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OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION
BOARD OF BARBERING, COSMETOLOGY, AND ESTHETICS

7 EAGLE SQUARE • CONCORD, N.H. 03301
 PHONE (603) 271-2152 www.oplc.nh.gov

**SHOP
 INSPECTION FORM**

Estab. Name Tina Spa and Nails (Nails for You) Date 6-1-21
 Owner Name Charthy Chea 359 (C) Shop License # _____
 Estab. Location 704 Milford Rd Town Merrimack
 Shop Manager _____ Time In _____ Time Out _____

Purpose: Routine Follow-up New: Shop Location Ownership
 Investigation Booth Complaint Other Salon not opened by state.

Violations must be corrected within 7 days per Bar 404.01(o)

ITEMS	POINTS	DESCRIPTION	ITEMS	POINTS	DESCRIPTION
A	5	EQUIPMENT: Square Footage: _____ Tanning _____ ENTRANCE _____ Water Hot & Cold _____ LAVATORY FACILITY _____ Entrance Marked _____ Mechanical ventilation as required _____	N	25	APPRENTICES: Apprentice wearing a name tag as required _____
B	3	FLOORS, WALLS, WOODWORK, FURNITURE: Cleaned as required _____	O	25	Apprentice properly supervised _____
C	250	DISINFECT: EPA _____	P	25	Apprentice properly registered with the board as required _____
D	100	WHIRLPOOL, FOOT SPA OR SPA: Cleaned & disinfected after each use _____	Q	25	Apprentice has been terminated and the board notified as required _____
E	25	Record of cleaning & Disinfecting _____	R	25	LICENSES: Licenses & Work Permits displayed as required _____
F	3	Disinfect shampoo bowl _____	S	25	Proper nail drill _____ Certification _____ Sign _____
G	5	Disinfect table _____ Disinfect Pedicure Area _____ Disinfection container maintained as required _____	T	25	Inspection report displayed as required _____ and not covered _____
H	3	Implements & appliances shall be cleaned and disinfected properly _____ stored properly _____	U	50	All Licensees, Facilities, and Work Permits valid as required. _____ 2 nd 250 points _____ 3 rd 500 points
I	3	All implements and supplies discarded if they can not be disinfected _____ In a closed container _____	V	1 st 400 2 nd 500	MethylMethacrylate Shop owner _____ Licensee _____
J	3	Neck duster disinfected before each use _____	W	100	First Aid Supplies _____
K	5	Soiled towels and hair deposited in separate containers _____	X	50	Unprofessional behavior _____
L	3	Patron covered with neck strip or towel cape as required _____ Or cape laundered after each use _____	Y	100	MSDS sheets _____
M	3	Advertise or solicit clients in the proper manner as required _____	Z	500	Individual does not have a NH License _____
			AA	500	Unauthorized use _____
			BB	50	No Photograph on License _____
			CC	50	Failure to provide government issued photo identification _____

TANNING:

(3) Points • Well lighted and ventilated _____
 • Owners manual for each unit _____

(5) Points • Tanning device shall have remote timing location _____
 • Physical barriers _____
 • Eyewear not reused _____
 Eyewear meets 21 CFR 1040.20 _____
 Eyewear not altered _____

(25) Points • Certification _____ Sign _____
 • Contact surfaces disinfected or covered by a non-resuable shield _____
 • Lamps replaced _____ Records required by 30, VI _____
 False claims or promotion _____
 • Operator shall not allow use of device without eyewear _____

(100) Points • Proof of age _____ Incomplete records _____

(250) Points • Underaged Tanning _____

TANNING SALONS NOT REGISTERED WITH BOARD: YOU HAVE 7 DAYS FROM THIS NOTIFICATION TO REGISTER AS A TANNING SALON. THE FINE WILL BE \$100 PER DAY ON THE 8TH DAY.

TOTAL POINTS 50 TOTAL FINE TBD
 Fines = \$1.00 a Point

COMMENTS Salon has been open w/no inspection for change of owner. Explained process. Explained that previous owner must give at least 21 day written notice of intent to change owner.
Salon is to be closed until properly registered and inspected

The shop owner, manager, or licensee shall sign this inspection report to indicate receipt only. Signature of this form does not indicate agreement with findings. This inspection report shall be posted in a conspicuous and unobstructed place.

Owner/Manager/Licensee Signature Charthy Chea Date 6-1-21
 Inspector's Signature [Signature] Date 6-1-21

State of New Hampshire

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION DIVISION OF HEALTH PROFESSIONS

Board of Barbering, Cosmetology and Esthetics
7 Eagle Square, Suite 300
Concord, N.H. 03301-2412
Telephone 603-271-2152 · Fax 603-271-6702

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JUL 14 2021

OPLC-FINANCE



July 1, 2021

Nails For You
Chantry Chea
704 Milford Rd. #4
Merrimack, NH 03054

Certified and Regular Mail

Dear Chantry Chea:

On July 1, 2021 the New Hampshire Board of Barbering, Cosmetology, and Esthetics ("Board") reviewed an inspection report issued to you and/or your business dated June 1, 2021. The inspection report reflects 50 points assessed during this inspection. In accordance with RSA 313-A and administrative rule Bar 404 the Board shall assess fines based on the number of points a licensee has accumulated during the inspection.

The Board has determined, in accordance with RSA 313-A and Bar 400, the total number of points assessed during the June 1, 2021 inspection totals: 50 points. The Board has further assessed a fine in the amount of \$50.00.

You have three options upon receipt of this notice:

- 1) Pay the fine immediately, payable to "Treasurer, State of NH" no later than within 20 days of receipt of this letter;
- 2) Request, in writing, a pre-hearing conference in accordance with Bar 404.06;
- 3) Request a hearing, in writing, in accordance with Bar 404.07. The Board will thereafter schedule a hearing on the matter.

If you: 1) Pay the fine immediately, payable to "Treasurer, State of NH" no later than within 20 days of receipt of this letter;

Also, sign and mail in attached settlement agreement with payment.

If you fail to pay the assessed fine within 20 days of the date you signed for the notice and fail to request a hearing, the proposed fine will be final.

Sincerely,

Jessica Kennedy
Board Administrator

STATE OF NEW HAMPSHIRE

RECEIVED

JUL 14 2021

OPLC-FINANCE

OFFICE OF PROFESSIONAL

LICENSURE AND CERTIFICATION

Amount \$50
Check 247

BOARD OF BARBERING, COSMETOLOGY, AND ESTHETICS

SETTLEMENT AGREEMENT

In the Matter of:

Case #2021-ENF-Tina Spa & Nails/Nails For You-0729

**Nails For You
License No. 4899
Chanthy Chea
License No. 35900**

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public and the practice of Barbering, Cosmetology, and Esthetics, the Board of Barbering, Cosmetology, and Esthetics ("the Board") and Chanthy Chea ("Respondent"), a licensed Manicurist currently licensed in the State of New Hampshire, agree to resolve certain allegations of violations regulating the profession now pending before the Board in accordance with the following terms and conditions:

1. The parties stipulate that Board inspectors have jurisdiction to conduct inspections of shops and schools pursuant to NH RSA 313-A: 21 and administrative rule Bar 404.01.is

7. Respondent voluntarily enters into and signs this *Settlement Agreement* and states that no promises or representations have been made to Respondent other than those terms and conditions expressly stated herein.
8. The Board agrees that in return for Respondent executing this *Settlement Agreement*, the Board will not proceed with the formal adjudicatory process based upon the facts described herein.
9. Respondent understands that Respondent's action in entering into this *Settlement Agreement* is a final act and not subject to reconsideration or judicial review or appeal.
10. Respondent has had the opportunity to seek and obtain the advice of an attorney of Respondent's choosing in connection with Respondent's decision to enter into this *Settlement Agreement*.
11. Respondent understands that the Board must review and accept the terms of this *Settlement Agreement*. If the Board rejects any portion, the entire *Settlement Agreement* shall be null and void. Respondent specifically waives any claims that any disclosures made to the Board during its review of this *Settlement Agreement* has prejudiced Respondent's right to a fair and impartial hearing in the future if this *Settlement Agreement* is not accepted by the Board.
12. Respondent certifies that Respondent has read this document titled *Settlement Agreement*. Respondent understands that Respondent has the right to a formal adjudicatory hearing concerning this matter and that at said hearing Respondent would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on Respondent's own behalf, to contest the allegations, to present oral argument, and to appeal to the courts.

FOR THE BOARD

Dated: July 1, 2021



Jessica Kennedy
Board Administrator
Board of Barbering,
Cosmetology & Esthetics.
New Hampshire Office of
Professional Licensure & Certification
7 Eagle Square
Concord, NH 03301