

**BEFORE THE STATE OF WEST VIRGINIA  
BOARD OF BARBERS AND COSMETOLOGISTS**

**STATE OF WEST VIRGINIA  
BOARD OF BARBERS and  
COSMETOLOGISTS,**

**Complainant**

**CASE NO. 2019-49**

**v.**

**ROSS WINGROVE,  
ATTITUDES,**

**Respondent**

**CONSENT DECREE**

Now comes Ross Wingrove, Attitudes (hereinafter "Respondent"), and the West Virginia State Board of Barbers and Cosmetologists (hereinafter "Board"), by Danielle J. Cordle, its Executive Director, for resolving a complaint filed against Respondent. Pursuant to W. Va. Code § 30-27-20(d) the Board may enter into a Consent Decree. As reflected in this Consent Decree, the parties have reached an agreement in which Respondent agrees and stipulates to the Findings of Fact and Conclusions of Law and the proper disposition of this matter. The Board, having approved such

## FINDINGS OF FACT

1. The Board is a state entity and is charged with the responsibility to protect the health, safety and welfare of the public through its regulation of the practice of barbering and cosmetology. See W. Va. Code § 30-27-1 et seq.
2. Respondent is a licensed cosmetologist (license no. 022825) and is the owner of Attitudes (salon license no. 012002) located at 1111 19th Street, Parkersburg, West Virginia.
3. This matter arose after the Board determined that Respondent's salon license (license no. 015975) was issued a 3rd offense for citation 2.4; "Operating a shop with an expired shop license".
4. On or about 3/22/2019, Respondent agreed to enter into an informal settlement for his 3rd offense for citation 2.4; "Operating a shop with an expired shop license" by voluntarily entering into a Consent Decree with the Board (case no. 2019-49).
5. Pursuant to the Consent Decree (case no. 2019-41), Respondent was ordered to pay administrative fines and costs in the amount of \$1,000.00.
6. The imposed Consent Decree (case no. 2019-49) was accepted by the Respondent and entered into the Board's records on or about 3/22/2019.
7. On or about 3/22/2019, Respondent paid \$1,000.00 of the \$1,000.00 in

connection to the Consent Decree (case no. 2019-49) mentioned within this Order.

### CONCLUSIONS OF LAW

1. The Board has the authority and responsibility to regulate the profession of barbering and cosmetology in the State of West Virginia. *See W. Va. Code § 30-27-1 et seq.*
2. It is unlawful for any person to practice or offer to practice barbering, barber permanent waving, cosmetology, hairstyling, waxing, shampoo assisting, aesthetics or nail care in this state without a license or certification issued under the provisions of this article, or advertise or use any title or description tending to convey the impression that the person is a licensed or certified aesthetician, barber, barber crossover, barber permanent waviest, cosmetologist, cosmetologist crossover, hairstylist, shampoo assistant, waxing specialist or nail technician unless the person has been licensed or obtained certification under the provisions of W. Va. Code § 30-27 and the license or certification has not expired, been suspended or revoked. *See W. Va. Code § 30-27-1(a).*
3. The Board has jurisdiction to conduct investigations into complaints to determine if probable cause existed that the licensee was in violation West Virginia Code § 30-27-20(c) or any rule in West Virginia Code R. § 3-1-1 *et seq.*
4. The Board may upon its own motion based on credible information and shall upon the written complaint of any person cause an investigation to be made to determine whether grounds

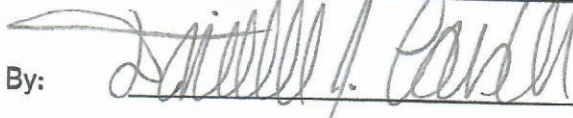
exist for disciplinary action under W. Va. Code § 30-27 or the legislative rules of the Board. *See W. Va. Code §30-27-20(a).*

5. Disciplinary action can include reprimand, probation, administrative fine not to exceed \$1,000.00 per day per violation, mandatory attendance at continuing education seminars or other training, practicing under supervision or other restriction, requiring licensee to report to the board for periodic interviews for a specified period of time, or other corrective action considered by the board to be necessary to protect the public. *See W. Va. Code § 30-27-20(h).*

**FINAL ORDER**

1. The Board concludes this matter and it is hereby ordered that the board-initiated complaint (case no. 2019-49) which was filed against the Respondent be **CLOSED**.

ENTERED into the records of the State of West Virginia Board of Barbers and Cosmetologists this 22nd day of March, 2019.

By: 

Danielle J. Cordle, Executive Director

State of West Virginia Board of Barbers and Cosmetologists

1201 Dunbar Avenue, Dunbar, WV 25064

Telephone: (304) 558-2924

Facsimile: (304) 558-3450



BEFORE THE STATE OF WEST VIRGINIA  
BOARD OF BARBERS AND COSMETOLOGISTS

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BOARD OF BARBERS and  
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Complainant

CASE NO. 2019-49

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CONSENT DECREE

Now comes Ross Wingrove, Attitudes (hereinafter "Respondent"), and the West Virginia State Board of Barbers and Cosmetologists (hereinafter "Board"), by Danielle J. Cordle, its Executive Director, for resolving a complaint filed against Respondent. Pursuant to W. Va. Code § 30-27-20(d) the Board may enter into a Consent Decree. As reflected in this Consent Decree, the parties have reached an agreement in which Respondent agrees and stipulates to the Findings of Fact and Conclusions of Law and the proper disposition of this matter. The Board, having approved such

agreement, does hereby Find and Order as follows:

### FINDINGS OF FACT

1. The Board is a state entity and is charged with the responsibility to protect the health, safety and welfare of the public through its regulation of the practice of barbering and cosmetology.

*See W. Va. Code § 30-27-1 et seq.*

2. Respondent is a licensed cosmetologist (license no. 022825) and is the owner of Attitudes (salon license no. 012002) located at 1111 19th Street, Parkersburg, West Virginia.

3. This matter arose after the Board determined that the Respondent's salon license was issued a 3rd offense for citation 2.4; "Operating a shop with an expired shop license."

4. Respondent's salon license (license no. 012002) was issued a 1st offense for citation 2.4; "Operating a shop with an expired shop license" on or about 11/3/2010. Respondent was issued a \$200.00 fine per Series 7 of the Rules and Regulations of the Board.

5. Respondent's salon license (license no. 012002) was issued a 2nd offense for citation 2.4; "Operating a shop with an expired shop license" on or about 8/2/2012. Respondent was issued a \$500.00 fine per Series 7 of the Rules and Regulations of the Board.

6. Respondent's salon license (license no. 012002) was issued a 3rd offense for citation 2.4; "Operating a shop with an expired shop license" on or about 11/29/2018. Respondent was

issued not issued a fine at that time.

7. Respondent has been fined a total of \$700.00 in connection to the citations mentioned within this Order.

8. Respondent has paid \$700.00 of the \$700.00 for administrative fines issued in connection to the citations mentioned with this Order.

### CONCLUSIONS OF LAW

1. The Board has the authority and responsibility to regulate the profession of barbering and cosmetology in the State of West Virginia. *See W. Va. Code § 30-27-1 et seq.*

2. The Board has jurisdiction to conduct investigations into complaints to determine if probable cause existed that the licensee was in violation West Virginia Code § 30-27-20(c) or any rule in West Virginia Code R. § 3-1-1 *et seq.*

3. The Board's authority to discipline licensees is found at West Virginia Code § 30-27-20.

4. The Board has jurisdiction to conduct disciplinary hearings and issue orders. *See W. Va. Code § 30-27-5(14).*

5. Disciplinary action can include reprimand, probation, administrative fine not to exceed \$1,000.00 per day per violation, mandatory attendance at continuing education seminars or other

4. Respondent acknowledges that the Board may reject this proposal and may hold a hearing to impose such sanctions of a disciplinary nature as it deems appropriate. Should the Board not approve this Consent Decree, Respondent waives any objections to the Board or any of its members participating in the adjudication of this matter.

5. Respondent understands that this Consent Decree and the underlying complaint are public records and agrees that the sum and substance of the complaint and this agreement in part or in their entirety may be set forth in Board publications and placements deemed appropriate by the Board.

6. Respondent acknowledges that proof of any misstatement or misrepresentation made in connection with this matter will result in the rescission of this Consent Decree, the reinstatement of the complaint, and the addition of any other charges which may arise or ensue from providing false information to the Board in violation of West Virginia law as it pertains to the practice.

#### ORDER

1. On the basis of the forgoing, and upon entry of this Consent Decree by this tribunal, the Board hereby **ORDERS** that this Consent Decree shall serve as an informal settlement of this complaint pursuant to W. Va. Code § 30-1-8(a).

2. This Consent Decree is executed by Respondent for the purpose of avoiding further



administrative action with respect to this case. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning the Respondent prior to or in conjunction with consideration of this Consent Decree. Furthermore, should this Consent Decree not be accepted by the Board, it is agreed that it shall not preclude the Board or any of its members from further participation, consideration, or resolution of these proceedings.

3. The Board ORDERS Respondent to pay administrative fines in the amount of \$500.00.

4. The administrative fines imposed herein in the amount of \$250.00 must be paid within thirty (30) days of the date Respondent receives Notice of Entry of this agreement by the Board, with such amount made payable to WVBBC (Administrative Fines). The remaining balance of \$250.00 can be paid in 5 monthly installments of \$50.00 per month. Failure to remit the payment of these administrative fines will result in further disciplinary action by the Board.

5. The Board ORDERS Respondent to pay administrative costs in the amount of \$500.00.

6. The administrative costs imposed herein in the amount of \$250.00 must be paid within thirty (30) days of the date Respondent receives Notice of Entry of this agreement by the Board, with such amount made payable to WVBBC (Administrative Costs). The remaining balance of \$250.00 can be paid in 5 monthly installments of \$50.00 per month. Failure to remit the payment

of these administrative costs will result in further disciplinary action by the Board.

7. Any violation of any of the terms of this Consent Decree will result in further disciplinary action by the Board.

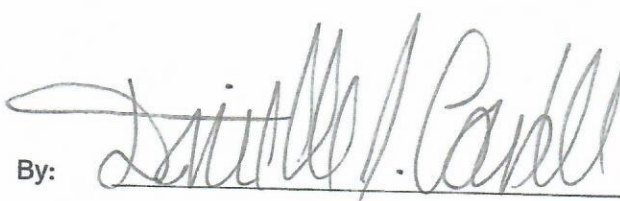
8. The Consent Decree constitutes a full and final settlement of this matter, and nothing in this Consent Decree or the circumstances giving rise to the same may be the subject of any appeal or other civil or administrative action by this Board except for an action to enforce the terms of this complaint.

9. If the administrative fines and costs imposed herein totaling \$1,000.00 are not timely paid, this Consent Decree may be summarily enforced in the Circuit Court of Wood County without further notice to Respondent upon application by the Board for the entry of a Judgment Order for the total amount of payment agreed to herein, together with pre-judgment interest from the date of the Executive Director's signature hereon, post-judgment interest from the date of entry, and all costs of any enforcement action(s), which judgment shall be fully executable in accordance with applicable law.

10. This matter shall be closed upon the execution of this Consent Decree by both parties, satisfactory completion of the terms contained with this Consent Decree and the full payment of the administrative costs and fines agreed to herein.

ENTERED into the records of the West Virginia State Board of Barbers and Cosmetologists this

22nd day of March, 2019.

By: 

Danielle J. Cordle, Executive Director  
West Virginia State Board of Barbers and Cosmetologists  
1201 Dunbar Avenue, Dunbar, WV 25064  
Telephone: (304) 558-2924  
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