BEFORE THE
ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI

STATE BOARD OF COSMETOLOGY & BARBER EXAMINERS	)	
Petitioner,	)	
v.	)	Case No. 14-0207 CB
NICOLE AHUACTZI d/b/a SALON LATINO	)	
Respondent.	)	

JOINT STIPULATION OF FACTS, WAIVER OF HEARINGS BEFORE THE ADMINISTRATIVE HEARING COMMISSION AND STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS, AND CONSENT ORDER WITH JOINT PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

Pursuant to the rules governing practice and procedure before the Administrative Hearing Commission (1 C.S.R. § 15-2.450(1)) and pursuant to the terms of § 536.060, RSMo (2000)[1], as made applicable to the Administrative Hearing Commission by § 621.135, RSMo (2000), the parties waive the right to a hearing of the above-styled case before the Administrative Hearing Commission of the state of Missouri and,

[1] All statutory citations herein are to the Revised Statutes of Missouri, 2013 Cumulative Supplement, unless otherwise noted.

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additionally, the right to a disciplinary hearing before the State Board of Cosmetology & Barber Examiners under § 621.110, RSMo, and jointly stipulate to the facts and consent to the imposition of disciplinary action against the cosmetology license of Respondent and against the cosmetology establishment license for Salon Latino for violations of the statutes set forth below.

Respondent acknowledges that she has received a copy of the Complaint filed by the State Board of Cosmetology & Barber Examiners with the Administrative Hearing Commission and the parties submit to the jurisdiction of the Administrative Hearing Commission.

Respondent acknowledges that she is aware of the various rights and privileges afforded her by law, including the right to appear and be represented by counsel; the right to have a copy of the Complaint to be filed against her prior to the Administrative Hearing Commission entering its order; the right to have all charges against her proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against her; the right to present evidence on her own behalf at the hearing; the right to a decision upon the record of the hearing by a fair and impartial administrative hearing commissioner concerning the complaint pending against her; and the right to a ruling on

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questions of law by an administrative hearing commissioner. **Being aware of these rights provided her by operation of law, Respondent Nicole Ahuactzi knowingly and voluntarily waives each and every one of these rights and freely enters into this Joint Stipulation of Facts, Waiver of Hearings Before the Administrative Hearing Commission and State Board of Cosmetology & Barber Examiners, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law and agrees to abide by the terms of this document as they pertain to her**.

I.

Based upon the foregoing, Petitioner and Respondent jointly stipulate to the following and request that the Administrative Hearing Commission adopt as its own the Joint Stipulation of Facts, Waiver of Hearings Before the Administrative Hearing Commission and State Board of Cosmetology & Barber Examiners, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law as the Administrative Hearing Commission's Findings of Fact and Conclusions of Law:

Joint Proposed Findings of Fact

1. The State Board of Cosmetology & Barber Examiners ("the Board") is an agency of the State of Missouri created and established

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pursuant to § 329.015, RSMo, for the purpose of upholding and carrying out the provisions of §§ 329.010 - .265 RSMo (2000), as amended, relating to cosmetologists, hairdressers and manicurists.

2. Nicole Ahuactzi ("Respondent") owns and operates Salon Latino, an unincorporated association operating as a cosmetology establishment, located at 12275 Natural Bridge Road, in Bridgeton, Missouri, 63044.

3. Respondent is licensed by the Board as a cosmetologist, License Number 2009026937. ("Respondent's Individual License").

4. Respondent's Individual License was originally issued on or about September 2, 2009.

5. Respondent's Individual License was current and active at all relevant times herein.

6. Respondent also holds a cosmetology establishment license from the Board, License Number 2008013129. ("Respondent's Business License").

7. Respondent's Business License was originally issued on or about May 15, 2008.

8. Respondent's Business License was current and active at all relevant times herein.

9. From approximately April 30, 2010, to the present, Respondent owned and operated Salon Latino.

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10. Respondent bears responsibility for the necessary establishment license for Salon Latino pursuant to § 329.045 and § 328.115, RSMo, and Administrative Rule 20 C.S.R. 2085-10.020(1).

11. From at least approximately April 30, 2010 to the present, Respondent has operated Salon Latino, an unincorporated association, as a cosmetology establishment providing cosmetology services to patrons and as a barber establishment, offering barbering services to patrons without a barber establishment license.

12. On or about April 30, 2010, July 15, 2010, September 16, 2010, January 14, 2011, July 22, 2011, and August 16, 2013, the Board's inspectors conducted inspections of Salon Latino, finding violations of Board statutes and/or regulations.

13. On or about May 19, 2010, August 18, 2010, and December 22, 2010, the Board's Executive Director mailed Respondent violation notices concerning the violations found in inspection reports dated April 30, 2010, July 15, 2010, and September 16, 2010.

14. On or about June 21, 2011, the Board's general counsel mailed Respondent a cease and desist letter, demanding that she stop operating Salon Latino without a barber establishment license and to only employ licensed practitioners to offer services to the public.

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Count I: April 30, 2010 Inspection

15. On or about April 30, 2010, the Board's inspector conducted a routine inspection of Salon Latino, which was open for business and offering barbering services.

16. During the April 30, 2010 inspection, the Board's inspector observed a man performing a barbering service on a client at Salon Latino. There were no licensed operators present, and the sign in the front of Salon Latino advertised barber services. The inspector left an application for a barber establishment license for Respondent.

17. On or about May 19, 2010, the Board's Executive Director mailed a violation notice to Respondent and Salon Latino, setting forth the violations identified during the April 30, 2010 inspection, and informing Respondent that all violations needed to be immediately corrected.

18. Respondent failed to correct the violations identified during the April 30, 2010 inspection and included in the May 19, 2010 violation notice from the Board's Executive Director.

Count II: July 15, 2010 Inspection

19. On or about July 15, 2010, the Board's inspector conducted a follow-up inspection of Salon Latino, which was open for business and offering barbering services.

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20. During the July 15, 2010 inspection, the Board's inspector observed an unidentified man present and offering barbering services to clients for compensation at Salon Latino.

21. The unidentified man did not possess or display a valid barber or cosmetology license during the Board's investigator's inspection on July 15, 2010.

22. On or about August 18, 2010, the Board's Executive Director mailed a violation notice to Respondent and Salon Latino, setting forth the violations identified during the July 15, 2010 inspection.

23. Respondent failed to correct the violations identified during the July 15, 2010 inspection and included in the August 18, 2010 violation notice from the Board's Executive Director.

Count III: September 16, 2010 Inspection

24. On or about September 16, 2010, the Board's inspector conducted a follow-up inspection of Salon Latino, which was open for business and offering barber services.

25. During the September 16, 2010 inspection, the Board's inspector found that Respondent failed to have and post a valid barber establishment license. The Board's inspector also found Juan Ahuactzi present and offering services to clients at Salon Latino without a valid barber license.

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26. On or about December 22, 2010, the Board's Executive Director mailed a violation notice to Respondent and Salon Latino, setting forth the violations identified during the September 16, 2010 inspection.

27. Respondent failed to correct the violations identified during the September 16, 2010 inspection and included in the December 22, 2010 violation notice from the Board's Executive Director.

Count IV: January 14, 2011 Inspection

28. On or about January 14, 2011, the Board's investigator conducted a follow-up inspection of Salon Latino, which was open for business and offering barber and/or cosmetology services.

29. During the January 14, 2011 inspection, the Board's inspector observed an unidentified man present and offering barbering services to clients for compensation at Salon Latino.

30. The unidentified man did not possess or display a valid barber or cosmetology license during the Board's investigator's inspection on January 14, 2011.

31. On or about June 21, 2011, the Board mailed a letter to Respondent, requesting that she cease and desist from allowing unlicensed individuals to offer or provide any barber services at Salon Latino, and also

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advising Respondent of the civil and criminal consequences for continued non-compliance with Board statutes and regulations.

Count V: July 22, 2011 Inspection

32. On or about July 22, 2011, the Board's investigator conducted a routine inspection of Salon Latino, which was open for business and offering barber services.

33. During the July 22, 2011 inspection, the Board's inspector observed an unidentified man present with a station set up and ready to provide barbering services to clients for compensation at Salon Latino.

34. The unidentified man did not possess or display a valid barber or cosmetology license during the Board's investigator's inspection on July 22, 2011.

Count VI: August 16, 2013 Inspection

35. On or about August 16, 2013, the Board's investigator conducted a routine inspection of Salon Latino, which was open for business and offering barber services.

36. During the August 16, 2013 inspection, the Board's inspector observed an unidentified man present and performing barbering services on a client for compensation at Salon Latino.

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37. The unidentified man did not possess or display a valid barber or cosmetology license during the Board's investigator's inspection on August 16, 2013.

Joint Proposed Conclusions of Law

38. Jurisdiction and venue are proper before the Administrative Hearing Commission pursuant to § 621.045, RSMo, and § 329.140.2, RSMo (2000).

39. Administrative Regulation 20 C.S.R. 2085-10.010(1), regarding new barber and cosmetology establishments, provides in pertinent part:

> (A) Except as provided herein, any person desiring to open a barber or cosmetology establishment in Missouri, whether a beauty shop, nail salon, or other cosmetology establishment, shall submit an application to the board at least thirty (30) days prior to the anticipated opening of the establishment. The establishment license application shall be submitted on a form provided by the board, accompanied by the biennial establishment fee.
>
> . . .
>
> (C) No establishment shall open in Missouri until the board receives a completed application, on a form supplied by the board, the biennial establishment fee is paid, the establishment passes a board inspection, and the application is approved by the board. If an

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establishment opens for business before the board issues the original establishment license, a delinquent fee shall be assessed in addition to all other required licensure fees, and the board may take legal action pursuant to Chapter 328 and/or 329, RSMo.

40. Administrative Regulation 20 C.S.R. 2085-10.010(2), regarding rental space/chair licensing, provides in pertinent part:

> Any person licensed by the board who rents an individual space or a booth/chair within a licensed establishment for the purposes of practicing as a barber or cosmetologist shall be required to obtain a separate establishment license for the rental space. Licensees that rent individual space or a booth/chair within a licensed barber or cosmetology establishment for the purposes of operating as a barber or cosmetologist must possess a current establishment license as well as an operator license. The section does not apply to licensees operating as establishment employees.
>
> (A) Each establishment license issued to a renter under this rule shall be valid only for the licensee, address, and name identified in the initial establishment license application.
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> . . .
>
> (E) Display of License. The current establishment license for the rental space/chair shall be posted in a conspicuous place at all times. The licensee's barber or cosmetology license shall also be posted at each respective work station.

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. . .

> (G) Except as provided herein, no person shall provide or offer to provide barber or cosmetology services at a rented space, booth or chair before an establishment license has been obtained as required by this rule. If barber or cosmetology services are performed or offered at the rented space or chair before an establishment license is issued as required by this section, a delinquent fee shall be assessed in addition to all other required licensure fees, and the board may take legal action pursuant to Chapters 328 and/or 329, RSMo.

41. Administrative Regulation 20 C.S.R. 2085-10.010(3), regarding display of licenses, provides in pertinent part, "[e]stablishment licenses shall be posted within the establishment in plain view at all times so that it may be easily seen by the public. Establishment licenses issued to a station or booth rental establishment shall be posted in plain view at the respective work station."

42. Section 1.020(12), RSMo, defines the word "person" as, "extend[ing] and appl[ying] to bodies politic and corporate, and to partnerships and other unincorporated associations."

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43. Section 329.010(4), RSMo, defines a "cosmetologist" as, "any person who, for compensation, engages in the practice of cosmetology, as defined in subdivision (5) of this section."

44. Section 329.010(5), RSMo, defines the practice of cosmetology as follows, in pertinent part:

> Cosmetology includes performing or offering to engage in any acts of the classified occupations of cosmetology for compensation, which include:
>
> (a) "Class CH-hairdresser" includes arranging, dressing, curling, singeing, waving, permanent waving, cleansing, cutting, bleaching, tinting, coloring or similar work upon the hair of any person by any means; or removing superfluous hair from the body of any person by means other than electricity. . .;
>
> (b) "Class MO-manicurist" includes cutting, trimming, polishing, coloring, tinting, cleaning or otherwise beautifying a person's fingernails, applying artificial fingernails, massaging, cleaning a person's hands and arms; pedicuring, which includes cutting, trimming, polishing, coloring, tinting, cleaning or otherwise beautifying a person's toenails, applying artificial toenails, massaging and cleaning a person's legs and feet;
>
> (c) "Class CA-hairdressing and manicuring" includes all practices of

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cosmetology, as defined in paragraphs (a) and (b) of this subdivision;

. . . .

45. Section 329.010(6), RSMo, defines a cosmetology establishment as, "that part of any building wherein or whereupon any of the classified occupations are practiced including any space rented within a licensed establishment by a person licensed under this chapter, for the purpose of rendering cosmetology services."

46. At all relevant times herein, Salon Latino was operated as a cosmetology establishment as defined by § 329.010(6), RSMo.

47. Section 328.010(1), RSMo, defines a barber as, "any person who is engaged in the capacity so as to shave the beard or cut and dress the hair for the general public shall be construed as practicing the occupation of 'barber'. . . ."

48. Section 328.010(2), RSMo, defines a barber establishment as follows, "that part of any building wherein or whereupon any occupation of barbering is being practiced including any space or barber chair rented within a licensed establishment by a person licensed under this chapter, for the purpose of rendering barbering services."

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49. Section 328.020, RSMo, provides that, "[i]t shall be unlawful for any person to practice the occupation of a barber in this state, unless he or she shall have first obtained a license, as provided in this chapter."

50. Section 328.115.1, RSMo, Barber establishments, licensure requirements, prohibits any establishment to be opened or to offer barbering services without a license, and provides in pertinent part that, "[t]he owner of every shop or establishment in which the occupation of barbering is practiced shall obtain a license for such shop or establishment issued by the board before barbering is practiced therein. . . ."

51. Section 328.160, RSMo, Penalty for violation of provisions of chapter, provides in pertinent part, "[a]ny person . . . willfully employing a barber who does not hold a valid license issued by the board . . . or failing to keep any license required by this chapter properly displayed . . . shall be deemed guilty of a class C misdemeanor. . . ."

52. Section 329.250, RSMo (2000), Violation of law — penalty, provides in pertinent part that, "[a]ny person who shall . . . maintain any business wherein a license is required pursuant to this chapter, without having such license, or any person who violates any provision of this chapter is guilty of a class C misdemeanor."

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53. Section 329.255, RSMo (2000), Violation of law — penalty, prohibits the unlicensed practice of cosmetology, and provides in pertinent part that:

> 1. Any person:
>
> (1) Offering to engage or engaging in the performance of any acts or practices for which a certificate of registration or authority, permit or license is required by this chapter upon a showing that such acts or practices were performed or offered to be performed without a certificate of registration or authority, permit or license; or
>
> . . .
>
> 2. Any person violating the provisions of subsection 1 or 2 of this section shall be deemed guilty of an infraction.

54. Cause exists for Petitioner to take disciplinary action against Respondent's Individual and Business Licenses under § 329.140.2(4), (5), (6), (7), and (12), RSMo (2000), which provide in relevant part:

> 2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered his certificate of registration or authority, permit or license for any one or any combination of the following causes:
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> . . .

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(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

. . .

(12) Failure to display a valid license if so required by this chapter or any rule promulgated hereunder;

. . . .

55. Respondent's conduct as described herein constitutes cause for discipline of Respondent's Individual and Business Licenses for violations of Administrative Regulation 20 C.S.R. 2085-10.010(1)(A) and (C); -10.010(2)(A), (E) and (G); and -10.010(3).

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56. Respondent's conduct as described herein constitutes cause for discipline of Respondent's Individual and Business Licenses for the violation of Administrative Regulation 20 C.S.R. 2085-10.010(3).

57. Respondent's conduct as described herein constitutes cause for discipline of Respondent's Individual and Business Licenses for the violation of § 328.020, RSMo.

58. Respondent's conduct as described herein constitutes cause for discipline of Respondent's Individual and Business Licenses for the violation of § 328.115.1, RSMo.

59. Respondent's conduct as described herein constitutes cause for discipline of Respondent's Individual and Business Licenses for the violation of § 328.160, RSMo.

60. Respondent's conduct as described herein constitutes cause for discipline of Respondent's Individual and Business Licenses for the violation of § 329.250, RSMo.

61. Respondent's conduct as described herein constitutes cause for discipline of Respondent's Individual and Business Licenses for the violation of § 328.255, RSMo.

62. Respondent's conduct as described herein constitutes cause for discipline of Respondent's Individual and Business Licenses for obtaining or

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attempting to obtain any fee, charge, tuition or other compensation by fraud, deception, or misrepresentation, in violation of § 329.140.2(4), RSMo (2000).

63. Respondent's conduct as described herein constitutes cause for discipline of Respondent's Individual and Business Licenses for incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by Chapter 329, RSMo (2000), as amended, in violation of § 329.140.2(5), RSMo (2000).

64. Respondent's conduct as described herein constitutes cause for discipline of Respondent's Individual and Business Licenses for violating or assisting or enabling another person to violate any provision of Chapter 329, RSMo (2000), as amended, or of any lawful rule or regulation adopted pursuant to Chapter 329, RSMo (2000) as amended, in violation of § 329.140.2(6), RSMo (2000).

65. Respondent's conduct as described herein constitutes cause for discipline of Respondent's Individual and Business Licenses for impersonation of any person holding a certificate of registration or authority, permit or license, or allowing any person to use her certificate of registration or authority, permit, license, or diploma from any school, in violation of § 329.140.2(7), RSMo (2000).

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66. Respondent's conduct as described herein constitutes cause for discipline of Respondent's Individual and Business Licenses for failing to display a valid license as required by Chapter 329, RSMo (2000), as amended, or by any rule promulgated thereunder, in violation of § 329.140.2(12), RSMo (2000).

II. Joint Agreed Disciplinary Order

Based on the foregoing, the parties mutually agree and stipulate that the following shall constitute the Disciplinary Order entered by the Board in this matter under the authority of § 621.110, RSMo. This Disciplinary Order will be effective immediately upon the issuance of the Consent Order of the Administrative Hearing Commission without further action by either party:

1. Respondent's Individual and Business Licenses, numbers 2009026937 and 2008013129, respectively, are hereby immediately placed on PROBATION for a period of two (2) years ("the Disciplinary Period"). The terms of the probation shall be:

A. GENERAL REQUIREMENTS

(1) During the Disciplinary Period, Respondent shall comply with all provisions of Chapters 328 and 329, RSMo (2000), as amended, as they relate to cosmetologists and barbers; all regulations of the Board, and all state and federal

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criminal laws. "State" here includes all states and territories of the United States.

(2) During the Disciplinary Period, Respondent must submit a written report to the Board at least once every three (3) months regarding her compliance with the terms of this Joint Stipulation. Reports must be received before March 1, June 1, September 1, and December 1 of each year. It is Respondent's responsibility to ensure that these reports are provided to the Board in a timely manner.

(3) During the Disciplinary Period, Respondent may not serve as a supervisor for any apprentice, student, trainee, intern, assistant, or any person undergoing supervision during the course of obtaining licensure as a barber or cosmetologist. However, Respondent is not prohibited from requesting the permission of the Board to serve in such a supervisory capacity for an apprentice, student, trainee, intern, assistant, or any person undergoing supervision during the course of obtaining licensure as a barber or cosmetologist during the Disciplinary Period. The Board is not bound to decide on such a request, if any, in either the affirmative or

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the negative, without first giving the request fair and due consideration.

(4) During the Disciplinary Period, Respondent shall keep the Board informed of her current work and home telephone numbers and addresses. Respondent shall notify the Board in writing within ten (10) days of any change in this information.

(5) During the Disciplinary Period, Respondent shall timely renew her licenses and timely pay all fees required for licensing and comply with all other Board requirements necessary to maintain her licenses in current and active states.

(6) During the Disciplinary Period, Respondent shall accept and comply with unannounced visits from the Board's representatives to monitor her compliance with the terms of this Joint Stipulation.

(7) During the Disciplinary Period, Respondent shall appear in person for interviews with the Board or its designee upon request.

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(8) Respondent shall notify all facilities where she practices of her disciplinary status with fifteen (15) days of the effective date of this Joint Stipulation. Notification shall be in writing and Respondent shall, contemporaneously with the giving of such notice, submit a copy of the notice to the Board for verification by the Board or its designated representative. For the purposes of this Joint Stipulation, it shall be satisfactory for Respondent to maintain a copy of this Joint Stipulation in the files of Salon Latino during the duration of the Disciplinary Period. Should Respondent practice at any other or additional facility, she must notify such facility(-ies) of her disciplinary status within fifteen (15) days of commencing practice at such other or additional facility. Notification shall be in writing and Respondent shall, contemporaneously with the giving of such notice, submit a copy of the notice to the Board for verification by the Board or its designated representative.

(9) For purposes of this Joint Stipulation, all reports, documentation, evaluations, notices, or other materials that must be submitted to the Board shall be forwarded to

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the State Board of Cosmetology and Barber Examiners, Post Office Box 1062, Jefferson City, Missouri 65102, unless otherwise specified in this Joint Stipulation.

2. The parties to this Joint Stipulation understand that the Board will maintain this Joint Stipulation as an open and public record of the Board as provided in Chapters 324, 328, 329, and 610, RSMo (2000), as amended.

3. Failure to comply with any of the terms of this Joint Stipulation shall be deemed a violation of this Joint Stipulation and shall be cause for further discipline.

4. Upon the Board's determination that Respondent has failed to comply with the terms of this Joint Stipulation, it may revoke one (1) or more of Respondent's licenses, or may take such other or additional action against Respondent's licenses as it deems appropriate. No order shall be entered by the Board pursuant to this Paragraph without notice and an opportunity for hearing before the Board in accordance with the provisions of Chapter 536, RSMo (2000), as amended.

Respondent may petition the Board to request early termination of the Disciplinary Period after the passage of one (1) year from the effective date of this Joint Stipulation. The Board is not bound to decide on such a request, if

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any, in either the affirmative or the negative, without first giving the request fair and due consideration.

Upon the successful completion of the Disciplinary Period, Respondent's licenses as a Missouri licensed cosmetologist and cosmetology establishment shall be fully restored if all other requirements of the law have been satisfied.

If the Board determines that Respondent has violated a term or condition of this Joint Stipulation, which violation would also be actionable in a proceeding before the Administrative Hearing Commission or in circuit court, the Board may elect to pursue any lawful remedies or procedures afforded it and is not bound by this Joint Stipulation in its determination of appropriate legal actions concerning that violation. If any alleged violation of this Joint Stipulation occurs during the Disciplinary Period, the Board may choose to conduct a hearing before it either during the Disciplinary Period or as soon thereafter as a hearing can be held to determine whether a violation has occurred and, if so, may impose further discipline. The Board retains jurisdiction to hold a hearing to determine if a violation of this Joint Stipulation has occurred.

Each party agrees to pay all their own fees and expenses incurred as a result of this case, its litigation, and its settlement.

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The terms of this Joint Stipulation are contractual, legally enforceable, and binding, not merely recital. Except as otherwise contained herein, neither this Joint Stipulation nor any of its provisions may be changed, waived, discharged, or terminated, except by a written instrument signed by the party against whom enforcement of the change, waiver, discharge, or termination is sought.

Respondent hereby waives and releases the Board, its members, and any of its employees, agents, or attorneys, including any former Board members, employees, agents, and attorneys, of, or from, any liability, claim, actions, causes of action, fees costs and expenses, and compensation, including, but not limited to any claims for attorneys' fees and expenses, including any claims pursuant to § 536.087, RSMo (2000), or any claim arising under 42 U.S.C. § 1983, which may be based upon, arise out of, or relate to any of the matters raised in this Joint Stipulation, or from the negotiation or execution of this Joint Stipulation. The parties acknowledge that this Paragraph is severable from the remaining portions of this Joint Stipulation in that it survives in perpetuity even in the event that any court of law deems it or any portion thereof void or unenforceable.

In consideration of the foregoing, the parties consent to the entry of record an approval of this Joint Stipulation of Facts, Waiver of Hearings

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Before the Administrative Hearing Commission and Board of Cosmetology and Barber Examiners, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law and to the termination of any further proceedings before the Administrative Hearing Commission based upon the Complaint filed by the Board in the above-styled action.

One (1) signature page follows

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LICENSEE

Nicole Ahuactzi
d/b/a Salon Latino

Nov. 4, 2014
Date

BOARD

Emily R. Carroll
Executive Director

12/11/2014
Date

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