

**BEFORE THE MISSOURI  
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**

STATE BOARD OF COSMETOLOGY	)	
AND BARBER EXAMINERS,	)	
	)	
	)	Petitioner,
	)	
v.	)	Case No. 2011006439
	)	
CHANEL HARDY,	)	
d/b/a SERENITY MYO,	)	
	)	Respondent.

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND DISCIPLINARY ORDER**

At its regularly scheduled meeting on January 28, 2013, and pursuant to notice described in the Findings of Fact, the Missouri State Board of Cosmetology and Barber Examiners ("Board") took up the probation violation complaint alleging that Chanel Hardy, d/b/a Serenity MYO ("Hardy") failed to comply with the terms of her probation of her cosmetology operator license. The board appeared at the January 28, 2013 hearing through its attorney Tina Crow Halcomb. Hardy did appear individually without legal counsel at the January 28, 2013 hearing. Division of Professional Registration Chief Legal Counsel Earl Kraus was present at January 28, 2013 hearing as the board's legal advisor, during deliberations, and in the preparation of this order.

**Findings of Fact**

1. The Missouri State Board of Cosmetology and Barber Examiners (Board) is an agency of the State of Missouri created and existing pursuant to § 329.015, RSMo, for the purpose of executing and enforcing the provisions of Chapter 329, RSMo.

2. Hardy is a natural person, whose address of record with the Board is 362 N. Boyle Street, St. Louis, Missouri, 63108.

3. Hardy holds a probationary cosmetologist operator license, license number 2005011009, issued by the Board. Hardy's cosmetologist operator license is, but was not at all times relevant herein, expired. Hardy's cosmetologist operator license expired on September 30, 2009 due to non-renewal.

4. Hardy does not hold a cosmetology establishment license for Serenity MYO.

5. Hardy operated a cosmetology establishment, Serenity MYO, located at 362 N. Boyle, St. Louis, Missouri 63108.

6. On or about May 25, 2012, the Board and Hardy entered into a Settlement Agreement placing Hardy's cosmetologist operator license on probation for three years as a result of practicing without a booth rental establishment license or a current cosmetologist operator license.

7. During the probationary period Hardy was entitled to offer and engage in the practice of cosmetology pursuant to Chapter 329, RSMo, provided that she adhered to all the terms and conditions of the Settlement Agreement.

8. The May 25, 2012 Settlement Agreement, page 5, paragraph D, required that Hardy comply with all provisions of Chapter 329, RSMo, all board regulations, all applicable federal and state drug laws, rules and regulations and all applicable federal and state criminal laws. The May 25, 2012 Settlement Agreement, page 14, paragraph 15a, also required Hardy to renew her cosmetology operator license.

9. On or about June 28, 2012, the Board inspector conducted an inspection at Serenity MYO. Hardy was not present at the time of the inspection. The Board's inspection revealed the following violations: Licensee did not have an establishment license for Serenity MYO in violation of § 329.045, RSMo and 20 CSR 2085-10.010 and Hardy had no current and valid operator license posted in violation of 20 CSR 2085-10.010. The Board's inspection determined that Hardy's cosmetologist operator license was expired.

10. Hardy testified at the January 28, 2013 probation violation hearing that she had not been working at Serenity MYO , that she had not renewed her cosmetologist operator license and that her cosmetologist operator license was not posted there, but was at her home.

#### Conclusions of Law

11. The Committee has jurisdiction in this proceeding, pursuant to the May 25, 2012 Settlement Agreement and § 324.042, RSMo, to determine whether Hardy violated the terms and conditions of the May 25, 2012 Settlement Agreement.

12. Section 324.042, RSMo, provides:

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.

13. Hardy violated the terms of discipline set forth in the May 25, 2012 Settlement Agreement, as described in the Findings of Fact of this Order by failing to renew her cosmetology operator license.

14. The May 25, 2012 Settlement Agreement and § 324.042, RSMo, allow the Board to take such disciplinary action that the Board deems appropriate for failure to comply with the terms of May 25, 2012 Settlement Agreement, as described in the Findings of Fact of this Order.

#### Decision and Order

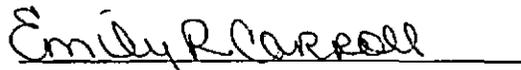
15. It is the decision of the Missouri State Board of Cosmetology and Barber Examiners that Hardy violated the terms of the May 25, 2012 Settlement Agreement by failing to renew her license, and that her cosmetologist operator license is, therefore, subject to further disciplinary action.

16. The Missouri State Board of Cosmetology and Barber Examiners orders that the cosmetologist license for Chanel Hardy, number 2005011009, be subject to **no additional discipline**. Hardy's cosmetologist operator license remains on probation, subject to the terms and conditions detailed in the May 25, 2012 Settlement Agreement.

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

SO ORDERED, EFFECTIVE THIS 19 DAY OF FEBRUARY, 2013.

MISSOURI STATE BOARD OF COSMETOLOGY  
AND BARBER EXAMINERS

  
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Emily Carroll, Executive Director