

BEFORE THE MISSOURI  
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS

STATE BOARD OF COSMETOLOGY )  
AND BARBER EXAMINERS, )

Petitioner, )

) License number: 2009002710

v. )

TORANZA COZART and )  
DIANNE CONRAD, OWNERS, )  
ALISE'S TKO HAIR SALON, )

Respondents. )

ORDER OF THE MISSOURI  
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS  
DISCIPLINING THE COSMETOLOGY ESTABLISHMENT LICENSE OF  
TORANZA COZART AND DIANE CONRAD,  
OWNERS OF ALISE'S TKO HAIR SALON

On or about March 10, 2009, the Board of Cosmetology and Barber Examiners ("Board"), in lieu of denial, issued Toranza Cozart and Diane Conrad, Owners of Alise's TKO Hair Salon ("Salon"), a cosmetology establishment license (license number 2009002710) subject to two years probation as set out in the Order of the Missouri Board of Cosmetology and Barber Examiners Issuing a Probationary Cosmetology Establishment License to Alise's TKO Hair Salon Toranza Cozart and Dianne Conrad Owners ("Probation Order").

On November 8, 2010, at approximately 3:00 p.m., the Board held a hearing pursuant to notice and § 621.110 and § 324.042, RSMo 2000, at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri 65102, for the purpose of determining whether there had been violation(s) of the probationary terms set forth in the Probation Order. The Board was represented by Legal Counsel Tina Crow Halcomb. Respondents received

proper notice and opportunity to appear but did not appear in person or through legal counsel. After being present and considering all of the evidence presented during the hearing, the Board issues the following Findings of Facts, Conclusions of Law and Order.

I.

Based upon the foregoing the Board hereby states:

**FINDINGS OF FACT**

1. The Board is an agency of the state of Missouri created and established pursuant to § 329.015, RSMo Cum. Supp. 2009, for the purpose of licensing all persons engaged in the practice of barbering and cosmetology in this state. The Board has control and supervision of the licensed occupations and enforcement of the terms and provisions of Chapters 328 and 329, RSMo.<sup>1</sup>

2. Respondents, Toranza Cozart and Dianne Conrad are natural persons and are the owners of Alise's TKO Hair Salon located at 10007 St. Charles Rock Road, St. Ann, Missouri, 63074.

3. Respondents hold a cosmetology establishment license issued by the Board, license number 2009002710.

4. On or about March 10, 2009, the Board issued a Probation Order issuing the Salon a cosmetology establishment license (license number 2009002710) subject to two years probation.

5. During the probationary period set out in the Probation Order, the Salon was entitled to operate as a cosmetology establishment under Chapter 329, RSMo, provided the Salon adhered to all of the terms and conditions of the respective Probation Order.

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<sup>1</sup> Unless otherwise specified, all statutory references are to the Revised Statutes of Missouri (RSMo) 2000, as amended.

6. The Probation Order states, on page 6, section 24A, as a term and condition, that Respondents "shall comply with all provisions of Chapter 329, RSMo (as amended), all applicable board regulations, all applicable federal and state drug laws, rules and regulations and all applicable federal and state criminal laws."

7. The Probation Order also states, on pages 6-7, section 24C, as a term and condition, that Respondents "shall timely renew its cosmetology establishment license granted hereby and shall timely pay all fees required for licensure and comply with all other Board requirements necessary to maintain said license in a current and active state."

8. The Probation Order further states, on page 7, section 24F, in pertinent part, as a term and condition, that Respondents "shall submit written reports to the Board on or before January 1 and July 1 during each year of the probationary period stating truthfully whether there has been compliance with all terms and conditions of this Order."

9. The Probation order further provides, on page 8, section 24I, that the Board retains jurisdiction to hold a hearing at any time to determine whether a violation of the Probation Order has occurred and if so, whether to impose further discipline.

10. Respondents failed to submit a written probation compliance report to the Board on or before July 1, 2009 as required in the Probation Order. On or about August 10, 2009, Respondents were sent a notice of violation from the Board due to this violation.

11. On February 4, 2010, the Board's inspector conducted an inspection of the Salon. During the inspection, the inspector noted that the Salon establishment license and Toranza Cozart's individual class-CA Cosmetology licenses were both expired due to non-renewal.

12. On March 29, 2010, the Board sent the Respondents a violation notice regarding the February 4, 2010 inspection.

13. On April 9, 2010, the Board's inspector conducted an inspection of the Salon. During the inspection, the inspector noted that the Salon license was still expired due to non-renewal. Further, Toranza Cozart and a person identified as Candace Harkway were present and offering or providing cosmetology services without valid cosmetology licenses posted.

14. The Board set this matter for probation violation hearing and served notice of the hearing upon Respondents in a proper and timely fashion.

## II.

### CONCLUSIONS OF LAW

15. This Board has jurisdiction over this proceeding pursuant to §§ 621.110 and 324.042, RSMo, and pursuant to the terms of the Probation Order.

16. Pursuant to § 324.042, RSMo,

Any board, commission, or committee within the division of professional registration may impose additional discipline when it finds after hearing that a licensee, registrant, or permittee has violated any disciplinary terms previously imposed or agreed to pursuant to settlement. The board, commission, or committee may impose as additional discipline any discipline it would be authorized to impose in an initial disciplinary hearing.

17. Section 329.030, provides:

It is unlawful for any person in this state to engage in the occupation of cosmetology or to operate an establishment or school of cosmetology, unless such person has first obtained a license as provided by this chapter.

18. Section 329.045.1, provides:

Every establishment in which the occupation of cosmetology is practiced shall be required to obtain a license from the board. Every establishment required to be licensed shall pay to the board an establishment fee for the first three licensed cosmetologists esthetician and/or manicurists, and/or apprentices and an additional fee for each additional licensee. The fee shall be due and payable on the renewal date and, if the fee remains unpaid thereafter, there shall be a late fee in addition to the regular establishment fee or, if a new establishment opens any time during the licensing period and does not register before opening, there shall

be a delinquent fee in addition to the regular establishment fee. The license shall be kept posted in plain view within the establishment at all times.

19. Section 329.120, provides:

The holder of a license issued by the board who continues in active practice or occupation shall on or before the license renewal date renew the holder's license and pay the renewal fee. A license which has not been renewed prior to the renewal date shall expire on the renewal date. The holder of an expired license may have the license restored within two years of the date of expiration without examination, upon the payment of a delinquent fee in addition to the renewal fee.

20. State regulation 20 CSR 2085-10.010(2)(E) provides:

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.

21. By failing to submit timely probation compliance reports as required in the Probation Order, Respondents violated the Probation Order. Accordingly, Respondents' cosmetology establishment license is subject to further discipline by the Board.

22. By offering or providing cosmetology services and allowing others to offer or provide cosmetology services in the Salon while the Salon's license was expired due to non-renewal, Respondents violated the §§ 329.045, 329.120 and the Probation Order. Accordingly, Respondents' cosmetology establishment license is subject to further discipline by the Board.

23. Toranza Cozart, by offering or providing cosmetology services in the Salon with an individual cosmetology license that was expired due to non-renewal, violated §§ 329.030, 329.120 and the Probation Order. Accordingly, Respondents' cosmetology establishment license is subject to further discipline by the Board.

24. By permitting an individual identified, as Candace Harkway, to offer or provide cosmetology services in the Salon without posting a current individual cosmetology license for the individual, Respondents violated §§ 329.030, 329.120, 20 CSR 2085-10.010(2)(E) and the

Probation Order. Accordingly, Respondents' cosmetology establishment license is subject to further discipline by the Board.

25. As a result of the foregoing, Respondents' cosmetology establishment license and is subject to further disciplinary action by the Board pursuant to § 324.042, RSMo.

26. The Board has determined that this Order is necessary to ensure the protection of the public.

### III.

#### ORDER

Having fully considered all the evidence before the Board, it is the ORDER of the Board that the cosmetology establishment license of Toranza Cozart and Dianne Conrad, owners of Alise's TKO Hair Salon (license number 2009002710) is hereby REVOKED as of the effective date of this Order.

Toranza Cozart and Dianne Conrad, owners of Alise's TKO Hair Salon shall immediately return their cosmetology establishment license, (license number 2009002710), and any other indicia of such licensure to the Board.

The Board will maintain this Order as an open and public record of the Board as provided in Chapters 329, 610 and 324, RSMo (as amended).

SO ORDERED, EFFECTIVE THIS 7 DAY OF December, 2010.

MISSOURI STATE BOARD OF COSMETOLOGY  
AND BARBER EXAMINERS

  
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Emily Carroll, Executive Director