoa Thi Tran violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Todd and seconded by Ms. Gee the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280 A 3	\$2,500.00

Total monetary penalty		\$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1206016210 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03494, Board v. Ho, Thanh N.** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Thanh N. Ho did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03494, Ho, Thanh N.

Upon a motion by Ms. Todd and seconded by Mr. Anders the Board

adopted the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Thanh N. Ho violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Todd and seconded by Mr. Anders the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280 A 3	\$2,500.00

Total monetary penalty		\$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1201100777 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03497, Board v. Pham, Cam Ly Thi**, the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Cam Ly Thi Pham did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03497, Pham, Cam Ly Thi

Upon a motion by Ms. Howard-Seldon and seconded by Ms. Weaver the Board adopted the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference as amended and change license number on Summary to 1201103474 and found substantial evidence that Ling Mong Thi Bui violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Sanders and seconded by Mr. Minor the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280 A 6	\$2,500.00

Total monetary penalty		\$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1201103474 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2008-00782, Board v. Nguyen, My Thi** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. My Thi Nguyen appeared and addressed the Board.

File Number 2008-00782, Nguyen, My Thi

Upon a motion by Ms. Todd and seconded by Ms. Howard-Seldon the Board voted not to take final action on the case and referred the case to staff for further action.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2008-04690, Board v. Nguyen, Lieu Thi**, the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Lieu Thi Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2008-04690, Nguyen, Lieu Thi

Upon a motion by Ms. Sanders and seconded by Mr. Minor the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of

the *Informal Fact-Finding Conference*, and found substantial evidence that Lieu Thi Nguyen violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Sanders and seconded by Mr. Anders the Board voted to accept the recommended sanctions contained in the Summary of the *Informal Fact-Finding Conference* and to impose the following sanctions:

Count 1:	18 VAC 41-20-280 A 3	\$2,500.00

Total monetary penalty		\$2,500.00

In addition, for Count 1 the Board imposed revocation of license number 1201101619 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2009-00241, Board v. Nguyen, My Chau T.** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the *Informal Fact-Finding Conference*. My Chau T. Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2009-00241, Nguyen, My Chau T.

Upon a motion by Mr. Minor and seconded by Ms. Howard-Seldon the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the *Informal Fact-Finding Conference* as amended and change license number on Summary to 1201106696 and found substantial evidence that My Chau T. Nguyen violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms.

Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. Minor and seconded by Mr. Anders the Board voted to accept the recommended sanction contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction:

For Count 1 the Board imposed revocation of license number 1201106696 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously

In the matter of **File Number 2009-00247, Board v. Lam, Ba Thi** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Ba Thi Lam did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2009-00247, Lam, Ba Thi

Upon a motion by Ms. Howard-Seldon and seconded by Ms. Weaver the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference as amended and change date on participant letter to February 2, 2009 and found substantial evidence that Ba Thi Lam violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. Anders and seconded by Ms. Howard-Seldon the Board voted to accept the recommended sanction contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction:

For Count 1 the Board imposed revocation of license number 1201106672 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously

In the matter of **File Number 2009-00248, Board v. Kostyn, Kristy** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Kristy Kostyn did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2009-00248, Kostyn, Kristy

Upon a motion by Ms. Howard-Seldon and seconded by Ms. Sanders the Board adopted the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Kristy Kostyn violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Sanders and seconded by Mr. Anders the Board voted to accept the recommended sanction contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction:

For Count 1 the Board imposed revocation of license number 1201106699 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously

In the matter of **File Number 2009-00249, Board v. Tran, Jimmy Tuan** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Jimmy Tuan Tran did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2009-00249, Tran, Jimmy Tuan

Upon a motion by Ms. Howard-Seldon and seconded by Ms. Weaver

the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference and found substantial evidence that Jimmy Tuan Tran violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. Anders and seconded by Ms. Sanders the Board voted to accept the recommended sanction contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction:

For Count 1 the Board imposed revocation of license number 1201106862 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2009-00250, Board v. Ton, Trinh Tu N.** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Trinh Tu N. Ton did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2009-00250, Ton, Trinh Tu N.

Upon a motion by Ms. Sanders and seconded by Ms. Weaver the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference and found substantial evidence that Trinh Tu N. Ton violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. Minor and seconded by Ms. Gee the Board voted to accept the recommended sanction contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction:

For Count 1 the Board imposed revocation of license number 1201105110 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously

In the matter of **File Number 2009-00251, Board v. Han, Nam Hee** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Nam Hee Han did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2009-00251, Han, Nam Hee

Upon a motion by Ms. Howard-Seldon and seconded by Ms. Weaver the Board adopted the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Nam Hee Han violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. Anders and seconded by Ms. Todd the Board voted to accept the recommended sanction contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction:

For Count 1 the Board imposed revocation of license number 1201105817 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed

unanimously

Recessed @10:12 reconvened at 10:40

Break

In the matter of **File Number 2009-00255, Board v. Trinh, Larry** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Larry Trinh did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2009-00255, Trinh, Larry

Upon a motion by Ms. Todd and seconded by Ms. Howard-Seldon the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference and found substantial evidence that Larry Trinh violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Howard-Seldon and seconded by Ms. Weaver the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

For Count 1 the Board imposed revocation of license number 1201106719 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously

In the matter of **File Number 2009-00258, Board v. Nguyen, Muoi Thi** the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Muoi Thi Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2009-00258, Nguyen, Muoi Thi

Upon a motion by Ms. Sanders and seconded by Ms. Gee the Board adopted the Report of Findings which contains the facts regarding the

regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference and found substantial evidence that Muoi Thi Nguyen violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Sanders and seconded by Ms. Gee the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

For Count 1 the Board imposed revocation of license number 1201105973 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously

In the matter of **File Number 2009-00262, Board v. Huynh, Nga Thi Phuong**, the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Nga Thi Phuong Huynh did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2009-00262, Huynh, Nga Thi Phuong

Upon a motion by Ms. Todd and seconded by Ms. Howard-Seldon the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference and found substantial evidence that Nga Thi Phuong Huynh violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. Anders and seconded by Mr. Minor the Board voted to accept the recommended sanction contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction:

For Count 1 the Board imposed revocation of license number 1201105205 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously

In the matter of **File Number 2009-00276, Board v. Nguyen, Hien Thi**, the Board reviewed the record which consisted of the investigative file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Hien Thi Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2009-00276, Nguyen, Hien Thi

Upon a motion by Ms. Todd and seconded by Ms. Howard-Seldon the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference and found substantial evidence that Hien Thi Nguyen violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. Anders and seconded by Ms. Gee the Board voted to accept the recommended sanction contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction:

For Count 1 the Board imposed revocation of license number 1201106453 for violation of the regulation.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed

unanimously

In the matter of **File Number 2007-02982, Board v. Le, Ngoc Hong**, the Board reviewed the record which consisted of the Consent Order. Ngoc Hong Le did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-02982, Le, Ngoc Hong

By signing the Consent Order, Ngoc Hong Le acknowledges an understanding of the charges and hereby admits to the violation of the Count 1 as outlined in the Report of Findings. Ngoc Hong Le consents to the following term(s):

Count 1: 18 VAC 41-20-280 (Effective July 1, 2003)

For Count 1, Le agrees to revocation of license number 1201101075 for violation of the regulation.

In addition, Le agrees to return the license with the signed Consent Order.

Upon a motion by Ms. Sanders and seconded by Ms. Gee the Board voted to accept the Consent Order.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03015, Board v. Thai, Vien** the Board reviewed the record which consisted of the Consent Order. Vien Thai did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03015, Thai, Vien

By signing the Consent Order, Vien Thai acknowledges an understanding of the charges and hereby admits to the violation of the Count 1 as outlined in the Report of Findings. Vien Thai consents to the following term(s):

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

For Count 1, Thai agrees to revocation of license number 1201102689 for violation of the regulation.

In addition, Thai agrees to return the license with the signed Consent Order.

Upon a motion by Ms. Howard-Seldon and seconded by Mr. Anders the Board voted to accept the Consent Order.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-05023, Board v. Doan, Lien Thi Kim**, the Board reviewed the record which consisted of the Consent Order. Lien Thi Kim Doan did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-05023, Doan, Lien Thi Kim

By signing the Consent Order, Lien Thi Kim Doan acknowledges an understanding of the charges and hereby admits to the violation of the Count 1 as outlined in the Report of Findings. Lien Thi Kim Doan consents to the following term(s):

Count 1: 18 VAC 41-20-280 (Effective July 1, 2003)

For Count 1, Doan agrees to revocation of license number 1201102652 for violation of the regulation.

In addition, Doan agrees to return the license with the signed Consent Order.

Upon a motion by Ms. Sanders and seconded by Ms. Weaver the Board voted to accept the Consent Order.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Mr. Quesenberry left the meeting. Ms. Howard-Seldon assumed the chair

Mr. Quesenberry – Transfer of Chair

In the matter of **File Number 2008-02124, Board v. Tran, Diem Thi**, the Board reviewed the record which consisted of the Consent Order. Diem Thi Tran did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2008-02124, Tran, Diem Thi

By signing the Consent Order, Diem Thi Tran acknowledges an understanding of the charges and hereby admits to the violation of the

Count 1 as outlined in the Report of Findings. Diem Thi Tran consents to the following term(s):

Count 1: 18 VAC 41-20-280 A 3 (Effective July 1, 2003)

For Count 1, Tran agrees to revocation of license number 1206016909

In addition, Tran agrees to return the license with the signed Consent Order.

Upon a motion by Ms. Sanders and seconded by Mr. Anders the Board voted to accept the Consent Order.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Quesenberry was not present, did not participate in the discussion, and did not vote on this matter.

Mr. Quesenberry returned to the meeting and resumed chair

**Mr. Quesenberry –
Transfer of Chair**

In the matter of **File Number 2009-00029, Board v. Avalon** the Board reviewed the record which consisted of the Consent Order. Avalon did not appear at the meeting in person, by counsel, or by any other qualified representative.

**File Number 2009-
00029, Avalon**

By signing the Consent Order, Avalon acknowledges an understanding of the charges and hereby admits to the violation of the Count 1 as outlined in the Report of Findings. Avalon consents to the following term(s):

Count 1:	18 VAC 41-20-270 C 2	\$100.00
Count 2:	18 VAC 41-20-270 B 6	\$100.00
Count 3:	18 VAC 41-20-260 A	\$100.00
	(Effective July 1, 2003)	-----
Sub Total (Monetary Penalty)		\$300.00
Board costs		\$150.00

Total		\$450.00

Upon a motion by Mr. Anders and seconded by Ms. Weaver the Board voted to accept the Consent Order.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Todd, and Ms. Weaver. The member voting "no" was Ms. Sanders. The motion passed by majority vote.

In the matter of **File Number 2008-04670, Board v. Perveen, Shafqat**, the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Shafqat Perveen, her daughter Anna, and her husband, Hidayad Ullah appeared at the meeting and addressed the Board.

File Number 2008-04670, Perveen, Shafqat

Upon a motion by Ms. Todd, and seconded by Ms. Gee, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference as amended to change the file number found on the Summary to 2009-04670 and deny Shafqat Perveen's cosmetology license application.

The members voting 'yes' were Mr. Anders, Ms. Gee, Mr. Minor, Mr. Quesenberry, Ms. Todd, and Ms. Weaver. The member voting "no" was Ms. Howard-Seldon. The motion passed by majority vote.

In the matter of **File Number 2009-01044, Board v. Carlson, Robin Lillian**, the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Robin Lillian Carlson appeared at the meeting and addressed the Board.

File Number 2009-01044, Carlson, Robin Lillian

Upon a motion by Ms. Todd, and seconded by Ms. Sanders the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Robin Lillian Carlson's cosmetology license application.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2009-01484, Board v. Quadri, Farhatjabeen**, the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Farhatjabeen Quadri appeared at the meeting and addressed the Board.

File Number 2009-01484, Quadri, Farhatjabeen

Upon a motion by Ms. Howard-Seldon and seconded by Mr. Anders the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference as amended to change in the Summary paragraph 3 to read 1998 and approve Farhatjabeen Quadri's cosmetologist license application.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2009-01736, Board v. McConnell, Sharon Lynn**, the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Beverly Connor, retired instructor at Henrico County Jail East, appeared at the meeting as a representative and addressed the Board.

File Number 2009-01736, McConnell, Sharon Lynn

Upon a motion by Mr. Anders and seconded by Ms. Gee the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Sharon Lynn McConnell's cosmetologist license application.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2009-01814, Board v. Strother, Eric E.** the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Eric E. Strother appeared at the meeting and addressed the Board.

File Number 2009-01814, Strother, Eric E.

Upon a motion by Ms. Todd and seconded by Ms. Howard-Seldon the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Eric E. Strother's barber license application.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2009-00395, Board v. Rexrode, Lisa**

File Number 2009-

Anne, the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Lisa Anne Rexrode and Beverly Connor, retired instructor at Henrico County Jail East, appeared at the meeting and addressed the Board.

00395, Rexrode, Lisa Anne

Upon a motion by Ms. Howard-Seldon and seconded by Ms. Gee the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference as amended and change file number in Summary to 2009-00395 and approve Lisa Anne Rexrode's cosmetology license application.

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Todd and seconded by Ms. Howard-Seldon, the Board voted to remove hard wax portion of the esthetician examination based on the NIC job task analysis and that it was not needed based on the number of hair removal performances required by regulations.

Esthetician Practical Examination

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Todd, and Ms. Weaver. The member voting "no" was Ms. Sanders. The motion passed by majority vote.

Upon a motion by Ms. Howard-Seldon and seconded by Mr. Anders, the Board voted to appoint Mr. Quesenberry and Ms. Todd to represent the Board as members of the DPOR Proposal Evaluation Committee along with William Ferguson and Sharon Sweet. The committee will review and select an examination services vendor for the next contract. All board members would be provided the opportunity to comment on the Request For Proposal prior to publishing.

Request For Proposal Evaluation Committee

The members voting 'yes' were Mr. Anders, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. The member voting "no" was Ms. Gee. The motion passed by majority vote.

Upon a motion by Ms. Sanders and seconded by Ms. Gee, the Board voted to include the development of a master esthetician practical examination in the Request For Proposal.

Request For Proposal – Master Esthetician Practical Examination

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms.

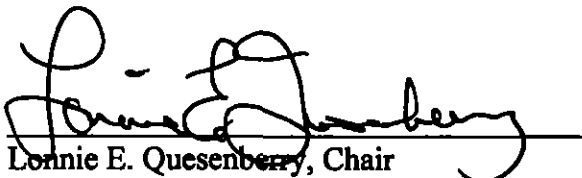
Weaver. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. Minor and seconded by Mr. Anders, the Board clarified that persons applying for the master esthetician license are required to pass the basic esthetician practical examination if they have not passed an esthetics practical examination previously. This is not a change; this is the qualification currently in place.

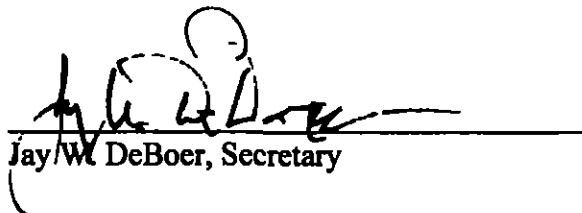
Esthetics
Regulations

The members voting 'yes' were Mr. Anders, Ms. Gee, Ms. Howard-Seldon, Mr. Minor, Mr. Quesenberry, Ms. Sanders, Ms. Todd, and Ms. Weaver. There were no negative votes. The motion passed unanimously.

There being no other business to be brought before the Board, the chairman adjourned the meeting at 1:25 a.m. **Adjourn**



Lonnie E. Quesenberry, Chair



Jay W. DeBoer, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Gloria Howard-Seldon
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: February 2, 2009
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

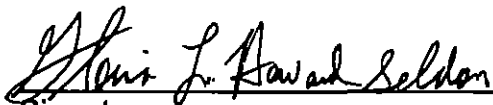
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:


I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature


Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Virginia Sanders
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: February 2, 2009
5. I have a personal interest in the following transaction:

N/A

Nature of Personal Interest Affected by Transaction: _____

N/A

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

N/A

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Virginia R. Sanders
Signature

2/2/09
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Jessica Weaver
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: February 2, 2009
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

tattooing & body piercing

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

J. Weaver
Signature

2/2/09
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

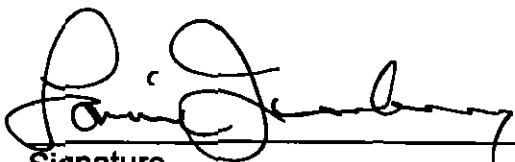
1. Name: Lonnie Quesenberry
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: February 2, 2009
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I do not have a personal interested in any transactions taken at this meeting.



Signature

2-7-09
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Laura Todd
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: February 2, 2009
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

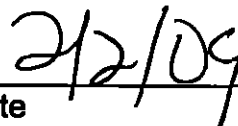
I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.



Signature

Date



**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Jonathan Minor
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: February 2, 2009
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

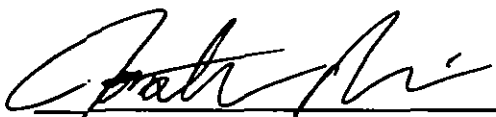
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.



Signature

2-2-2009

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

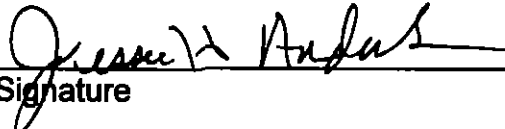
**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Jessie Anders
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: February 2, 2009
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6. I do not have a personal interested in any transactions taken at this meeting.


Signature

2-2-09
Date