

STATE OF NEW HAMPSHIRE OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION BOARD OF BARBERING, COSMETOLOGY & ESTHETICS

7 EAGLE SQUARE, CONCORD, NH 03301-4980 Telephone: 603-271-2152 TDD Access: Relay NH 1-800-735-2964 www.oplc.nh.gov

<u>PUBLIC MINUTES</u> Monday July 17, 2023

The July 17, 2023, Board meeting was called to order at 9:06a.m. at 7 Eagle Square, Concord, NH with the following members present:

Jeanne Chappell, Chair, School Owner Member Sarah Partridge, Public Member Donna Woodsom, Esthetic Member Joshua Craggy-Barber Member Talia Wilson, Senior Board Administrator Teresa Boyer, Board Administrator Elizabeth Eaton, Board Counsel Absent:

Kimberly Hannon, Vice Chair, Cosmetologist Member

The below times are notated for when the Board took breaks from session.

11:49am to 12:23pm

I. <u>MINUTES</u>

A. Approval of Public Minutes from June 26, 2023

On a motion by Sarah Partridge and seconded by Donna Woodsom the Board voted to approve the minutes of June 26, 2023, as submitted.

II. <u>PUBLIC APPEARANCES</u> None



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III. <u>HEARINGS</u>

A. Salon Studio M 9:30am - 23-BAR-001

Hearings Officer: Shane Goulet Hearing Counsel: Collin Phillips Respondent: Michelle Murphy

Hearing commenced at 9:31am Hearings Officer Shane Goulet instructed the Board that there were preliminary matters that needed to be reviewed in non-public session prior to the hearing. On a motion by Joshua Craggy seconded by Sarah Partridge the Board voted to enter non-public session at 9:33am. All members of the public as well as the Board vacated the room.

B. JC Penney 9:30am-Continued C. Serenity Salon & Spa 9:30am - Continued D. The Color Cafe 9:30am - Continued E. Industry Hair Lounge – Continued

F. VIP Barbershop 12:30pm – 23-BAR-003

Hearings Officer: Shane Goulet Hearing Counsel: John Brown-DOJ Respondent: Rafael De Los Angeles Witnesse(s): Sandra Hodgdon

Hearing commenced at 12:29pm. Attorney John Brown called Chief Inspector Sandra Hodgdon as a witness who gave testimony regarding a routine inspection that occurred on January 31, 2022, alleging unlicensed practice. During her inspection there were two employees that did not hold a license or temporary permit to work in New Hampshire. Ms. Hodgdon observed the appointment book which showed the unlicensed employees had appointments booked at the time of the inspection.



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The Respondent Rafael De Los Angeles testified the shop was not in his name as he was not licensed with the States office. The shop was still in the previous owner's name. Mr. Angeles was only on the lease. Christian Rios the previous owner was waiting on a loan to be approved before the transfer of ownership took place. Mr. Angeles did not hire the two unlicensed Barbers who currently do not work at the Barbershop anymore. Mr. Angeles was in the Barbershop working because Mr. Rios moved to Florida and was still making all the decisions regarding the Barbershop at time of inspection. Once they had their inspection Mr. Angeles mentioned to Mr. Rios that the shop needed to be transferred in his name. Mr. Angeles testified that he wants to go good business and not break the law. The barbershop was clean, and no other violations found during the inspection. Mr. Angeles admitted to signing the bill of sale in October. Mr. Rios was still working at the Barbershop going back and forth to Florida until December. Mr. Angeles is a licensed barber and currently has two barbers working in the shop.

Attorney Brown recommended to the Board to impose sanctions of \$1000 with reprimand of \$500 per unlicensed employee.

Hearing closed at 1:29pm.

After reviewing all documentary evidence in non-public session, drawing all reasonable inferences therefrom the Board finds that Hearing Counsel has met his burden of proof and voted to impose discipline as contained in the order published on the Board's website.

G. Diamond Barbershop-Translator has been assigned 12:30pm - Continued

Motion to commence non-public session: 1:31pm

On the motion of Sarah Partridge, seconded by Joshua Craggy the Board voted to conduct a nonpublic session for the purpose of discussing investigations of alleged licensee misconduct and noting that such a non-public session is authorized by RSA 91-A: 3, II (c), RSA 91-A: 3, II (e), RSA 91-A: 5, IV, Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.

Motion to keep minutes of non-public session confidential:



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Upon the motion of Sarah Partridge, seconded by Jeanne Chappell, the Board voted to withhold and seal all the minutes of the proceeding non-public session from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a Board member and to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.

Adjournment

Sarah Partridge made a motion to adjourn at 1:55 pm Jeanne Chappell seconded, motion passes with a roll call vote.