



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

**2011 ANNUAL REPORT**  
**VOLUME 7 (COMPLAINTS)**

**BOARD MEMBERS**

Michael Belcher	Justina Gabbert
Sarah Hamrick	Susan Poveromo
Jim Ryan	Rick Stache

**EXECUTIVE DIRECTOR**

Adam L. Higginbotham



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C2011-50

Higginbotham, Adam L

---

**From:** Adam.L.Higginbotham@wv.gov  
**Sent:** Thursday, February 24, 2011 11:54 AM  
**To:** Higginbotham, Adam L; Western, Patrick L  
**Subject:** WVBC Complaint

## West Virginia Board of Barbers and Cosmetologists

# Complaint Form

### Individual Making Complaint

Name: West Virginia StateBoard Of Barbers And Cosmetologists  
Address: 1201 Dunbar Avenue  
Dunbar, WV 25064  
Phone: 304-558-2924  
E-mail:

### Individual or Business Named in the Complaint

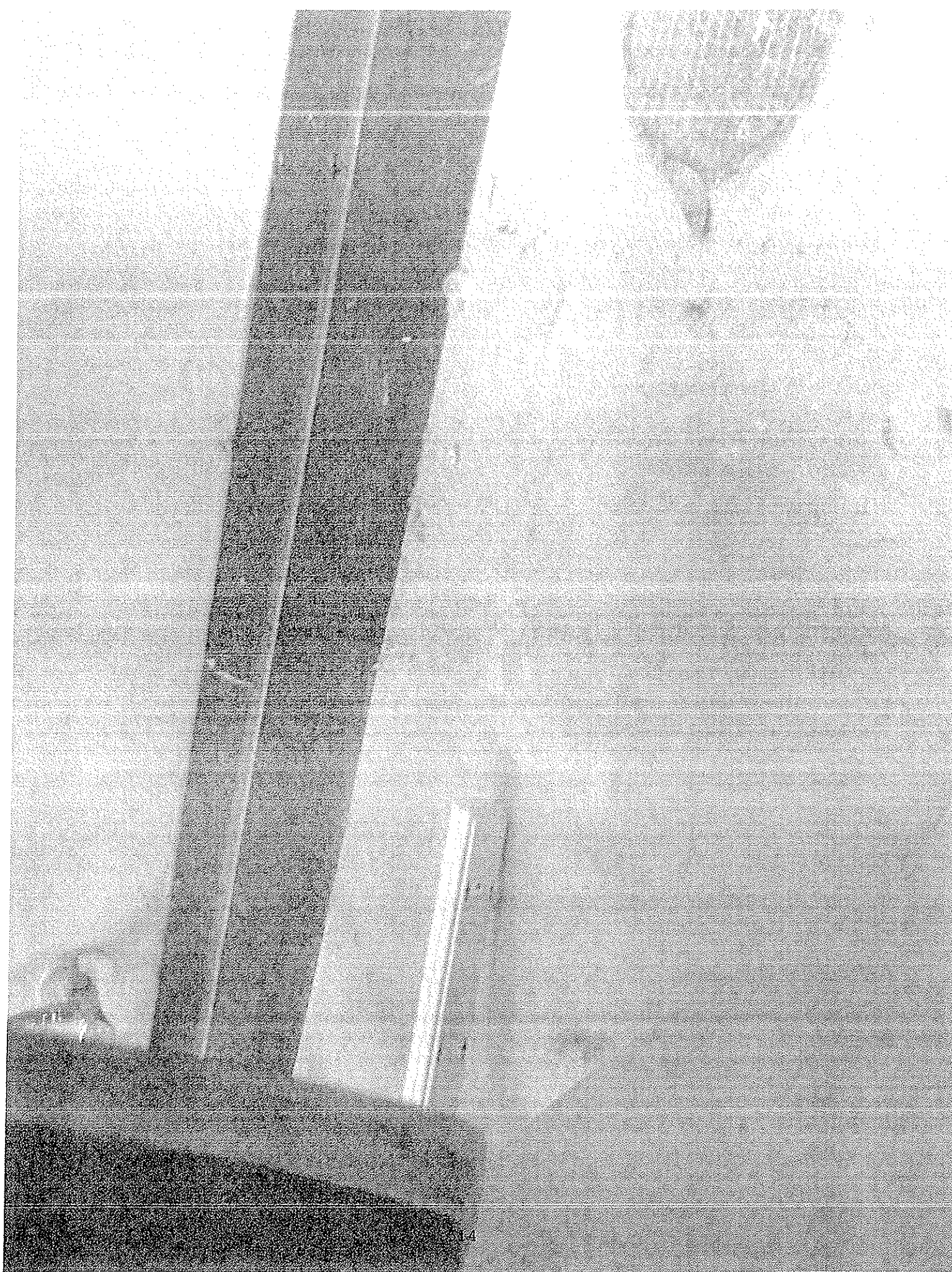
Name: Tammy Phan  
Company: Regal Nails In Martinsburg Wal-Mart (owner)  
Address: 213 Nathan Hale Drive  
Deptford, NJ 08096  
Phone: 2155354159

### List of Witnesses

Director Higginbotham Investigator Staff Member

### Description of Complaint

Dirty floors, unsanitary implements, unsanitary upkeep. Pictures are attached and violation notices sent.

















THE UNIVERSITY OF  
MICHIGAN LIBRARY  
ANN ARBOR, MICHIGAN



**VIOLATION NOTICE**

B--0.

West Virginia State  
Board of Barbers and Cosmetologists  
1201 Dunbar Ave.  
Dunbar, WV 25064

This is a violation notice of West Virginia Code, Chapter 30, Article 27,  
and/or the rules established through the authority of Chapter 30, Article 27.

Shop License # 14678 Date 12/22

Individual Name Regal Nails / Tammy Ph

---

Violation Notice Cite # 2.41  1st Off.  2nd Off.

Unsanitary Practice  3rd Off.  Warn

By initialing the box below, I understand the Board office will contact me concerning this notice within 48

Licensee Signature  Inspector Signature [Signature]

Comments Very Dirty

Addl. Comments

LOG #



**VIOLATION NOTICE**  
 West Virginia State  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Ave.  
 Dunbar, WV 25064

This is a violation notice of West Virginia Code, Chapter 30, Article 27,  
 and/or the rules established through the authority of Chapter 30, Article 27.

Shop License # 14878 Date 2/22/11  
 Individual Name Regal Nails - Tammy K.  
 Violation Notice Cite # 2.43  1st Off.  2nd Off.  
 Unsanitary Practice  3rd Off.  Warn

By initialing the box below, I understand the Board office will contact me concerning this notice within 4

Licensee Signature  Inspector Signature [Signature]  
 Comments Very Dirty  
 Addl. Comments   
 LOG #





**VIOLATION NOTICE**  
 West Virginia State  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Ave.  
 Dunbar, WV 25064

This is a violation notice of West Virginia Code, Chapter 30, Article 27,  
 and/or the rules established through the authority of Chapter 30, Article 27.

Shop License # 14878 Date 2/22/11  
 Individual Name Regal Nails - Tommy Phan

---

Violation Notice Cite # 2.46  1st Off.  2nd Off.  
 Unsanitary Practice  3rd Off.  Warn

By initialing the box below, I understand the Board office will contact me concerning this notice within 45

Licensee Signature  Inspector Signature

Comments Very Dirty

Addl. Comments

LOG #



**VIOLATION NOTICE**

B-0:

West Virginia State  
Board of Barbers and Cosmetologists  
1201 Dunbar Ave.  
Dunbar, WV 25064

This is a violation notice of West Virginia Code, Chapter 30, Article 27,  
and/or the rules established through the authority of Chapter 30, Article 27.

Shop License # 14878 Date 2/22/11

Individual Name Regal Nails - Tammy Phan

---

Violation Notice Cite # 2047  1st Off.  2nd Off.

Unsanitary Practice  3rd Off.  Warn

By initialing the box below, I understand the Board office will contact me concerning this notice within 4!

Licensee Signature  Inspector Signature [Signature]

Comments Very Dirty

Addl. Comments

LOG #



**VIOLATION NOTICE**

B-0:

West Virginia State  
Board of Barbers and Cosmetologists  
1201 Dunbar Ave.  
Dunbar, WV 25064

This is a violation notice of West Virginia Code, Chapter 30, Article 27,  
and/or the rules established through the authority of Chapter 30, Article 27.

Shop License # 14676 Date 2/22/11

Individual Name Regal Nails - Tammy Phan

---

Violation Notice Cite # 2.52  1st Off.  2nd Off.

Unsanitary Practice  3rd Off.  Warn

By initialing the box below, I understand the Board office will contact me concerning this notice within 41

Licensee Signature  Inspector Signature [Signature]

Comments Very Dirty

Addl. Comments

LOG #



**VIOLATION NOTICE**

B-02

West Virginia State  
Board of Barbers and Cosmetologists  
1201 Dunbar Ave.  
Dunbar, WV 25064

This is a violation notice of West Virginia Code, Chapter 30, Article 27,  
and/or the rules established through the authority of Chapter 30, Article 27.

Shop License # 148798 Date 2/22/11

Individual Name Regal Nails - Tammy Pharo

---

Violation Notice Cite # 2.55  1st Off.  2nd Off.

Unsanitary Practice  3rd Off.  Warn

By initialing the box below, I understand the Board office will contact me concerning this notice within 45

Licensee Signature  Inspector Signature [Signature]

Comments Very dirty floors & walls.

Addl. Comments

LOG #



Earl Ray Tomblin  
Governor

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbs.org

Director  
Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabb  
Sarah Hamrick    Susan Povero  
Jim Ryan            Rick Stache

Tammy Phan  
Regal Nails  
213 Nathan Hale Drive  
Deptford, NJ 08096

February 24, 2011

COMPLAINT #: C2011-50

Dear Ms. Phan:

The Board office has issued the enclosed complaint and photographs. Please review and respond to the complaint.

Additionally, there are multiple sanitation violations that have been issued due to an inspection of your salon.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response  
1201 Dunbar Avenue  
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham  
Director



State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

p: 304.558.2924  
 f: 304.558.3450  
 www.wvbbc.org

*Director*  
 Adam L. Higginbotham

*Board Members*  
 Michael Belcher    Justina Gabbe  
 Sarah Hamrick    Susan Poveror  
 Jim Ryan            Rick Stache

Tammy Phan  
 Regal Nails  
 213 Nathan Hale Drive  
 Deptford, NJ 08096

May 31, 2011

COMPLAINT #: C2011-50

Dear Ms. Phan:

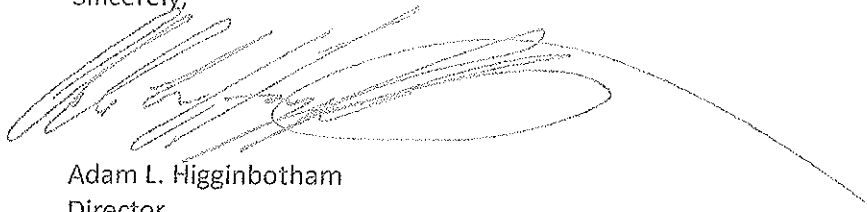
The Board of Barbers and Cosmetologists reviewed the complaint filed against you at the May 23<sup>rd</sup>, 2011 board meeting. The Board has not received your response to the complaint as required by law.

The Board determined that the violations issued to the salon and to your individual license where sufficient violations in regards to this complaint.

In the meantime, your shop has been cited for unlicensed workers, failure to respond to the Board, and sanitary issues. Therefore, the Board will send you a letter in June or July requesting your appearance at the August board meeting. Failure to attend the August board meeting will result in disciplinary action up to an including revocation of your personal license.

Should you have any questions, please feel free to contact me at 304-558-2924.

Sincerely,



Adam L. Higginbotham  
 Director



Earl Ray Tomblin  
Governor

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbc.org

*Director*  
Adam L. Higginbotham

*Board Members*  
Michael Belcher    Justina Gabbert  
Sarah Hamrick    Susan Poveromo  
Jim Ryan            Rick Stache

Tammy Phan  
213 Nathan Hale Drive  
Deptford, NJ 08096

September 22, 2011

COMPLAINT #: C2011-50

Dear Ms. Phan:

The Board of Barbers and Cosmetologists reviewed the complaint filed against you at the September 22, 2011 board meeting.

The Board reached an agreement that hopefully beneficial for you. The Board agrees that you must take and pass the West Virginia State Law exam and pay \$200.00 in administrative costs (\$50.00 for the exam and \$150.00 for board member per diem) in order to obtain your personal license.

Should you have any questions, please feel free to contact the Board office.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham".

Adam L. Higginbotham  
Director

C2011-51

Higginbotham, Adam L

---

**From:** Adam.L.Higginbotham@wv.gov  
**Sent:** Thursday, February 24, 2011 11:46 AM  
**To:** Higginbotham, Adam L; Western, Patrick L  
**Subject:** WVBBC Complaint

## West Virginia Board of Barbers and Cosmetologists

# Complaint Form

### Individual Making Complaint

Name: West Virginia State Board Of Barbers And Cosmetologists  
Address: 1201 Dunbar Avenue  
Dunbar, WV 25064  
Phone: 304-558-2924  
E-mail:

### Individual or Business Named in the Complaint

Name: Huong Ngoc Nguyen  
Company: Perfect Nails In Charles Town  
Address: 252 McWharton Way  
Bunker Hill, WV 25413  
Phone: 412-849-3929

### List of Witnesses

Director Higginbotham Rick Stache-Board Member

### Description of Complaint

1. Two unlicensed workers. 2. Unsanitary waxing room. 3. Unsanitary foot spa. Violations were issued.





State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

p: 304.558.2924  
 f: 304.558.3450  
 www.wvbcc.org

*Director*  
 Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabb  
 Sarah Hamrick    Susan Povero  
 Jim Ryan            Rick Stacht

Huong Ngoc Nguyen  
 Perfect Nails  
 252 McWharton Way  
 Bunker Hill, WV 25413

February 24, 2011

COMPLAINT #: C2011-51

Dear Ms. Nguyen:

The Board office has issued the enclosed complaint.

Additionally, there are multiple violations enclosed that have been issued due to an inspection of your salon.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVABC Response  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham  
 Director



Earl Ray Tomblin  
Governor

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbs.org

*Director*  
Adam L. Higginbotham

*Board Members*  
Michael Belcher    Justina Gabbert  
Sarah Hamrick    Susan Poveroni  
Jim Ryan            Rick Stache

Huong Ngoc Nguyen  
Perfect Nails  
252 McWharton Way  
Bunker Hill, WV 25413

September 27, 2011

COMPLAINT #: C2011-51

Dear Ms. Nguyen:

The Board has reviewed the complaint against you and determined the complaint to be true. Based on the inspection, your shop was cited for having unlicensed workers and fines were issued.

Since the fines have been paid, the complaint has been dismissed.

Sincerely,

Adam L. Higginbotham  
Director

C2011-52

Higginbotham, Adam L

---

**From:** Adam.L.Higginbotham@wv.gov  
**Sent:** Thursday, February 24, 2011 11:28 AM  
**To:** Higginbotham, Adam L; Western, Patrick L  
**Cc:** calvintran8899@yahoo.com  
**Subject:** WVBB Complaint

## West Virginia Board of Barbers and Cosmetologists

# Complaint Form

### Individual Making Complaint

Name: Calvin Tran  
Address: 2501 Burlington Mt. Holly  
Burlington, NJ 08016  
Phone: 609 747 1205  
E-mail: [calvintran8899@yahoo.com](mailto:calvintran8899@yahoo.com)

### Individual or Business Named in the Complaint

Name: Ngoc Bao  
Company: ELEGAN NAILS  
Address: 306 Galleria Plaza  
Bekley, WV 25801  
Phone: (304)929 2257

### List of Witnesses

hiep 2502 burlington MT. holly rd burlington nj 08016

### Description of Complaint

the owner of elegan nail fire my wife have MANICURIST license WV and bring the people UNLICENSE NAIL TECH .reason they pay less , in this case not fare for the nail tech who have the MANICURIST LICENSEE in WV. righ now in a shop have 2people work with out license thank your verry much calvin



Earl Ray Tomblin  
Governor

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbc.org


*Director*  
Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabbert  
Sarah Hamrick    Susan Poveromo  
Jim Ryan            Rick Stache

MEMORANDUM

To:                    2011 Annual Report

From:                Adam L. Higginbotham   
Director  
Board of Barbers and Cosmetologists

Date:                 September 22, 2011

Subject:             C2011-52

---

Complaint C2011-52 was investigated for unlicensed workers. The Board office has received numerous verbal complaints about this shop concerning unlicensed workers.



Earl Ray Tomblin  
*Governor*

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbc.org

*Director*  
Adam L. Higginbotham

*Board Members*  
Michael Belcher    Justina Gabbert  
Sarah Hamrick    Susan Poveromo  
Jim Ryan          Rick Stache

### MEMORANDUM

To:                    2011 Annual Report

From:                Adam L. Higginbotham  
                         Director  
                         Board of Barbers and Cosmetologists

Date:                 September 22, 2011

Subject:             C2011-53

---

Complaint C2011-53 is still under investigation.



State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

p: 304.558.2924  
 f: 304.558.3450  
 www.wvbbc.org

*Director*  
 Adam L. Higginbotham

*Board Members*  
 Michael Belcher    Justina Gable  
 Sarah Hamrick    Susan Poveroni  
 Jim Ryan          Rick Stach

Charleston School of Beauty Culture  
 Judy Hall and Cherie Bishop  
 210 Capital Street  
 Charleston, WV 25301

March 17, 2011

COMPLAINT #: C2011-54

Dear Judy Hall and Cherie Bishop:

The enclosed document from the West Virginia Human Rights Commission has been forwarded to the Board office to be placed on file.

Due to the forwarding of the document, a complaint has been initiated for a response from Ms. Hall and Ms. Bishop.

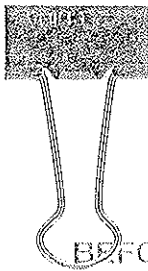
According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham  
 Director



BEFORE THE WEST VIRGINIA HUMAN RIGHTS COMMISSION

WALTER ROBINSON,

Complainant,

v.

DOCKET NO. PAR-351-04

CHARLESTON ACADEMY OF BEAUTY CULTURE, INC.,  
d/b/a CHARLESTON SCHOOL OF BEAUTY CULTURE,  
INC., JUDY HALL, Owner, and CHERIE BISHOP,  
Instructor, in their individual capacities,  
Respondents.

TYLEEMAH EDWARDS,  
Complainant,

v.

DOCKET NO. PAR-454-04

CHARLESTON ACADEMY OF BEAUTY CULTURE, INC.,  
d/b/a CHARLESTON SCHOOL OF BEAUTY CULTURE,  
INC., JUDY HALL, Owner, and CHERIE BISHOP,  
Instructor, in their individual capacities,

Respondents.

CHIEF ADMINISTRATIVE LAW JUDGE'S FINAL DECISION

A public hearing in the above captioned-matter was convened on April 23-26, 2007, at the offices of the West Virginia Human Rights Commission in Charleston, Kanawha County, West Virginia.

The Complainants, Walter Robinson and Tyleemah Edwards, appeared in person and their case was presented by Paul R. Sheridan, Deputy Attorney General and Jamie S. Alley, Senior Assistant Attorney General, for the State of West Virginia Civil Rights Division.

The Respondents, Charleston Academy of Beauty Culture, Inc., d/b/a Charleston School of Beauty Culture, Inc., Judy Hall, and Cherie Bishop, appeared in person and their case was presented by, Stephen L. Hall, Esquire.

*Stephen L. Hall, Esq.*  
Attorney at Law, SB # 7278  
3215 Bradley Road  
Huntington, WV 25704-2725  
(304) 429-5417

March 22, 2011

West Virginia State Board of Barbers & Cosmetologists  
1201 Dunbar Ave  
Dunbar, WV 25064

RE: Response to Complaint #C2011-54, by Anonymous reference to complaints initially filed by Harry W. Robinson & Tyleemah M. Edwards

Dear Board Members:

The West Virginia State Board of Barbers & Cosmetologists has already investigated and ruled on the complaints referred to by this alleged complaint back in 2004.

Firstly, this is a classic *Res Judicata* case, this complaint was filed seven years ago, investigated and appropriately resolved by the Board. Any competent review of this so called complaint would have revealed this fact. Charleston School of Beauty Culture Inc.'s official response to the West Virginia State Board of Barbers & Cosmetologists was filed on April 19<sup>th</sup>, 2004, in volumes I & II prior to the individuals in question taking their fraudulent complaints to the West Virginia Human Rights Commission. The prior decisions of the West Virginia State Board of Barbers & Cosmetologists regarding the same issues must stand and may not legally be revisited by a subsequent Board. This complaint is absolutely barred by law.

The "Chief Administrative Law Judge's Final Decision" contains many incorrect and false assertions of both fact and law and is currently on appeal regarding numerous errors in the case and the decision, as such could not be the proper basis for any complaint until such time as the appeal course had run its full course, even if said document could be considered a legitimate complaint and if this case had not already been decided in favor of the Charleston School of Beauty Culture, Inc. by this very Board.

As this case has already been decided by the Board, it may not be reopened and re-litigated by this same Board. In Mr. Higginbotham's correspondence, he states that "Due to the forwarding of the document, a complaint has been initiated for a response from Ms. Hall and Ms. Bishop." This complaint has been improperly and illegally initiated due to both the doctrine of *Res Judicata* and any applicable statute of limitations. This Board must dismiss and remove complaint C2011-54 and any and all references thereto from its files due to the illegality of the filing of this complaint.

Secondly, the form of said document fails to meet the minimal requirements of a complaint as set forth in WVCode §30-27-20(a) which limits complaint to "the written complaint of any person." This is a very minimal standard, but even with this minimal threshold, the decision issued by another agency fails to qualify as a *written complaint of any person*. There is no person who has written a complaint. Therefore, again, the initiation of this complaint is illegal and improper.

Thirdly, nothing in this so-called complaint alleges any violation of WVCode §30-27-20(g), which identifies the only grounds upon which a complaint may be filed. Mr. Higginbotham has utterly failed to identify any legitimate grounds for a complaint under this provision. As such, it would be impossible to respond to such a non-complaint as required by 3CRS9.2.8. Mr. Higginbotham has failed in his duty to provide copies of the complaint forms and other evidence against Mrs. Hall and Ms. Bishop, much less identify the allegations contained in the so-called complaint as required by law. It is impossible to respond to allegations if those allegations have not been made; there is no allegation made to which Mrs. Hall and Ms. Bishop can respond.





Earl Ray Tomblin  
*Governor*

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbcc.org

*Director*  
Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabber  
Sarah Hamrick    Susan Poverom  
Jim Ryan            Rick Srache

Charleston School of Beauty Culture  
Judy Hall and Cherie Bishop  
210 Capital Street  
Charleston, WV 25301

September 27, 2011

COMPLAINT #: C2011-54

Dear Judy Hall and Cherie Bishop:

On September 19<sup>th</sup>, 2011, the West Virginia State Board of Barbers and Cosmetologists voted to dismiss the above reference complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham", written over a faint, dotted-line signature strip.

Adam L. Higginbotham  
Director

C 2011-5

Higginbotham, Adam L.

From: Adam.L.Higginbotham@wv.gov  
Sent: Tuesday, April 05, 2011 10:17 AM  
To: Higginbotham, Adam L; Western, Patrick L.  
Cc: irishbaby7@aol.com  
Subject: WVBC Complaint

## West Virginia Board of Barbers and Cosmetologists

# Complaint Form

### Individual Making Complaint

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
          Clarksburg, WV 26301  
Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

### Individual or Business Named in the Complaint

Name: Angela Policano  
Company: The Clarksburg Beauty Academy  
Address: St \_\_\_\_\_  
          Clarksburg, WV 26301  
Phone: 1-304-6246475

### List of Witnesses

### Description of Complaint

I have been going to the Clarksburg Beauty Academy now since August 2009. I feel I have not been taught in the right ways that I should have been, I only have 500 hours left of school until I can take my state boards test and to be honest I am not ready for it at all. I am a left handed student and I am cutting hair with my right hand because none of the teachers there will take the time to show me how to cut hair with my left hand. I have went to the head lady at the school and she doesn't seem to care about what I have to say, I just feel like all she cares about is getting her money from us students at the school. Also my class/ book work is sometimes hard for me to pass the test and I feel like none of the teachers care about how I feel and that they can't teach me what I need to know to be a good

cosmetologist and pass my state boards test. Everytime I go to school and I get a client I will sometimes ask questions about what I am doing and what I have to do and the teachers dont even act like they want to help, ior they will ignore me or just do the clients hair for me. It's not only me whas these complaints, almost every student at the Clarksburg Beauty Acadernmy will tell you the san thing(s). Last The Clarksburg Beauty Academy has been breaking there contract with students at their school, they gave us a paper on March first that said if we miss school on Saturdays that we have to pay them 250.00\$ Plus we are NOT to come to school the next three (3) days which would Tuesday, Wednesday, And Thursday. And my contract does not say anything about Saturdays beir mandatory attendance. Also the Clarksburg Beauty Academy gave us a paper on March first that s: if we are tardy more then three (3) times in one (1) month then we can NOT clock in for the rest of t month after out third tardy.



State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

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Governor

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Director  
Adam L. Higginbotham

Board Members  
Michael Belcher    Justina Gabb  
Sarah Hamrick    Susan Poveroni  
Jim Ryan            Rick Stach

Angela Policano  
Clarksburg Beauty Academy  
120 South Third Street  
Clarksburg, WV 26301

April 21, 2011

COMPLAINT #: C2011-55

Dear Mrs. Policano:

The Board office has received the enclosed complaint. The complaint discusses contractual issues and questioned educational standards and practices.

Due to the complaint, the Board requests a copy of contracts for any three current and random cosmetology students. Additionally, please provide a response to the complaint.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response  
1201 Dunbar Avenue  
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham  
Director

# Clarksburg Beauty Academy, Inc.

120 SOUTH THIRD STREET  
CLARKSBURG, WEST VIRGINIA 26301  
PHONE 304-624-6475 FAX 304-624-6465

WV Board of Barbers & Cosmetologist  
1201 Dunbar Avenue  
Dunbar, WV 25064

May 5, 2011

Dear Mr. Higginbotham & Board Members

This letter is in response to the complaint filed by Robin Clevenger:

I will address the first part of her complaint first. She states that she has not received the proper training and that the Instructors refuse to help her. I am enclosing copies of her attendance records for the past three months and the Board can see that Robin has been well below the state required 80% attendance.

- February full time attendance was 152 hours and Robin attended 43.96 hours or 29%,
- March full time attendance is 176 hours and Robin attended 61.60 hours or 35%.
- April full time attendance is 166 hours and Robin attended 22.21 hours or 13%.

. The fact that she does not come to school may be the reason that she feels she does not have what she needs to succeed as a Cosmetologist. I want the Board to know that I have a policy at Clarksburg Beauty Academy for my Instructors and myself that the students are the most important people in our school. I tell them often that the student is the reason that we have a school and the reason they have a job. I instill in my Instructors the fact that the students are human beings with feelings and deserve to be treated with respect. All the students know that they can come to me with a complaint or problem and I will help them. Robin or no other student in the school at this time have complained to me about the teaching methods or that they did not feel they were getting a quality education.

The second part of her complaint is in regard to the **Saturday Attendance Policy**. We have many policies at Clarksburg Beauty Academy they are in our Policy and Procedure Manual and they are in the student's handbook that is given to the students and reviewed with them at orientation a week before they start school. When we introduce a new policy, like the **Saturday Attendance Policy** it is given to each student and it is posted at the time clock for each student to see. I also address the students as a group and explain the policy. The school policies are not listed in the contract. There are too many to list in the contract and according to NACCAS we are required to list them in the student handbook and to give each student a copy of any changes or new policies that are put into effect. We are following this requirement.

The reason for the **Saturday Attendance Policy** was due to lack of attendance on Saturday and after talking to several school owners both in the state and in other states this is a problem everywhere. I am committed as a school owner to train students to be professionals and this means to instill in them work ethic and anyone on the Board who owns or works in a salon knows the problems that exist when you have employees that do not show up for work when they are scheduled and have appointments.

It is my opinion that when dealing with the students it is always best to use positive reinforcement. On Saturdays we buy lunch for all the students and we make Saturday a "dress down day" so the students do not have to wear full uniform. This is in an effort to encourage them to attend on Saturday. I have even given prizes on Tuesday morning to everyone who was in attendance the Saturday before. However, there are those times when you have to take a different approach. Thus the reason for the **Saturday Attendance Policy**. I am enclosing a copy of the policy along with the copies of contacts that you requested. As you can see, what is in the contract is the fee for hours over the contract date, not the policy or any of the school policies. Since the policy went into effect on March 1, 2011, we have suspended only 1 student (this student was not Robin Clevenger)

And our attendances on Saturdays have changed from 7-9 students showing up to 30-40 students attending on Saturdays. As the policy states we allow for excuses and the students are allowed to miss 1 Saturday a month without an excuse before the policy is enforced. Robin has been excused every Saturday since the policy went into effect due to Dr. excuses or work related excuses. I offered to call her employer and see if we could come up with a work schedule that would work with her school attendance. Robin agreed that it might help, but she never brought me her employer's name or phone number.

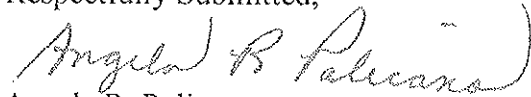
The last part of her complaint was in reference to the **Tardy Policy**. This has been a school policy for many years. It is in the Student Handbook that Robin received at orientation and it was explained to her as well as to every student who enrolls.

I am also enclosing a copy of the **Tardy Policy** as it appears on page 31 of the handbook. The purpose of the policy to make students accountable for their attendance. No where in the policy does it state that if a student is tardy for three (3) days in a month that they can not attend school. Here again we are dealing with unexcused tardy days. We do allow for students to call in with excuses and excused tardiness does not count against the three day allowance. After three unexcused tardy days the students are counseled and they are told that they can not clock in unexcused tardy for the remainder of the month. They are not told they can not attend school. They are just required to be on time or to be excused for the tardiness.

I hope that my response and the enclosed documentation clear up any doubts that the board may have about Clarksburg Beauty Academy's mission.

We are trying to produce potential employees who not only have the technical knowledge that they need but also the skills to be on time, to dress and act professional and to show up for work when they are scheduled. In all my years as a School Director I have seen a trend in the way a student attends and performs in school carries out into their jobs.

Respectfully Submitted,



Angela R. Policano  
Director

Enclosures

Date: 5/6/2011  
 Time: 8:42:14 AM

SMART Systems, Inc.  
 ClarksburgBeauty  
 120 South 3rd Street, Clarksburg, WV 26301

Attendance History  
 2/1/2011 - 2/28/2011

Clevenger, Robin N

Permit: 283-141017

Cumulative Total for 2/1/2011 - 2/28/2011

Date	Hours	Days	Avg Hrs/Day	Hours	Days
2/1/2011	2.85	1	2.8500	2.85	1
2/2/2011	4.05	1	4.0500	6.90	2
2/3/2011	4.46	1	4.4600	11.36	3
2/4/2011	0.00	1	0.0000	11.36	3
2/5/2011	0.00	1	0.0000	11.36	3
2/8/2011	0.00	1	0.0000	11.36	3
2/9/2011	0.00	1	0.0000	11.36	3
2/10/2011	4.51	1	4.5100	15.87	4
2/11/2011	8.00	1	8.0000	23.87	5
2/12/2011	0.00	1	0.0000	23.87	5
2/15/2011	5.55	1	5.5500	29.42	6
2/16/2011	6.11	1	6.1100	35.53	7
2/17/2011	0.00	1	0.0000	35.53	7
2/18/2011	0.00	1	0.0000	35.53	7
2/19/2011	0.00	1	0.0000	35.53	7
2/22/2011	5.87	1	5.8700	41.40	8
2/23/2011	0.00	1	0.0000	41.40	8
2/24/2011	2.56	1	2.5600	43.96	9
2/25/2011	0.00	1	0.0000	43.96	9
2/26/2011	0.00	1	0.0000	43.96	9

*29%* *152 hrs possible*

Cumulative Data As Of 5/6/2011 For: Clevenger, Robin N			Permit: 283-141017		
Statistics:		Dates:			
Crs: Cosmetology	Lowest Hrs/Month: 0	Start:	6/29/2010	Determined:	n/a
Course Hrs: 2000.00	Highest Hrs/Month: 8	Drop:	n/a	Cntrct Grad:	5/7/2011
Total Hrs: 926.28	SSN:	ReEnroll:	n/a	ProjGrad:	3/31/2012
Transfer Hrs: 522.00	Active?: Y	Drop2:	n/a	Graduate:	n/a
GrandTot Hrs: 1448.28	SAP?: N	ReEnroll2:	n/a	LOA:	n/a-n/a
Remaining Hrs: 1073.72	GPA: 98.13	Drop3:	n/a	Loan Ent:	n/a
% Complete: 72.41	Over Contract? Y	ReEnroll3:	n/a	Loan Exit:	n/a
AMA: 89.35					

At This Attendance Rate You may pay \$4,381.75 For Poor Attendance Before You Graduate

Date: 5/6/2011  
 Time: 8:43:06 AM

Page:

SMART Systems, Inc.  
 ClarksburgBeauty  
 120 South 3rd Street, Clarksburg, WV 26301

Attendance History  
 3/1/2011 - 3/31/2011

Clevenger, Robin N

Permit: 283-141017

Date	Hours	Days	Avg Hrs/Day	Cumulative Total for 3/1/2011 - 3/31/2011	
				Hours	Days
3/1/2011	5.95	1	5.9500	5.95	1
3/2/2011	2.42	1	2.4200	8.37	2
3/3/2011	5.80	1	5.8000	14.17	3
3/4/2011	2.75	1	2.7500	16.92	4
3/5/2011	0.00	1	0.0000	16.92	4
3/8/2011	6.52	1	6.5200	23.44	5
3/9/2011	2.87	1	2.8700	26.31	6
3/10/2011	4.57	1	4.5700	30.88	7
3/11/2011	2.44	1	2.4400	33.32	8
3/12/2011	1.50	1	1.5000	34.82	9
3/15/2011	3.15	1	3.1500	37.97	10
3/16/2011	0.00	1	0.0000	37.97	10
3/17/2011	5.46	1	5.4600	43.43	11
3/18/2011	2.81	1	2.8100	46.24	12
3/19/2011	0.62	1	0.6200	46.86	13
3/22/2011	6.20	1	6.2000	53.06	14
3/23/2011	4.53	1	4.5300	57.59	15
3/24/2011	1.60	1	1.6000	59.19	16
3/25/2011	0.00	1	0.0000	59.19	16
3/26/2011	0.52	1	0.5200	59.71	17
3/29/2011	0.00	1	0.0000	59.71	17
3/30/2011	1.89	1	1.8900	61.60	18
3/31/2011	0.00	1	0.0000	61.60	18

35%

176 possible



SMART Systems, Inc.  
 ClarksburgBeauty  
 120 South 3rd Street, Clarksburg, WV 26301

Attendance History  
 4/1/2011 - 4/30/2011

Clevenger, Robin N

Permit: 283-141017

Cumulative Total for 4/1/2011 - 4/30/2011

Date	Hours	Days	Avg Hrs/Day	Hours	Days
4/1/2011	0.00	1	0.0000	0.00	0
4/2/2011	0.00	1	0.0000	0.00	0
4/5/2011	1.30	1	1.3000	1.30	1
4/6/2011	0.00	1	0.0000	1.30	1
4/7/2011	5.57	1	5.5700	6.87	2
4/8/2011	0.00	1	0.0000	6.87	2
4/9/2011	0.00	1	0.0000	6.87	2
4/12/2011	4.45	1	4.4500	11.32	3
4/13/2011	2.77	1	2.7700	14.09	4
4/14/2011	4.03	1	4.0300	18.12	5
4/15/2011	0.00	1	0.0000	18.12	5
4/16/2011	0.00	1	0.0000	18.12	5
4/19/2011	0.00	1	0.0000	18.12	5
4/20/2011	4.09	1	4.0900	22.21	6
4/21/2011	0.00	1	0.0000	22.21	6
4/22/2011	0.00	1	0.0000	22.21	6
4/23/2011	0.00	1	0.0000	22.21	6
4/26/2011	0.00	1	0.0000	22.21	6
4/27/2011	0.00	1	0.0000	22.21	6
4/28/2011	0.00	1	0.0000	22.21	6
4/29/2011	0.00	1	0.0000	22.21	6
4/30/2011	0.00	1	0.0000	22.21	6

*1390* *166 hrs possible*

Cumulative Data As Of 5/6/2011 For: Clevenger, Robin N			Permit: 283-141017		
<b>Statistics:</b>		<b>Dates:</b>			
Crs: Cosmetology	Lowest Hrs/Month: 0	Start:	6/29/2010	Determined:	n/a
Course Hrs: 2000.00	Highest Hrs/Month: 5.57	Drop:	n/a	Cntrl Grad:	5/7/2011
Total Hrs: 926.28	SSN:	ReEnroll:	n/a	Proj Grad:	3/31/2012
Transfer Hrs: 522.00	Active?: Y	Drop2:	n/a	Graduate:	n/a
GrandTot Hrs: 1448.28	SAP?: N	ReEnroll2:	n/a	LOA:	n/a-n/a
Remaining Hrs: 1073.72	GPA: 98.13	Drop3:	n/a	Loan Ent:	n/a
% Complete: 72.41	Over Contract? Y	ReEnroll3:	n/a	Loan Exit:	n/a
AMA: 89.35					

At This Attendance Rate You may pay \$4,381.75 For Poor Attendance Before You Graduate

## Saturday Absentee Policy

Effective March 1, 2011, Students who miss more than one Saturday per month will be subject to a 3 (THREE) day suspension. These 3 (THREE) days will be counted as unexcused absences and will be charged to the Student as Hours over Contract. Any excused absences will not count against the Student and will not result in a 3 (THREE) day suspension. Saturday attendance will be monitored on a monthly basis. According to page 2 (TWO) of each Student Contract, the Clarksburg Beauty Academy will charge \$7.50 per hour over contract. These unexcused days may result in the Student going over their contract and could result in owing the school an additional \$225.00, this amount due is in addition to regular tuition and Student's cannot graduate or take their State Exam until their tuition is paid in full. If you complete your hours before you contract is due, you will not owe this additional tuition.

## TARDINESS POLICY

Students are taught the value of planning and prioritizing. During classroom instruction Time Management Skills are emphasized. All students are encouraged to arrive at school on time. This training will carry over when they are in the workforce. This is important because Cosmetologist and Manicurists work on a Time Schedule.

At Clarksburg Beauty Academy, students are to clock in at 8:30. Students who arrive after 8:30 are required to report to the office and check in and state the reason for their tardiness. Students who are more than 30 minutes late, are not permitted attend school. In the event of an emergency or extenuating circumstance, if the student calls the school to report tardiness, permission to come to school will be granted at the discretion of the school Director. Students that are tardy three (3) times in one month may be required to meet with the school Director. At that time, a counseling session will take place discussing the importance of Time Management and Planning. Excessive unexcused tardiness will result in disciplinary action.

## SAFETY AND EVACUATION POLICY

### BASIC REQUIREMENTS FOR A SAFE WORKPLACE

1. **Proper ventilation:** Some fumes can be harmful.
2. **Proper use of flammables:** Read labels and always follow precautions.
3. **Designated smoking areas:** Never smoke or allow clients to smoke while being served. Avoid other sources of open flames.
4. **Safe product storage:** Store products in closed containers and prevent spills or leakage. Store in adequately vented area and in moderate temperature.
5. **Protection during application:** Follow directions wear gloves and/or goggles as directed, properly drape client. Apply your professional training.
6. **Proper use of first aid kit:** Keep first aid kit available. A first aid kit is located in all classrooms.
7. **Fire Safety:** Evacuation routes and exit signs are posted in all classrooms.
8. **In the event fire:**
  - a) contact fire department (Give the name and address of business, nature of fire(what is burning), and the name of person reporting fire.)
  - b) evacuate premises by following planned procedure for the facility.
  - c) plan alternate route in the event regular route is blocked by fire.
9. **Use of fire extinguishers:** Fire extinguishers are located throughout the facility.
  - a) pull the pin.
  - b) aim the nozzle.
  - c) squeeze the handle.
  - d) sweep from side to side at base of fire until it is extinguished.
10. **Recommended procedures:** The National Fire Protection Association recommends that you should ONLY stand and fight a fire if ALL the following are TRUE:
  - a) everyone is leaving the premises and the fire department has been called.
  - b) the fire is small and confined to the work area in which it started.
  - c) you can fight the fire with your back to an escape route.
  - d) your extinguisher is rated for the type of fire you are fighting.
  - e) you know how to operate the extinguisher.

### INTERNAL SCHOOL COMPLAINT PROCEDURE



Earl Ray Tomblin  
*Governor*

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbc.org

*Director*  
Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabbert  
Sarah Hamrick    Susan Poveromc  
Jim Ryan            Rick Stache

Angela Policano  
Clarksburg Beauty Academy  
120 South Third Street  
Clarksburg, WV 26301

September 27, 2011

COMPLAINT #: C2011-55

Dear Mrs. Policano:

The Board reviewed the complaint at the September 19<sup>th</sup>, 2011 board meeting. After reviewing the school's response and the details within the complaint, the Board voted to dismiss the complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham".

Adam L. Higginbotham  
Director

Cc: Complainant

March 23, 2011

I want to file a complaint against Scott College of Cosmetology. I am currently a student there and I know I am not being taught legally. We have "student-instructors" who 2 of them have had their cosmetology degrees for a few years and the other 2 have had theirs for 5-7 MONTHS. Yes months. I feel that for the money I am paying for my cosmetology education that I should be at least taught by qualified instructors.

I called the WVBBB and talked with a lady and she informed me that the student instructors are to be under master instructors training while the student instructors are teaching. NOT at this school. The student instructors may start out in the beginning of the class with a licensed instructor but that is it. There are 3 master instructors who actively work at the school. One of them is the clinic instructor and she is fulltime and she even goes up into a classroom for 2 weeks with the seniors prior to their graduation and does their review with them and their mock state boards with them. While she is up there we have one of the other masters with us on Tuesday only for her 6.5 hours since this is the only day of the week she works. Yes 6.5 hours a day for 4 days a month. The last master instructor who works at the school only comes every 13 weeks so she can teach our manicures, pedicures and acrylics program. She puts in a total of 9 hours every 13 weeks. Yes this is the 3 master instructors who actively work at the school and from what I was told when I talked with the lady from the WVBBB this is not legal. There is suppose to be one master instructor for every 20 students. Is this full time master instructors? There is probably 55-60 students enrolled right now at the school and this ratio is not correct by my math. While the full time master instructor is in the classroom we the students are being watched by student instructors or the other full time instructor if her class isn't being taught by the other fulltime master instructor who comes in for the 3 weeks out of thirteen. Yes this instructor gets bumped to the clinic floor while the master instructor comes in for those three weeks of her instruction. Then after she leaves there is the student instructors teaching the class by themselves. This is not right. Or legal, is it?

During our freshman class where we learn about manicuring, pedicuring and acrylics we had one of the student instructors and we asked a few questions about the nails and she couldn't answer us because she honestly said she didn't know. She really didn't pay much attention to the nails program because she mainly wants to do hair and makeup. We the students didn't say anything because she is the owners daughter. Yeah so this is the kind of education the me and all of the other students are paying for. None of these student instructors have been there long enough to have met the 375 hours of training that they need to take tests. I went on the website and read about the criteria needed for their testing. It is going to take them awhile. So how much longer do we have to put up with this? The one student instructor works our dispensary and she has not been in any classroom setting since she was a student. The other student instructor works mainly in the office with the receptionist and financial aid person. She only goes into the classroom when needed. The other student instructor works 2 days a week and she has only been in the classroom here or there and that was on a as needed basis. How can

any of these student instructors be instructing us properly when they don't know what they are doing or they don't have the guided licensed instruction required?

When the students ask questions we get ignored or we get told very little. This has raised suspicion amongst the student body and so I thought I would persue it and find out some answers. I want to see something be done. This is not right and it is not fair to us since we are paying for this education. Everyday us students are reminded on what we are suppose to do, say, and how to act by the state laws and regulations. This is kind of hard to do when we all know that the owner of this school is illegally instructing his student body.

As a student don't we have rights? Can't we stand up for what we feel is right and see that this is corrected? We just want a proper education instructed by legally licensed instructors. Please help us. We feel that Mr. Mamone should not be teaching us either. He teaches the laws class and sometimes helps with the coloring classes but he doesn't have an instructors license either. No wonder he does things the way he does. Something has to be done. I hope the WVBBC can help us soon.

Thank you,

Annoymous



State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

p: 304.558.2924  
 f: 304.558.3450  
 www.wvbbs.org

*Director*  
 Adam L. Higginbotham

*Board Members*  
 Michael Belcher    Justina Gabl  
 Sarah Hamrick    Susan Pover  
 Jim Ryan            Rick Stach

Scott College of Cosmetology  
 Joe Mamone  
 1502 Market Street  
 Wheeling, WV 26003

April 21, 2011

COMPLAINT #: C2011-56

Dear Joe Mamone:

The Board office has received the enclosed complaint on multiple issues addressed as a concern by a unknown student.

Please review the letter and respond.

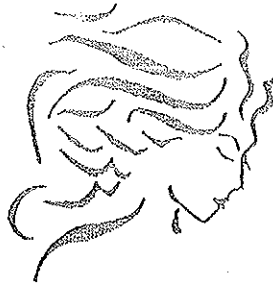
According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham  
 Director



*Scott College of Cosmetology*  
1502 Market Street, Wheeling, West Virginia 26003  
(304) 232-7798 (304) 232-7834 fax



West Virginia Board of Barbers and Cosmetologists

April 26, 2011

Adam Higginbotham  
1201 Dunbar Avenue  
Dunbar, WV. 25064

COMPLAINT #:C2011-56

Dear Adam Higginbotham:

This letter is in response to complaint # C2011-56 in which the complain tent raises several issues that I will address one at a time.

The first issue raised is that students are being taught by 2 student instructors that have only had a cosmetology license for a few years and by 2 student instructors who have only been licensed 5-7 months. That is a total of 4 student instructors and I only have 3 student instructors of which one has been licensed for 8 years, one has been licensed for 3 years and one has been licensed for one year and the way I read the rules that makes them all legal to enter the student instructor program. The 4<sup>th</sup> person that this complain tent talks about IS NOT a student instructor. She is a licensed cosmetologist in both West Virginia and Ohio and I hired her ONLY to work in the dispensary mixing color, cutting foil, filling barbicide jars etc. so that I can keep the students who are scheduled in the dispensary each day from stealing me blind. She does not do any instruction and I just cannot take a licensed instructor from our class or clinic floor to do that job because it doesn't make sense to waste an instructor to keep order in the dispensary. I feel I must stress she does not instruct nor do I tell the students she is an instructor, whoever made the complaint is assuming that she is. If having a licensed cosmetologist work the dispensary is not permitted please tell me and I will remove her.

The second issue raised in the complaint is that we do not have enough Master instructors for the number of students enrolled and as we all know this is an issue with almost every school in



the State and I really hope The Board makes a decision on the Masters issue soon. I have 3 licensed Master Instructors on staff. One works full time, one had worked full time until about 4 months ago when she turned in a letter of resignation due to the fact that her husband was and is receiving chemo and radiation treatment and it would not be possible for her stay on board. I begged her to stay and I would work with her as best I could and finally she agreed to stay but only part time for now and only when she can due to his ongoing treatment and the fact that they have 3 children in school. The 3<sup>rd</sup> Master Instructor I have will only work one day a week, I have begged her to work more and she just will not. I have searched the Master Instructor list for West Virginia and have spent hours making phone calls to any that I know are not working in a school now but I have had no luck. I pay my instructors very well and I still cannot find enough. I know the rules say 20 students per Master Instructor and I do have 3 but only one is full time so I try my best to make it as close to what I think the rule intends. We turn students away every class because I try to keep the numbers where they are within the rules. For example this May class we have 21 people that want to get in but we can only accept 5 or maybe 6 if one student drops that says she is going to drop. The complain tent makes it sound as if student instructors are teaching classes or working the clinic without supervision. Please note I also employ 2 licensed instructors besides the 3 Master instructors. They also state that the student instructors are not in the classroom all the time and sometimes work mostly in the office and the reason for that is I cannot do evaluations on days I don't have enough Masters here so I either have them work in the office or only schedule them on days when I have Masters to do evaluations. That is why it has taken so long for a couple of them to complete the 375 hours. It has been a difficult issue to try to make it all work but we have done the student instructor training the way the Board has it written.

Next issue in the letter states that my daughter said in class that she didn't know the answer to a question. I tell all my instructors that if they are asked a question that they are not sure what the most correct answer is that they are to say "I don't know but I will surely find out for you". It happens, I have been doing hair for over 30 years and I get asked questions that I have to find out the answer. As for her saying "I didn't pay attention when I was in school" I doubt that very much, Angie has a strong passion for the industry and had very good grades while in school however she does not pretend to know everything and is not embarrassed to say "I don't know but I will find out for you".

Next issue, they say how much longer will we have to put up with this? I honestly believe that we are doing everything exactly as the Board intends and that we are legal in all aspects of our operations but I also am very relieved that all 3 of the student instructors have completed the 375 hour training and we have submitted all the documents necessary for the interview and exam. I am proud of all 3 and I know they are prepared and will be excellent instructors.

The final issue raised was the fact that I do not have an instructor license in West Virginia and that is true. It also states that I taught WV Laws and that is somewhat true. If you look back at our school records you will see that we had a fail rate on the laws exam that was unacceptable so I took the bull by the horns and was in class every day the last two classes that took laws and I found that there were several reasons why we were failing laws and the biggest problem was we were teaching from out dated laws material. I printed out the new laws as they were

changed and instructed the Master Instructor who teaches laws to replace the old laws with the new laws but somehow we ended up teaching from old material. So yes it is true I was in the classroom but so was the Master who had been teaching the laws class. It is now back on track and I will not be in the classroom when they do laws anymore but if you look at our pass rate on laws we have 100% pass rate the last 2 exams. I just felt that as the school owner it was my job to find out why we had such a terrible pass/fail rate on the laws test and correct it. They are complaining because I made them do more work than they were used to but the pass rate now indicates it was worth the extra effort they had to put forth.

In closing let me say that I agree that trying to adjust staff to make everything work out so that the student instructors were with a Master on days that I had Masters here and sometimes that meant adjusting schedules on the fly especially due to Mr. Vetanze being in treatment and Mrs. Vetanze not really able to give me a definite schedule has been somewhat of a challenge and probably a big reason for the creation of this complaint but it was all done just as it is instructed by the Board to be done. I think the fact that the complain tent would not sign their complaint speaks volumes for how much validity there is to their complaint. I thank you for the opportunity to respond to their complaint.

Sincerely,



Joe Mamone

President



Earl Ray Tomblin  
*Governor*

State of West Virginia  
Board of Barbers and Cosmetologists  
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Dunbar, WV 25064

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*Director*  
Adam L. Higginbotham

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Michael Belcher    Justina Gabber  
Sarah Hamrick    Susan Poveroni  
Jim Ryan            Rick Stache

Scott College of Cosmetology  
Joe Mamone  
1502 Market Street  
Wheeling, WV 26003

September 27, 2011

COMPLAINT #: C2011-56

Dear Joe Mamone:

The Board reviewed the complaint referenced above at the September 19<sup>th</sup>, 2011 board meeting. The Board voted to dismiss the complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham".

Adam L. Higginbotham  
Director

C2011-5

Higginbotham, Adam L

From: Adam.L.Higginbotham@wv.gov  
Sent: Thursday, March 24, 2011 8:15 PM  
To: Higginbotham, Adam L; Western, Patrick L  
Cc: Michelleangus01@gmail.com  
Subject: WVBBC Complaint

## West Virginia Board of Barbers and Cosmetologists

# Complaint Form

### Individual Making Complaint

Name: Michelle Angus  
Address: RR 3 Box 250a  
Grafton, WV 26354  
Phone: 304 288 4183  
E-mail: [Michelleangus01@gmail.com](mailto:Michelleangus01@gmail.com)

### Individual or Business Named in the Complaint

Name:  
Company: Bell Nails  
Address: 800 N Pike St  
Grafton, WV 26354  
Phone: 304 265 2114

### List of Witnesses

### Description of Complaint

I took my daughter and her best friend both who are 14 years old to get their nails done on March 23, 2011. When we went in there was a woman and man who started the girls nails. I told these two that I wanted acrylic nails with clear nails instead of the white tips and a French manicure and the girls wanted a design on their nails. Once the French manicure was done and the design was put on their nails which was not airbrushed, the design was painted on the tips of their nails with a fine tip brush. I asked what I owed and the young lady went over to the owner and asked him what was owed instead of telling me the price based on the price board and told me that the acrylic nails were \$50.00 per girl. I had just had my nails done on Friday March 18 2011 at the same place and my nails cost \$28.00. I

immediately asked the owner why these nails were \$50.00 when I specifically said acrylic nails for both girls and mine was \$26.00. The owner kept telling me that they put a gel coat on the nails. I explained that I didn't want gel nails that I specifically asked for acrylic nails, I was told by the owner that he wasn't in the building when I came in. I explained to him that had 2 other customers not come in while we were there he still would not have been in the building. He was unable to show me on the price board why my bill on the 23rd was twice as expensive for the same nails that I had put on on the 18th. The owner tried to say that there was a gel coating put on the girls nails to keep them shiny when it was the same UV top coat that was put on my nails. The owner looked at me and said that I did not have that on my nails as they were not shiny, I reminded him that he was the one who did my nails and the reason they wasn't as shiny as the girls is because I work and they have been on for almost a week. My concern is that it seems like they do their prices based on what the owner thinks and not what their price board shows.



State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

p: 304.558.2924  
 f: 304.558.3450  
 www.wvbbs.org

*Director*  
 Adam L. Higginbotham

*Board Members*  
 Michael Belcher    Justina Gabb  
 Sarah Hamrick    Susan Poverot  
 Jim Ryan            Rick Stache

Bella Nails  
 Owner  
 800 N Pike Street  
 Grafton, WV 26354

April 21, 2011

COMPLAINT #: C2011-57

Dear Bella Nails owner:

The Board office has received the enclosed complaint and requests a response to the complaint.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham  
 Director

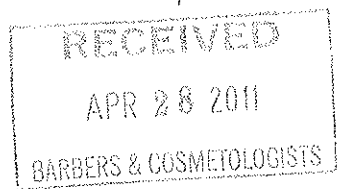
12:00 pm 4/26/2011

To whom it may concern,

Hi, my name is HUNG HOANG, I'm the owner of Bella Nails. The reason I'm writing this letter regarding to a complaint C2011-57. A Customer took their children to get their nails done on Mar, 23, 2011. I'm very sorry about the complaint after I read the note but however I just want to take this professional and fair for Customer and myself as well. I am a professional nail Technician and Operator, for whatever happened at that time I wasn't sure and I apologize but at the time I was not at the Salon there were two other workers that was there. I just want to point out certain thing so that we be on the same page and my point of view. Sometime we get peoples in and they want this and that for less and I open my business for public and I want to see my business grow and success. I have rules and regulation at the Salon.

to the employee. They have to do their best and honest with clients, whatever client want to be done you must to and present your self with good work ethic and honesty. I think the person must had the price here mix up or misunderstanding. we don't rip people off. I have my price list for everything and I don't just overcharge people or base on what the owner think. I want my business stay for long time not short term. I hope the board understand and whatever I put on this page is true and honest. Once again I want to take my time to respond back to the complaint with my own knowledge. I'm sorry that customer unhappy, however I still want your business here and I will keep up with my professional job and treat people with equal.

It's my loss and your gain!



Thank You so much

Sincerely,





Earl Ray Tomblin  
Governor

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbc.org

*Director*  
Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabbert  
Sarah Hamrick    Susan Poveromo  
Jim Ryan            Rick Stache

Bella Nails  
Owner  
800 N Pike Street  
Grafton, WV 26354

September 27, 2011

COMPLAINT #: C2011-57

Dear Bella Nails owner:

The Board reviewed the complaint at the September 19<sup>th</sup>, 2011 board meeting and voted to dismiss the complaint. Regulation of pricing is not within the Board's jurisdiction.

Sincerely,

Adam L. Higginbotham  
Director

Cc: Complainant

C2011-5

Higginbotham, Adam L.

From: Adam.L.Higginbotham@wv.gov  
Sent: Monday, March 14, 2011 8:01 PM  
To: Higginbotham, Adam L; Western, Patrick L  
Subject: WVBBC Complaint

**West Virginia Board of Barbers and Cosmetologists**

**Complaint Form**

**Individual Making Complaint**

Name: Emily Fox  
Address: 3375 Burnett Rd.  
Cutler, OH 45724  
Phone: 7408184942  
E-mail:

**Individual or Business Named in the Complaint**

Name: Staci  
Company: Smartstyles  
Address: 2900 Pike St.  
Parksburg, WV 26101  
Phone: 13044893391

**List of Witnesses**

bea gece rockport,wv amy cain glenville,wv tori miller parksburg,wv morgan akines vienna,wv

**Description of Complaint**

i emily fox had to quit my job after working there since august 8,2007 because of unsafe working place around a virue staci starting working there about three weeks ago and started with mono and came back after doctor didnt tell her to come back i opened with her the day before she should of came back i called manger she told her to leave but she did a client anyways because she said she needed money well when she was released to come back she wasnt taking her meds so she has been spreading mono to this day i couldnt take working in that for the safed of myself and my family i am divorced and thats how i made my income but i had to quit after all most five years because that place is unsafe now with mono from staci

EMPLOYEE SALES & TIME REPORT R01  
 DATE: 3/18/11 TIME: 04:25 PM

STORE: 4953 SMARTSTYLE  
 REPORT FOR: STACI MASON  
 2/15/11 - 2/28/11

DAY	TIPS	HOURLY TIME RECORD			
		IN	OUT	IN	OUT
16	0.00	07:54A	08:39A	:	:
E 17	14.05	12:26P	06:03P	06:35P	08:24P
E 18	10.52	11:50A	03:24P	03:57P	08:17P
19	2.00	09:40A	06:09P	:	:
20	0.00	:	:	:	:
21	4.00	07:53A	01:05P	:	:
22	0.00	:	:	:	:
23	5.00	07:41A	01:45P	02:17P	03:56P
24	0.00	:	:	:	:
25	2.05	11:31A	02:40P	03:10P	08:05P
E 26	6.00	11:27A	02:54P	03:28P	08:14P
E 27	0.00	09:36A	02:22P	02:55P	06:01P
28	0.00	09:38A	01:45P	02:16P	06:21P

DAY	HOURLY TIME RECORD				TOT HR	CUTS /HR
	IN	OUT	IN	OUT		
16	:	:	:	:	0.75	1.33
17	:	:	:	:	7.44	1.61
18	:	:	:	:	7.90	1.01
19	:	:	:	:	8.40	0.59
20	:	:	:	:	0.00	0.00
21	:	:	:	:	5.20	0.77
22	:	:	:	:	0.00	0.00
23	:	:	:	:	7.72	0.52
24	:	:	:	:	0.00	0.00
25	:	:	:	:	0.07	0.99
26	:	:	:	:	8.22	1.22
27	:	:	:	:	7.87	1.40
28	:	:	:	:	6.20	0.73
TOTAL					69.05	

EMPLOYEE SALES & TIME REPORT R01  
 DATE: 3/18/11 TIME: 04:24 PM

STORE: 4953 SMARTSTYLE  
 REPORT FOR: STACI MASON  
 2/1/11 - 2/15/11

DAY	TIPS	HOURLY TIME RECORD			
		IN	OUT	IN	OUT
1	0.00	:	:	:	:
2	0.00	:	:	:	:
3	0.00	:	:	:	:
4	0.00	:	:	:	:
5	0.00	:	:	:	:
6	0.00	:	:	:	:
7	0.00	:	:	:	:
8	0.00	:	:	:	:
9	5.00	11:44A	03:15P	:	:
10	0.00	:	:	:	:
11	2.00	07:40A	12:10P	12:40P	04:01P
12	0.00	07:40A	12:30P	01:01P	04:21P
E 13	5.51	09:34A	02:01P	02:32P	06:25P
14	0.00	:	:	:	:
15	0.00	:	:	:	:

DAY	HOURLY TIME RECORD				TOT HR	CUTS /HR
	IN	OUT	IN	OUT		
1	:	:	:	:	0.00	0.00
2	:	:	:	:	0.00	0.00
3	:	:	:	:	0.00	0.00
4	:	:	:	:	0.00	0.00
5	:	:	:	:	0.00	0.00
6	:	:	:	:	0.00	0.00
7	:	:	:	:	0.00	0.00
8	:	:	:	:	0.00	0.00
9	:	:	:	:	3.52	0.57
10	:	:	:	:	0.00	0.00
11	:	:	:	:	7.05	0.38
12	:	:	:	:	8.16	0.74
13	:	:	:	:	8.33	0.72
14	:	:	:	:	0.00	0.00
15	:	:	:	:	0.00	0.00
TOTAL					27.06	



State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

p: 304.558.2924  
 f: 304.558.3450  
 www.wvbbc.org

Director  
 Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabb  
 Sarah Hamrick    Susan Poveror  
 Jim Ryan            Rick Stache

Staci Mason  
 628 Lulu Street  
 Parkersburg, WV26101

April 21, 2011

COMPLAINT #: C2011-58

Dear Staci Mason:

The Board office has received the enclosed complaint and requests a response to the complaint.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

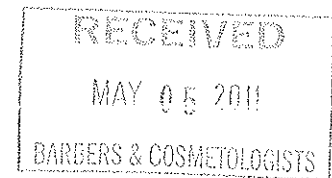
Please mail your response to:

WVBBC Response  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham  
 Director

To Whom It May Concern:



I am writing a response to a complaint that was filed against me by Emily Fox. I was hired on at South Parkersburg Smart Styles on February 9, 2011. I worked on that date and then was scheduled off the next two days (10<sup>th</sup> and 11<sup>th</sup>). I went back to work on Feb. 12<sup>th</sup>, during this time I started experiencing stomach pains. I worked my scheduled hours on that day and came back in to work my scheduled hours on the 13<sup>th</sup>. After ending my day on the 13<sup>th</sup> I decided to get my stomach checked out. I went to our local emergency room. They had first told me they thought it could be a tubal pregnancy or something to do with my appendix. They did a urine specimen, blood work and an x-ray of my stomach. My urine came back negative and they said it would be a little bit before my blood work came back. They told me to go home, rest and stay off work for 3 days. I was already scheduled off the next two days (14<sup>th</sup> and 15<sup>th</sup>). On the 16<sup>th</sup> I was supposed to open the store. In fear of losing my job, because of just starting, I came in thinking it would be alright. I opened the store with Emily; she wanted me to take the first client that signed in so I did. I got half way through the hair cut when I got a call from the store manager on the shop phone. She asked me if I was feeling better and if I had a dr. note to come back. I explained to her that I was indeed feeling better and that I was supposed to be off one more day. She then proceeded to tell me to finish the client since I was ½ way through and then I needed to go home. I finished her up and then left. I went to med express the next day due to a sore throat. They pulled my blood work from the emergency room and that is when they diagnosed me with mono. Once again they said there is no medication for this but they would give me

an antibiotic and for me to get rest. They okayed me to go back to work. Exactly one month later Emily came in when she was supposed to be working packed all her stuff and whispered something in the store manager's ear then left. Since this has happened she has told two of our co-workers that she (Emily) never had mono just a severe case of strep throat.

I am attaching information about mono that states the way of spreading it is through contact with saliva, mucus from the nose and throat, and sometimes tears. I did not share any drinks with Emily, I did not sneeze on anyone, and I was not crying.

Thank You,

Staci Lynn Mason

05/04/11

Staci Lynn Mason  
304-481-8978

RECEIVED

MAY 05 2011

BARBERS & COSMETOLOGISTS



Earl Ray Tomblin  
Governor

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbc.org

*Director*  
Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabbert  
Sarah Hamrick    Susan Poveromo  
Jim Ryan            Rick Stache

Staci Mason  
628 Lulu Street  
Parkersburg, WV26101

September 27, 2011

COMPLAINT #: C2011-58

Dear Staci Mason:

The Board reviewed the complaint filed against you and voted to dismiss the complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham".

Adam L. Higginbotham  
Director

C2011-59

RECEIVED  
APR 27 2011  
BARBERS & COSMETOLOGISTS

Thought  
I had  
all  
I  
thought  
personal  
I  
was  
in  
purses

On Thursday ~~May~~<sup>April</sup> 21, 2011 I went IN  
TO American nails at Corridor 6 TO  
get a face wax - only one woman acted  
like she was the only one at the time  
to do it. We went into a back room  
I layed on a table covered with a  
sheet and then told me no scream.  
Then she started waxing which was very  
~~uncomfortable~~ uncomfortable - I was holding  
my daughter's hand - my hand was  
sweating. Then she applied some type  
of gel it felt like it had a numbing agent  
in it - I asked her what it was she  
kept telling me Aloe - it did not smell  
like Aloe - but it numbed my face for  
at least 2 days - that evening my face  
looked like I had been in a beehive  
and swollen I had large welts all over  
I have been pulling what seems to be sand  
off of my face. My face finally started  
feeling normal on Monday - The lady also  
was trying to talk my daughter into  
getting a Brazilian wax.

Also they talked me into Jax ~~not~~ nails  
and told me they would last 5 to 6  
weeks they have been on 2 weeks and  
are coming off & clipping



They did not ask questions about what kind of medications I was on. Also I told the lady I had lotion on my face she said it did not matter. My face has been very oily and I have been afraid to put anything on my face.

Robin D Kiser

Robin D. Kiser

4-27-11

Robin D Kiser  
2109 Lilly Drive  
Charleston, WV 25312

Home 304-205-5512  
Cell 304-561-8046



Earl Ray Tomblin  
Governor

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbs.org

*Director*  
Adam L. Higginbotham

*Board Members*  
Michael Belcher    Justina Gabb  
Sarah Hamrick    Susan Povero  
Jim Ryan            Rick Stache

Christina Tran  
American Nails and Salon  
2832 Mountaineer Blvd.  
Charleston, WV 25309

April 27, 2011

COMPLAINT #: C2011-59

Dear Christina Tran:

The Board office has received the enclosed complaint and requests a response to the complaint. The complaint consists of an alleged improper waxing of the face and the use of a lotion that felt numbing to the customer.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response  
1201 Dunbar Avenue  
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham  
Director

I, Amana Walton, after reviewing photos + files from American Nails employees I have identified the individual that performed services on my mother as Christina Tran. The individual does not have a license to wax and still performed the service.

A. Walton  
4/27/11

(301) 549-2436  
1757 Sugar Ct Dr  
Chas, WV 25387

Ms. Tran  
was an aestheticians license.

I Robin D. Kiser after reviewing Employer Files from American Nails I have Identified The individual That has performed Service on me Christina Tran. The Individual Does not have a License To wax and Perform Service on me.

Robin D Kiser  
4-27-11  
Robin D. Kiser

Robin D Kiser  
2109 Lilly Drive  
Charleston WV 25387

304-205-5512

304-561-5046

Ms. Tran has an aesthetician license.



Earl Ray Tomblin  
Governor

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbc.org

*Director*  
Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabbert  
Sarah Hamrick    Susan Poveromo  
Jim Ryan    Rick Stache

Christina Tran  
American Nails and Salon  
2832 Mountaineer Blvd.  
Charleston, WV 25309

September 27, 2011

COMPLAINT #: C2011-59

Dear Christina Tran:

The Board reviewed the complaint against you and voted to dismiss the complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham".

Adam L. Higginbotham  
Director



C2011-60

April 17, 2011

RECEIVED  
APR 27 2011  
BARBERS & COSMETOLOGISTS

Beckley Beauty Academy  
Roberta Saunders  
109 South Fayette Street  
Beckley, WV 25801

Re: Tuition

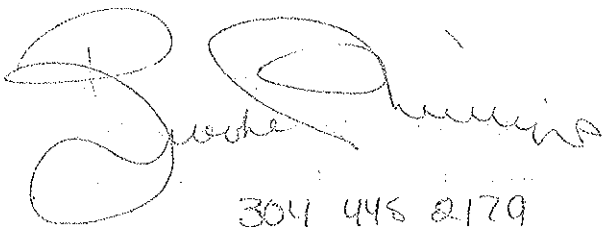
I have been trying to contact you since January 2011 regarding the amount owed towards tuition. I have left numerous messages and tried to contact you per phone. It is my understanding that West Virginia Division of Rehabilitation has also tried to communicate with you regarding this matter.

I am sending this certified letter and asking for a complete itemization of tuition charges, amount paid by WV Division of Rehabilitation and itemized payment from Pell grants and any amount owed that is considered outstanding.

I need to have this information no later than May 16, 2011. I cannot pursue my career as a cosmetologist until this matter is cleared up. I will be sending a copy of this letter to the Board of Barbers and Cosmetology and to WV Division of Rehabilitation. If I do not have a response by May 16, 2011, I will assume that you want me to use all resources available to resolve this matter.

Thank you for your prompt attention to this important matter.

Brooke B. Phillips



304 446 2179  
304 661 2089



Earl Ray Tomblin  
Governor

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbc.org

Director  
Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabb  
Sarah Hamrick    Susan Poveror  
Jim Ryan            Rick Stache

Roberta Saunders  
Beckley Beauty Academy  
109 South Fayette Street  
Beckley, WV 25801

May 5, 2011

COMPLAINT #: C2011-60

Dear Mrs. Saunders:

The Board office has received the enclosed complaint and requests a response to the complaint. The complaint consists of a request to have itemized payment information concerning Ms. Brooke Phillips' educational loans, grants, or other forms of payment. Additionally, a balance is requested as well.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response  
1201 Dunbar Avenue  
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham  
Director



May 17, 2011

W. Va. State Board

I'm writing in regard to the extra credit hours that's required of us in order to get our license.

Let me say I've completed the 2000 hrs. required to hold license in the state and have worked continuance since 1971 but find you have lowered your standards in so many ways. No wonder we get laughed at.

I'm working with 2 girls, one has 1500 hrs. (Va) and the other completed 1200 (Fla) but were allowed to buy into the state. I sure wish I knew that, I would of saved driving 145 mi per day into a Md. school who course wa completed at 1500 hrs.

Now I've been told I have to have more hours. No one tells us where to go to get them plus I'm really computer illiterate.

Why isn't there an exception for the 2000 hrs <sup>barbers</sup> beautician. Give us the breaks you gave those out of state beauticians.

Please someone respond.

Home #  
304-749-7370



Juanita Ranninger  
Theresa's Styling Salon  
9 Grant St.  
Petersburg, W. Va.  
26847

Beckley Beauty Academy

109 S Fayette Street Phone 253-8526

BECKLEY, WEST VIRGINIA 25801

May 18, 2011

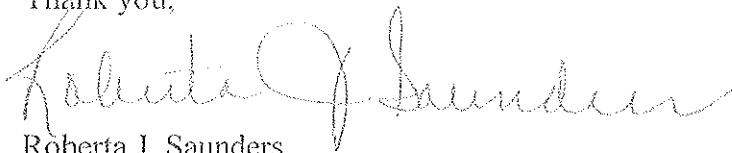
Dear Mr. Higginbotham

Enclosed you will find the ledger statement and a letter sent to Brooke Phillips. All the information she requested is itemized.

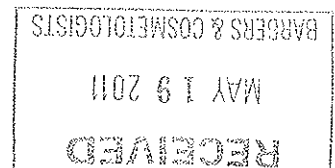
Brooke is not presently enrolled. She was terminated due to unsatisfactory progress in attendance.

I hope this information is satisfactory to resolve this matter.

Thank you,



Roberta J. Saunders



# Beckley Beauty Academy

109 S. Fayette Street Phone 253-8326

BECKLEY, WEST VIRGINIA 25801

May 18, 2011

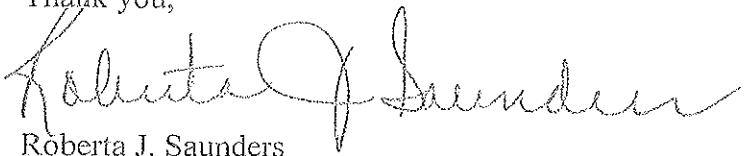
Dear Mr. Higginbotham

Enclosed you will find the ledger statement and a letter sent to Brooke Phillips. All the information she requested is itemized.

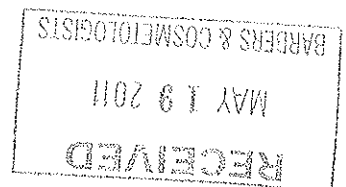
Brooke is not presently enrolled. She was terminated due to unsatisfactory progress in attendance.

I hope this information is satisfactory to resolve this matter.

Thank you,



Roberta J. Saunders



Date: 5/11/2011  
 Time: 11:57:24 AM

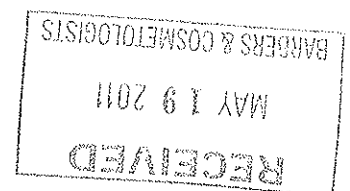
SMART Systems, Inc.  
 Beckley Beauty Academy  
 109 South Fayette Street, Beckley, WV 25801

Ledger Statement  
 Cumulative

PHILLIPS, BROOKE E  
 233 VIRGINIA STREET  
 ALDERSON, WV 24910

Permit Number: 049981  
 Contract: \$8,000.00  
 Monthly Amount: \$0.00  
 ID Number: 049981  
 Home Phone: (304)445-2179

Date	Year	Type/Code	Transaction Amount	Voucher Number	Program	Pay Period	Tot Pd-Student	Tot Pd Contract	Contract Balance	
9/26/2008	2008	DISB/Books	475.00	3244	PELL	11	0.00	475.00	7525.00	
9/26/2008	2008	DISB/Fees	100.00	3244	PELL	11	0.00	575.00	7425.00	
9/26/2008	2008	DISB/Tuition	1355.00	3244	PELL	11	0.00	1930.00	6070.00	
12/30/2008	2008	DISB/Tuition	1441.00	3269	PELL	12	0.00	3371.00	4629.00	
9/16/2009	2009	DISB/Tuition	1440.00	3330	PELL	13	0.00	4811.00	3189.00	
10/28/2009	2009	DISB/Tuition	1214.00		VOCR	10	0.00	6025.00	1975.00	
Current Cumulative Data for: PHILLIPS, BROOKE E							049981			
Total Tuition: 5,450.00			Book: 475.00		Fee: 100.00		Kit: 0.00		Other: 0.00	
Total Over Contract Penalties Bal.:			0.00		Started: 6/10/2008			LOA: 7/13/2009		
Total Miscellaneous Balance:			0.00		Drop 1: 1/15/2011					
Crs: COS 1		Con. Hrs: 2000.00		% Complete: 83.31		ReEnroll 1: n/a		Contract Grad: 11/14/2009		
Total Hours: 1666.25				Hrs Remaining: 333.75			Drop 2: n/a		Proj. Grad: 7/11/2011	
Xfer Hours: 0.00				Grand Tot Hrs: 1666.25			ReEnroll 2: n/a		Actual Grad: n/a	
Active? N		SAP? N			Drop 3: n/a			Loan Ent: n/a		
AMA: 57.00		Over Contract? Y			ReEnroll 3: n/a			Loan Exit: n/a		





Earl Ray Tomblin  
Governor

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbc.org

*Director*  
Adam L. Higginbotham

*Board Members*  
Michael Belcher    Justina Gabbert  
Sarah Hamrick    Susan Poverone  
Jim Ryan            Rick Stache

September 27, 2011

Roberta Saunders  
Beckley Beauty Academy  
109 South Fayette Street  
Beckley, WV 25801

COMPLAINT #: C2011-60

Dear Mrs. Saunders:

The Board reviewed the complaint and dismissed the complaint since the information requested has been provided and the issued has been resolved.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham".

Adam L. Higginbotham  
Director

Cc: Complainant

C2011-61

RECEIVED  
APR 20 2011  
BARBERS & COSMETOLOGISTS

To Whom It May Concern,

I am writing to report Rene M. Henry #023474 for continuing to provide services while maintaining an inactive status. A client of hers inadvertently brought it to my attention. This is not the first time this has happened, she was reprimanded several years ago for the same thing. She is not doing this during the day but sporadically on evenings and weekends. I don't think this is fair to those of us that are responsible and pay for our license to practice. I am reporting this anonymously because this is such a small town and her husband is on the police force so I am afraid of repercussions if they found out my name.

Sincerely,  
Anonymous



State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

p: 304.558.2924  
 f: 304.558.3450  
 www.wvbbsc.org

*Director*  
 Adam L. Higginbotham

*Board Members*  
 Michael Belcher    Justina Gabb  
 Sarah Hamrick    Susan Povero  
 Jim Ryan            Rick Stach

Rene Henry  
 190 Chapel Road  
 Wheeling, WV 26003

May 16, 2011

COMPLAINT #: C2011-61

Dear Rene Henry:

The Board office has received the enclosed complaint and requests a response to the complaint.

Please note: If you are working without an active license, it is in violation of West Virginia Code, 30-27-1.

Additionally, a Cease and Desist Order is enclosed with the complaint as well.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham  
 Director



Earl Ray Tomblin  
Governor

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbc.org

Director  
Adam L. Higginbotham

Board Members

Michael Belcher    Justina Gabb  
Sarah Hamrick    Susan Povero  
Jim Ryan            Rick Stach

May 16, 2011

VIA CERTIFIED MAIL

### CEASE AND DESIST

Dear Rene Henry:

The West Virginia Board of Barbers and Cosmetologists (hereinafter "Board") was created by the legislature to protect the public by regulating the practice of beauty culture in the State of West Virginia. W. Va. Code § 30-27-1 *et seq.* On or around April 20<sup>th</sup>, 2011 the Board received a formal complaint regarding:

- Performing services in an unlicensed facility
- Performing services with an inactive license

After reviewing the received complaint it was determined that the issue mentioned above, if accurate, is in violation of West Virginia law.

As a result of you are hereby ordered to CEASE AND DESIST all business relating to the issue mentioned above within the State of West Virginia until such a time that you are properly licensed.

Failure to comply with this cease and desist order will result in further legal consequences. Please feel free to contact the Board's Executive Director at (304) 558-2924 with any questions.

Sincerely,

Adam L. Higginbotham M.B.A.  
Executive Director



C2011-61

To WVBB&C

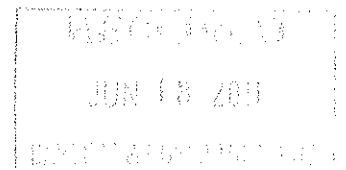
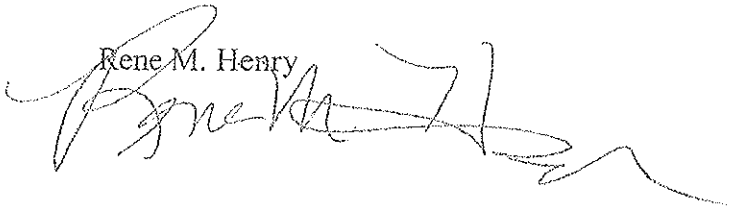
I am writing you about the certified letter I had received from your office about doing business out of my shop that I had close several years ago. I am totally appalled that you would act on an anonymous letter from someone that did not even have the courage to sign their name. I feel I have the right to face my accuser.

I am very busy with my job and my family life and don't have the time or the energy to deal with petty people who try to make peoples lives miserable like theirs are. For some to say that they fear retaliation because my husband is an office of the law is absurd.

I had breast cancer several years ago and had to have a dissection of my lymph nodes on the right side which makes it very difficult for me to raise my right arm.

So, if I continue to receive harassing letters from your office from people who send anonymous letters then you can assure that I will be contacting my attorney.

Rene M. Henry





Earl Ray Tomblin  
Governor

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbc.org

*Director*  
Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabbert  
Sarah Hamrick    Susan Poveroni  
Jim Ryan            Rick Stache

Rene Henry  
190 Chapel Road  
Wheeling, WV 26003

September 27, 2011

COMPLAINT #: C2011-61

Dear Rene Henry:

The Board reviewed the complaint filed against you and voted to dismiss the complaint at the September 19<sup>th</sup>, 2011 board meeting.

Sincerely,

Adam L. Higginbotham  
Director

C2011-6

Higginbotham, Adam L.

From: Adam.L.Higginbotham@wv.gov  
Sent: Thursday, May 12, 2011 6:08 PM  
To: Higginbotham, Adam L; Western, Patrick L  
Cc: babyowl\_09@yahoo.com  
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
War, WV 24892  
Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Individual or Business Named in the Complaint

Name: Samatha Collins  
Company: Back Woods Beauty Shop  
Address: Box 193  
Warrormine, WV 24894  
Phone: 304 888- 8297

List of Witnesses

I want to remain annomnyous please keep my infromation private.

Description of Complaint

Samatha collins of war West Virgina is doing Acrylic nails in her home aswell as hair cuts and color. She has no licens or has had any form of schooling also charges money she is not doing this for free she is charging them more than any nail salon or beauty salon. She has her own sing in front of her house to attract business the sign reads "Back Wood Beauty Salon". Several girls has had nail fungus and are stuck paying doctor bills. Please put a stop to this



State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

p: 304.558.2924  
 f: 304.558.3450  
 www.wvbbs.org

*Director*  
 Adam L. Higginbotham

*Board Members*  
 Michael Belcher    Justina Gabbi  
 Sarah Hamrick    Susan Poveroi  
 Jim Ryan            Rick Stache

Samantha Collins  
 PO BOX 193  
 Warriormine, WV 24864

May 16, 2011

COMPLAINT #: C2011-62

Dear Samantha Collins:

The Board office has received the enclosed complaint and requests a response to the complaint.

Please note: If you are working without a license, it is in violation of West Virginia Code, 30-27-1.

Additionally, a Cease and Desist Order is enclosed with the complaint as well.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham  
 Director



Earl Ray Tomblin  
Governor

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
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Director  
Adam L. Higginbotham

Board Members  
Michael Belcher    Justina Gabb  
Sarah Hamrick    Susan Poverot  
Jim Ryan            Rick Stache

May 16, 2011

VIA CERTIFIED MAIL

## CEASE AND DESIST

Dear Samantha Collins:

The West Virginia Board of Barbers and Cosmetologists (hereinafter "Board") was created by the legislature to protect the public by regulating the practice of beauty culture in the State of West Virginia. W. Va. Code § 30-27-1 *et seq.* On or around February 10, 2011 the Board received information regarding:

- Performing services in an unlicensed facility
- Performing services with a license
- Performing services without attending and graduating beauty school

After reviewing the received information it was determined that the issue mentioned above, if accurate, is in violation of West Virginia law.

As a result of you are hereby ordered to CEASE AND DESIST all business relating to the issue mentioned above within the State of West Virginia until such a time that you are properly licensed.

Failure to comply with this cease and desist order will result in further legal consequences. Please feel free to contact the Board's Executive Director at (304) 558-2924 with any questions.

Sincerely,

Adam L. Higginbotham M.B.A.  
Executive Director



State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

p: 304.558.2924  
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 www.wvbbc.org

*Director*  
 Adam L. Higginbotham

*Board Members*  
 Michael Belcher    Justina Gabbert  
 Sarah Hamrick    Susan Poveroni  
 Jim Ryan            Rick Stache

Samantha Collins  
 PO BOX 193  
 Warriormine, WV 24864

September 27, 2011

COMPLAINT #: C2011-62

Dear Samantha Collins:

The Board reviewed the complaint filed against you and voted to dismiss the complaint at the September 19<sup>th</sup>, 2011 board meeting.

Sincerely,

Adam L. Higginbotham  
 Director

C2011-63

**Higginbotham, Adam L**

**From:** Adam.L.Higginbotham@wv.gov  
**Sent:** Monday, May 16, 2011 2:15 PM  
**To:** Higginbotham, Adam L; Western, Patrick L  
**Subject:** WVBBC Complaint

**West Virginia Board of Barbers and Cosmetologists**

**Complaint Form**

**Individual Making Complaint**

Name: Board Office  
Address: 1201 Dunbar Avenue  
Dunbar, WV 25064  
Phone: 304-558-2924  
E-mail:

**Individual or Business Named in the Complaint**

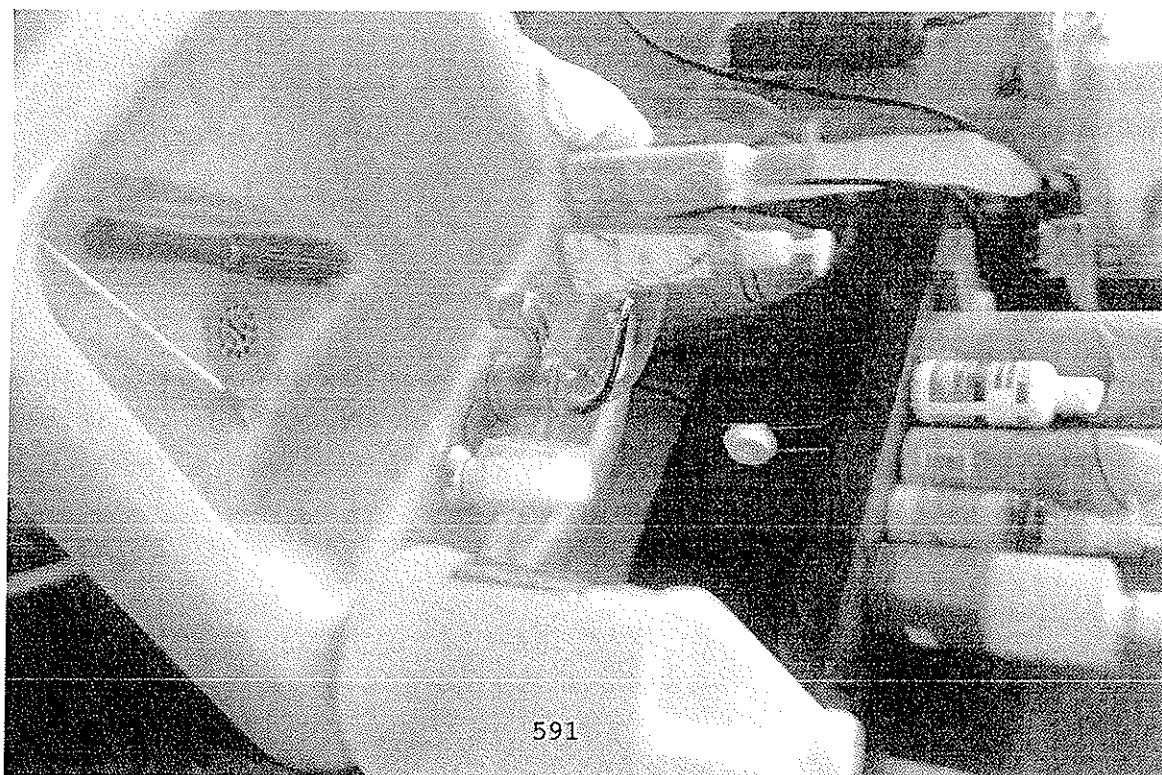
Name: Owners And Staff  
Company: 88"s Barber Shop  
Address: 928 Main Street  
Follansbee, WV 26037  
Phone: 304-527-1780

**List of Witnesses**

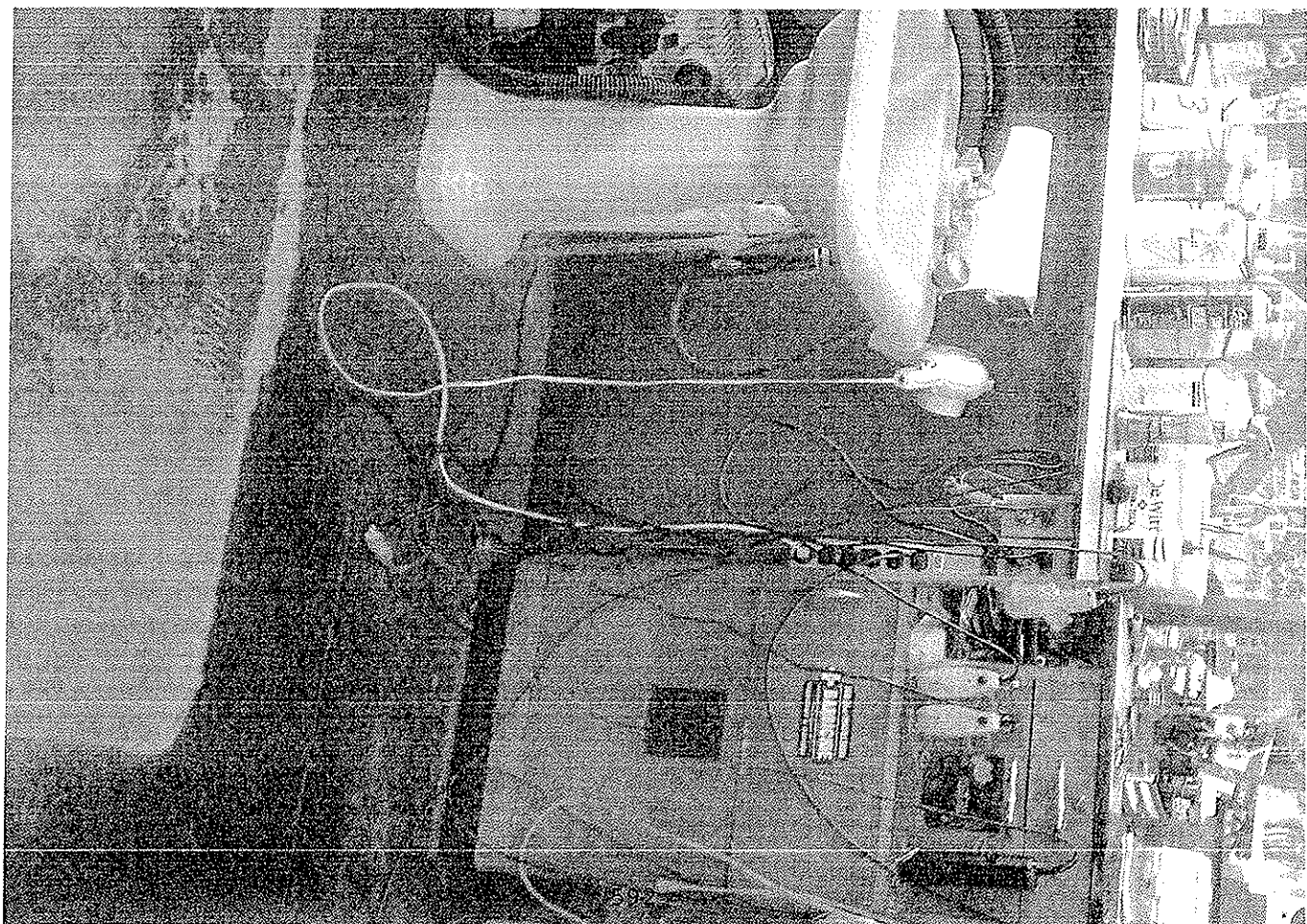
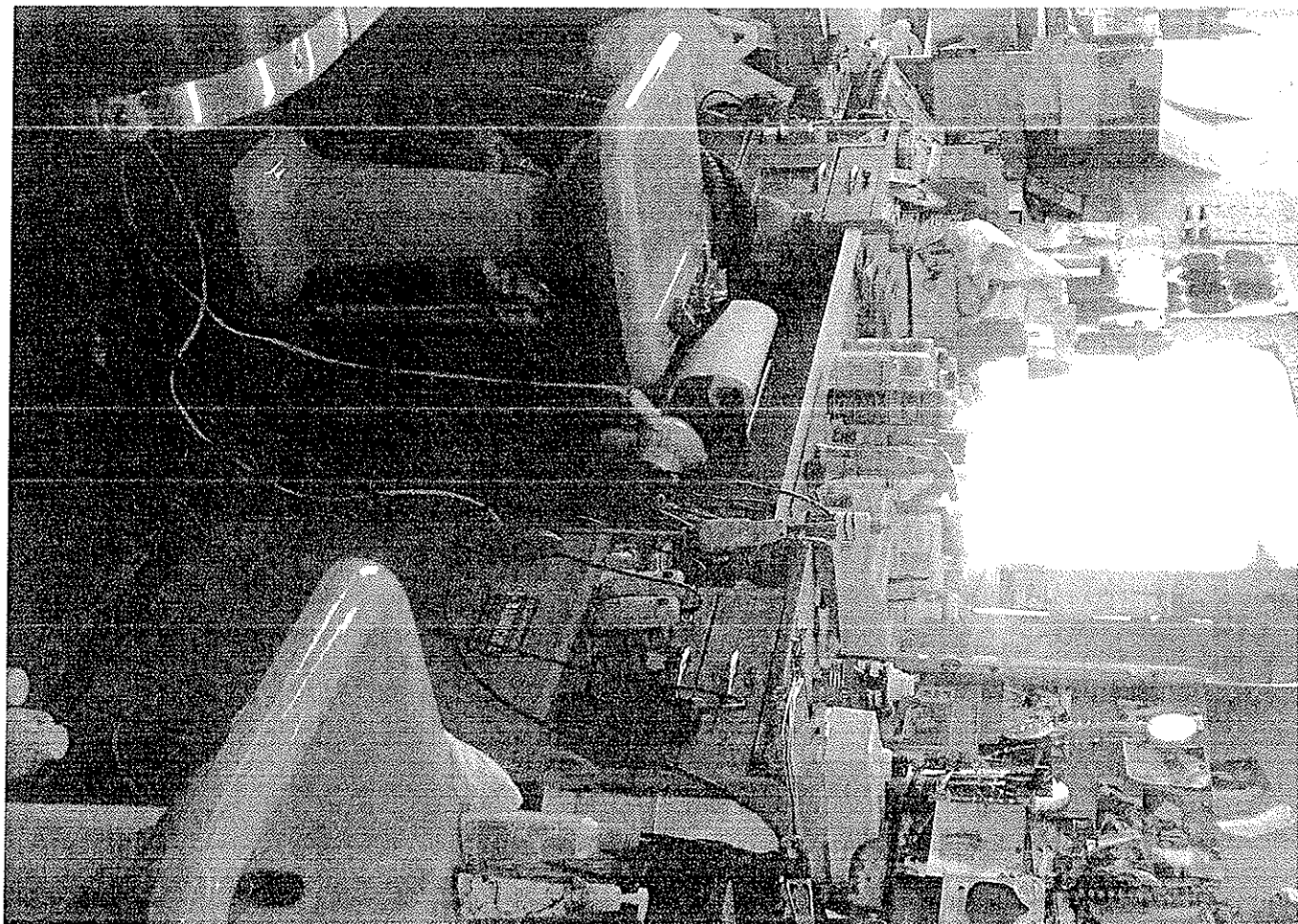
Photographs enclosed with the complaint

**Description of Complaint**

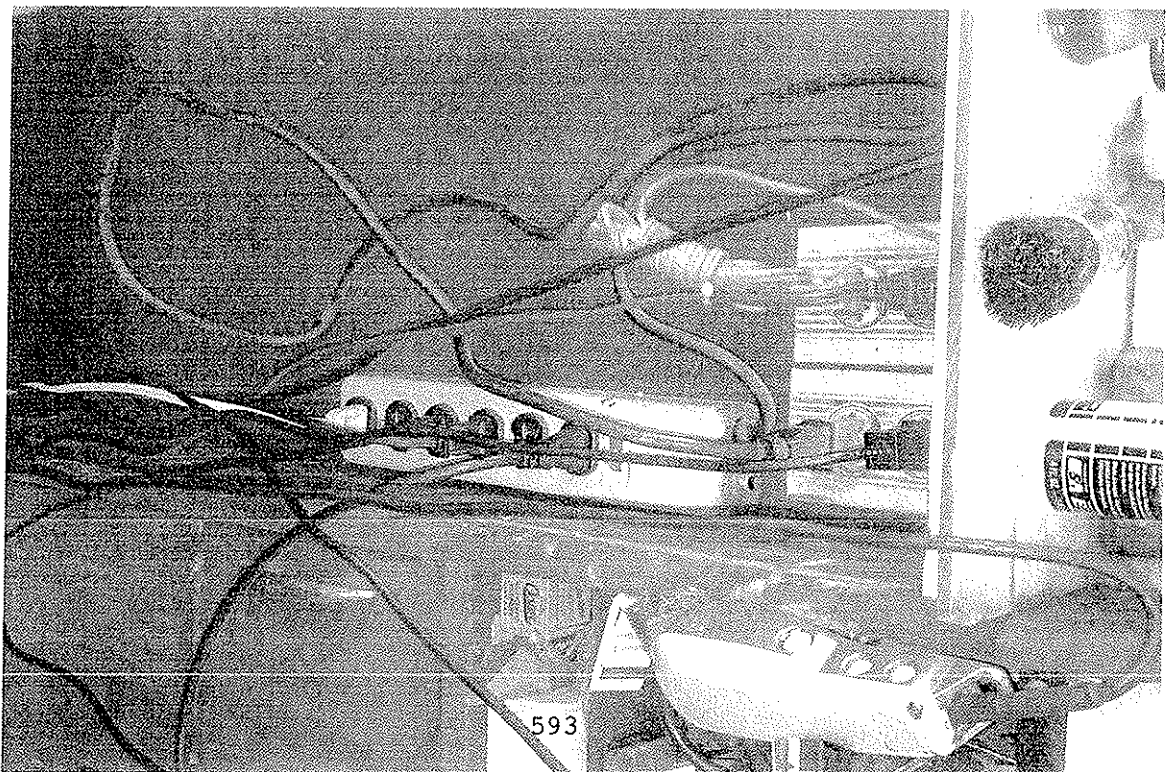
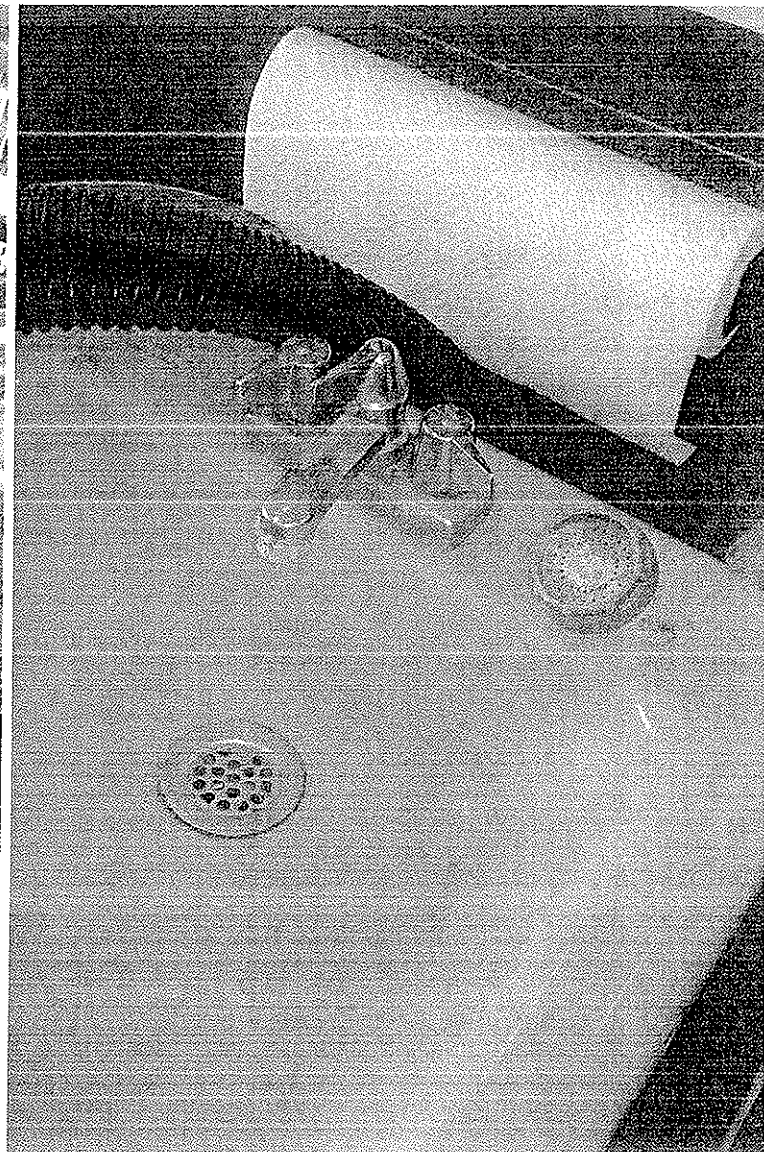
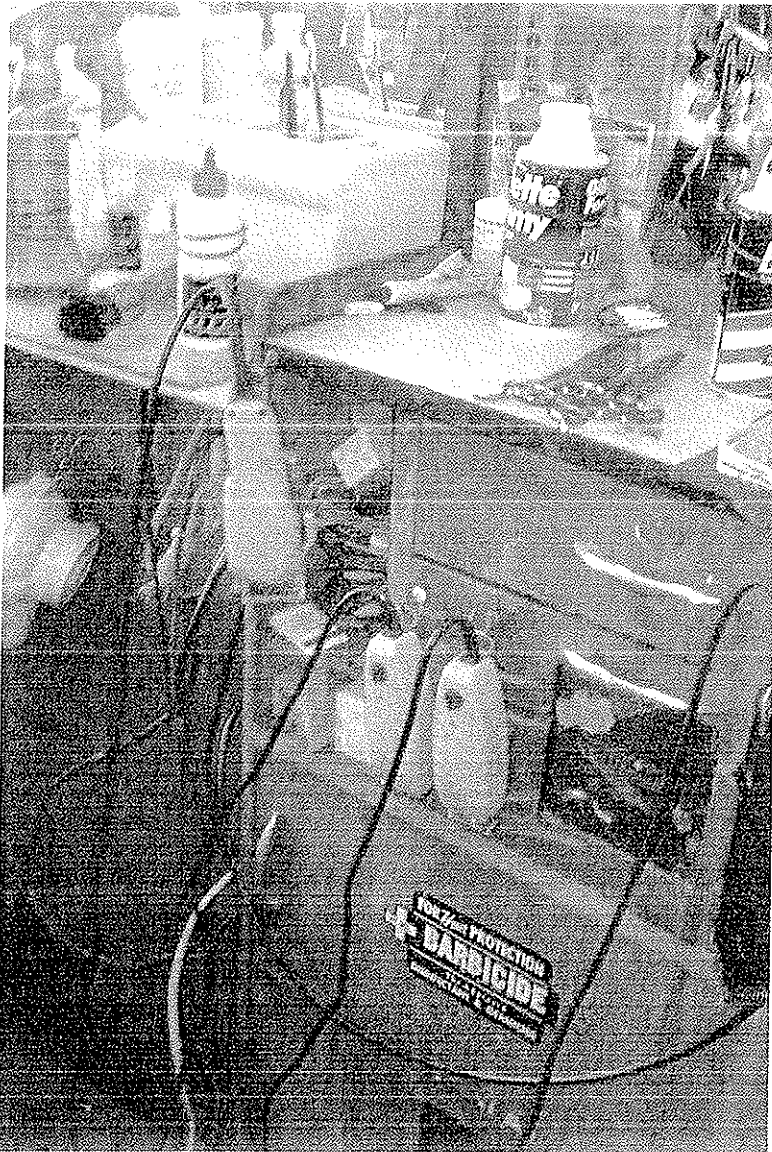
The shop is dirty, unsanitary, and unsafe. The implements re very dirty and not properly stored, the electrical plugs are too close to the sink without a ground, erosion is visible on sink metal, hair in the clippers, and fire hazard with clutter of paper and trash. Shop must clean up or face disciplinary action.







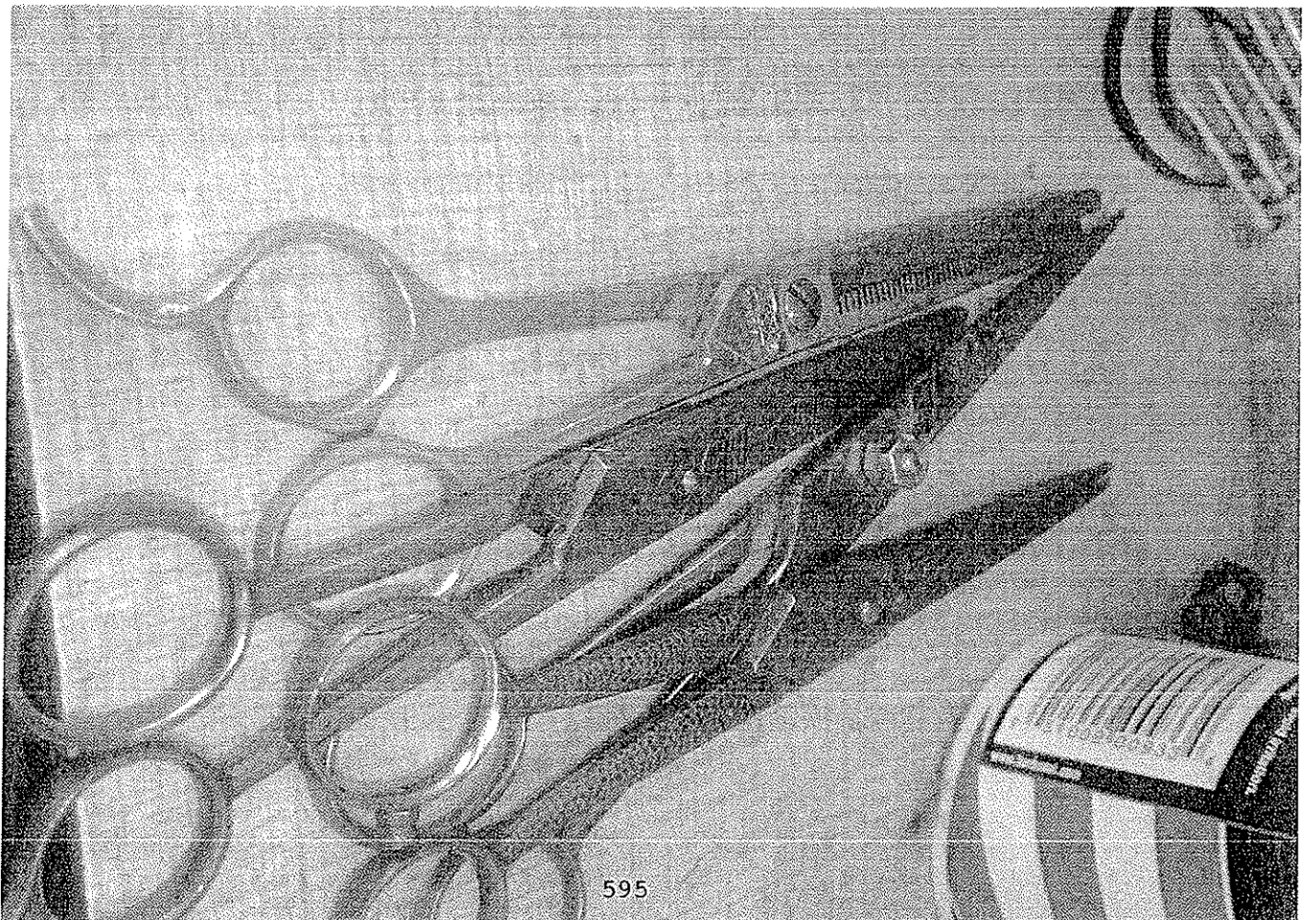
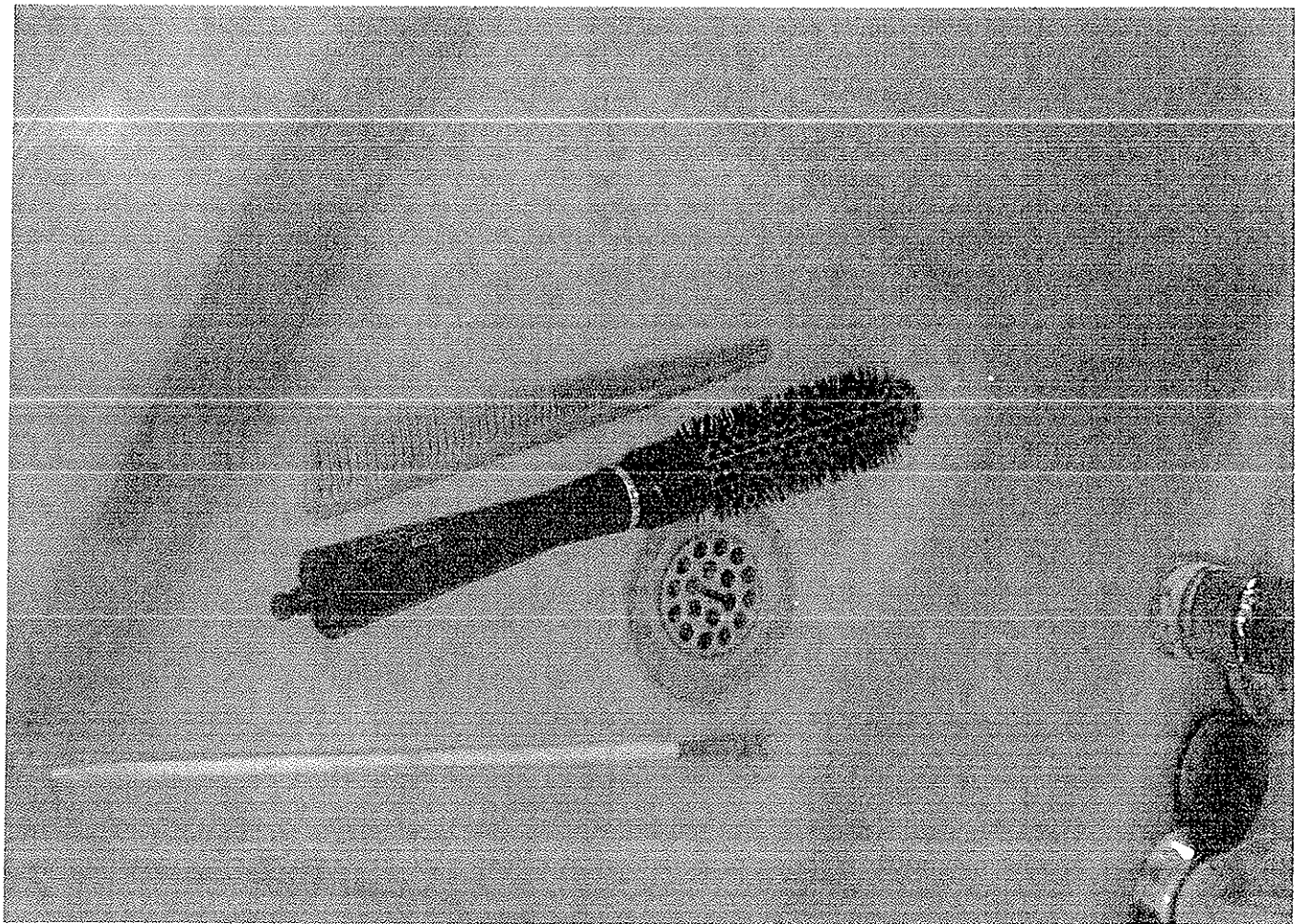














Earl Ray Tomblin  
Governor

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

p: 304.558.2924  
f: 304.558.3450  
www.wvbbs.org

*Director*  
Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabbert  
Sarah Hamrick    Susan Poveromo  
Jim Ryan            Rick Stache

88's Barber Shop  
Owners and Staff  
928 Main Street  
Follansbee, WV 26037

May 16, 2011

COMPLAINT #: C2011-63

Dear 88's Barber Shop:

The Board office has received the enclosed complaint and photographs and requests a response to the complaint.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response  
1201 Dunbar Avenue  
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham  
Director

# The Department of Military Affairs and Public Safety Office of the State Fire Marshal

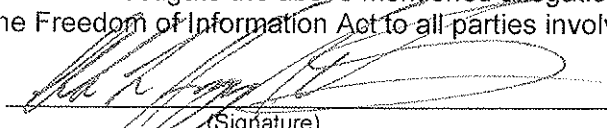
1207 Quarrier St, 2<sup>nd</sup> Floor  
Charleston, WV 25301  
Phone: (304) 558-2191  
Fax: (304) 558-2537

## COMPLAINT FORM

<b>Type Of Complaint</b>		Electrical <input checked="" type="checkbox"/> Explosives _____ Fireworks _____ Locked Exits _____ Inoperable Fire Alarm _____ Other <input checked="" type="checkbox"/>			
<b>Complainant</b>	Name	Board of Barbers & Cosmetologists		Phone No.	(304) 558-2924
	Address	1201 Dunbar Avenue		County	Kanawha
	City	Dunbar	State	WV	Zip 25064
<b>Violator</b>	Name	88's Barber Shop		DBA	88's Barber Shop
	Address	928 Main Street		Phone No.	(304) 527-1760
	City	Follansbee	State	WV	Zip 26037
<b>Complaint Location</b>	Address			County	Brooke
	City	SAME AS ABOVE		State	
	Directions				
<b>Nature of Complaint</b>	Fire hazard in shop. Cluttered Paper & excessive plug-ins at one outlet within <del>2 feet</del> 2 feet of sink.				

I, the undersigned, believe that the above mention information is a valid complaint and I request the West Virginia State Fire Marshal's Office to investigate the above mentioned allegations. I am also aware that my name may be released under the Freedom of Information Act to all parties involved in this complaint.

5/18/11  
(Date)

  
(Signature)



State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

p: 304.558.2924  
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 www.wvbbc.org

*Director*  
 Adam L. Higginbotham

*Board Members*  
 Michael Belcher    Justina Gabber  
 Sarah Hamrick    Susan Poverone  
 Jim Ryan            Rick Stache

88's Barber Shop  
 Owners and Staff  
 928 Main Street  
 Follansbee, WV 26037

September 27, 2011

COMPLAINT #: C2011-63 and 67

Dear 88's Barber Shop:

The Board reviewed the complaints (C2011-63 and C2011-67) that have been filed against your shop. The Board voted to combine the complaints on September 19<sup>th</sup>, 2011 and to continue frequent inspections of the shop.

The Board voted to require frequent inspections of the shop for the next six months. Should the shop fail any inspection during that time the Board will summons the owners and staff before the Board.

Should you have any questions, please feel free to contact the Board office.

Sincerely,

Adam L. Higginbotham  
 Director



State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

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*Director*  
 Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabbert  
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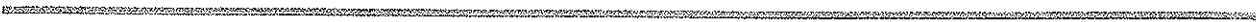
MEMORANDUM

To:                    2011 Annual Report

From:                Adam L. Higginbotham  
                          Director  
                          Board of Barbers and Cosmetologists

Date:                 September 22, 2011

Subject:              C2011-63



Complaint C2011-63 has resulted in frequent inspections of the barber shop. Failure to keep the shop clean will require the owner's attendance before the Board.





Earl Ray Tomblin  
*Governor*

State of West Virginia  
Board of Barbers and Cosmetologists  
1201 Dunbar Avenue  
Dunbar, WV 25064

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www.wvbbc.org

*Director*  
Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabber  
Sarah Hamrick    Susan Poverom  
Jim Ryan          Rick Stache

## MEMORANDUM

To:                    2011 Annual Report

From:                Adam L. Higginbotham  
                          Director  
                          Board of Barbers and Cosmetologists

Date:                 September 22, 2011

Subject:             C2011-64

---

Complaint C2011-64 is still under investigation.

Higginbotham, Adam L

---

**From:** Setler, Glenda M  
**Sent:** Wednesday, June 29, 2011 3:55 PM  
**To:** Higginbotham, Adam L  
**Subject:** Bella Nails Grafton, WV

I would like to file a complaint regarding this business.

On Saturday, June 23<sup>rd</sup>, I took my niece to this business to get her nails done (as a graduation gift). When we went into the place, a man named "Hong" ask if he could help. We were looking at the price chart and he walked away. A couple minutes later, he came back and said Well, what do you want? I told him we had not been there before and she (my niece) was looking. We then told him what we wanted and he gave a price and told her to have a seat and he would be with her in a few minutes.

At the time, he was working with a lady who had a small child with her. He was asking her if she liked to party and how often did she party and that he liked to party. He then ask her if she would like a beer. She declined. Just then another women walked in and he told her she looked like she had a bad day and needed a massage. He told her to sit in the pedicure chair and he would see that she got a good massage. She declined. He then ask her if she wanted a beer. I did not wait around to see if she accepted a beer or not as my niece and I felt very uncomfortable. We will never go back there and I am very disappointed in this establishment. My niece is only 18. I do not know if he would have offered her alcohol or not but this is very disturbing.



State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

p: 304.558.2924  
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 www.wvbbsc.org

*Director*  
 Adam L. Higginbotham

*Board Members*  
 Michael Belcher    Justina Gabbe  
 Sarah Hamrick    Susan Poveron  
 Jim Ryan            Rick Stache

Bella Nails  
 Owner and Staff  
 800 North Pike Street, Suite B  
 Grafton, WV 26354

June 30<sup>th</sup>, 2011

COMPLAINT #: C2011-65

Dear Hung Hoang and Staff:

The Board office has received the enclosed complaint concerning unprofessional conduct. Please respond to the enclosed complaint.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

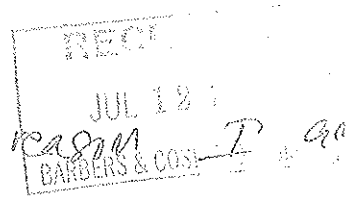
Sincerely,

Adam L. Higginbotham  
 Director

✓

7/9/2011

To whom it may concern,



My name is HUNG HOANG the reason I am writing this letter is that I had received a complaint regarding to the business about unprofessional conduct. As business owner, I try to keep professional as possible. Our Salon have been open since beginning of 2011 all we hear is great review and comments. All we want is to see our business grow and establish and we'll doing the best to provide whatever best for the clients but sometimes no matter how great you are there always people feel unhappy for no reason. I think people that lived here still not open mind it and some are still racist especially in small town like this and it tough for my business to success. A lot of stress and worry everyday and being in here all day lot of works and long hour and people do

see that. We hope to make everybody feel comfortable when they're here and yes sometime we talk to our client in certain way that's just we joking around but nothing else too personal. we have good work ethic and good sense of humor and we don't serve alcohol to our customer, I follow the rules and regulation, however I just think most of the people here are weird and miserable, I can only do so much to make everyone happy. I'm sorry that we make people feel uncomfortable but we will try our best to do our job better and better...

Thank You

Sincerely





State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

p: 304.558.2924  
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*Director*  
 Adam L. Higginbotham

*Board Members*

Michael Belcher    Justina Gabber  
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 Jim Ryan            Rick Stache

Bella Nails  
 Owner and Staff  
 800 North Pike Street, Suite B  
 Grafton, WV 26354

September 27, 2011

COMPLAINT #: C2011-65

Dear Hung Hoang and Staff:

The Board reviewed the complaint filed against you and voted to dismiss the complaint at the September 19<sup>th</sup>, 2011 board meeting.

Sincerely,

Adam L. Higginbotham  
 Director



# Cabell-Huntington Health Department

708 SEVENTH AVENUE HUNTINGTON WEST VIRGINIA (607) 523-5433

## SANITARY COMPLAINT

DATE 6-9-11

COMPLAINT Hot Nails - Not cleaning nail tool  
NOT wearing gloves, bad practices  
(Some male employees)

LOCATION - Street or Road \_\_\_\_\_ City \_\_\_\_\_

DIRECTION TO COMPLAINT SITE Merritts Creek Next to  
church

REPORTED BY \_\_\_\_\_ PHONE \_\_\_\_\_

ADDRESS - Street or Road \_\_\_\_\_ City \_\_\_\_\_

OWNER OF PROPERTY \_\_\_\_\_ PHONE \_\_\_\_\_

ADDRESS - Street or Road \_\_\_\_\_ City \_\_\_\_\_

TENANT \_\_\_\_\_ PHONE \_\_\_\_\_

COMPLAINT RECEIVED BY \_\_\_\_\_ ASSIGNED TO [Signature]

DATE OF INVESTIGATION(S) \_\_\_\_\_

CONDITION(S), ACTION TAKEN, COMMENTS 1  
FWD Fax 304 558 3450  
Barber + Cosmetology Board

DATE CORRECTED \_\_\_\_\_ INVESTIGATOR \_\_\_\_\_



State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

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*Director*  
 Adam L. Higginbotham

*Board Members*  
 Michael Belcher    Justina Gabbe  
 Sarah Hannick    Susan Poveror  
 Jim Ryan            Rick Stache

Hot Nails  
 Owner and Staff  
 3022 Champion Drive  
 Barboursville, WV 25504

June 30<sup>th</sup>, 2011

COMPLAINT #: C2011-66

Dear Dun Truong and Staff:

The Board office has received the enclosed complaint concerning unsanitary practices, not cleaning nail tools, etc.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

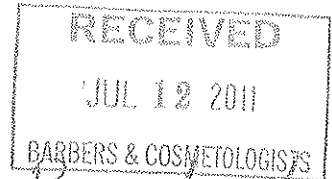
WVBBC Response  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham  
 Director



C2011-66



To: West Virginia State Board of Cosmetologist

Re: Response to the letter that received on July 6<sup>th</sup> 2011.

Dear Sir / Ma'am.

I; the undersigned: DUNG TRUONG  
the owner of Hot Nails.

I have been sad to know the bad thing  
mention-above.

Firstly, All of the Nails' tools we  
have got in the shop properly-washed and  
sanitized, packed into the sanitization  
pouch carefully before use.

Secondly we try to clean things up  
after each patron's service and by the  
end of the day for the whole shop.

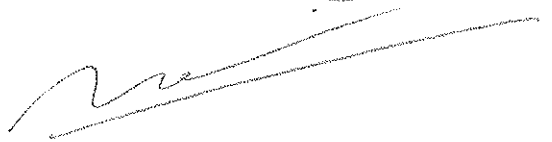
Thirdly, We just got all of the  
pedicure-spa chairs replaced with all  
the brand-new ones.

But we know something wrong still  
happened during the services such as:  
- the customer sometimes still argue  
about the prices after the service done  
and bargain for those in order to get

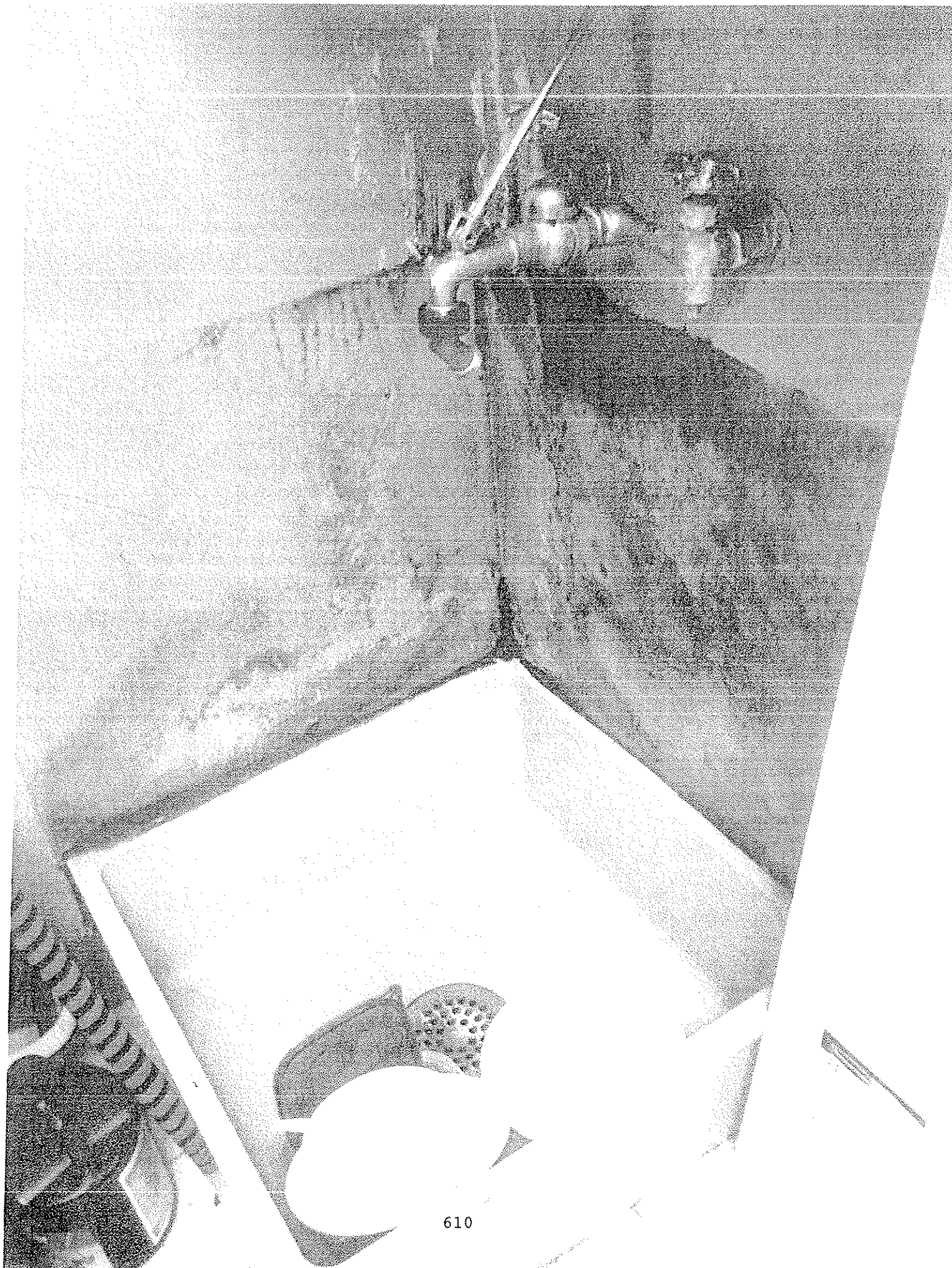
the cheaper prices (even we keep them posted about the fixed prices)  
- Surely we cannot satisfy all of them with the services. But I promised you as the owner of the shop we try our best we can to reach most of the customer's satisfaction.

Barboursville 07/09/2011

Respectfully yours.



Dung - Truong.





SALON INSPECTION REPORT

OWNERS: Post this report beside shop license

Salon Name [ ] License # [ ] Inspect Date [ ]
Owner [ ] Manager [ ]

Table with 3 columns: INSPECTION ITEM, RATING, COMMENTS FOR UNSATISFACTORY. Rows include items like SHOP LICENSE, INDIVIDUAL LICENSES, BOOTH CERTS, etc.

ADDITIONAL COMMENTS [ ]

Violation ISSUED? Violations # [ ]

INSPECTOR SIGNATURE [ ] MANAGER SIGNATURE [ ]



State of West Virginia  
 Board of Barbers and Cosmetologists  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Earl Ray Tomblin  
 Governor

p: 304.558.2924  
 f: 304.558.3450  
 www.wvbbc.org

*Director*  
 Adam L. Higginbotham

*Board Members*  
 Michael Belcher    Justina Gabbert  
 Sarah Hamrick    Susan Poveromo  
 Jim Ryan            Rick Stache

Hot Nails  
 Owner and Staff  
 3022 Champion Drive  
 Barboursville, WV 25504

September 27, 2011

COMPLAINT #: C2011-66

Dear Dun Truong and Staff:

On September 19<sup>th</sup>, 2011, the Board reviewed the complaint filed against the shop and also reviewed the inspection conducted on July 6<sup>th</sup>, 2011. The Board voted to require you to have the salon inspected by a professional mold and mildew inspector focusing near the back sink area by November 1<sup>st</sup>, 2011. Also, you must submit the professional mold and mildew inspector's report by November 1<sup>st</sup>, 2011.

Once the inspection has been conducted and if mold and mildew is present you must have it professional cleaned and repaired by November 1<sup>st</sup>, 2011.

Please look at the photo enclosed so that you are aware of the area of concern.

Should you need assistance in finding a mold and mildew inspector, please contact a phone book directory.

Sincerely,

Adam L. Higginbotham  
 Director

2011-67

Higginbotham, Adam L

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**From:** Adam.L.Higginbotham@wv.gov  
**Sent:** Tuesday, July 05, 2011 3:19 PM  
**To:** Higginbotham, Adam L; Western, Patrick L  
**Subject:** WVBBC Complaint

## West Virginia Board of Barbers and Cosmetologists

# Complaint Form

### Individual Making Complaint

Name: Board Staff  
Address: 1201 Dunbar Avenue  
Dunbar, WV 25064  
Phone: 304-558-2924  
E-mail:

### Individual or Business Named in the Complaint

Name:  
Company: 88"s Barber Shop  
Address: 928 Main Street  
Follansbee, WV 26037  
Phone:

### List of Witnesses

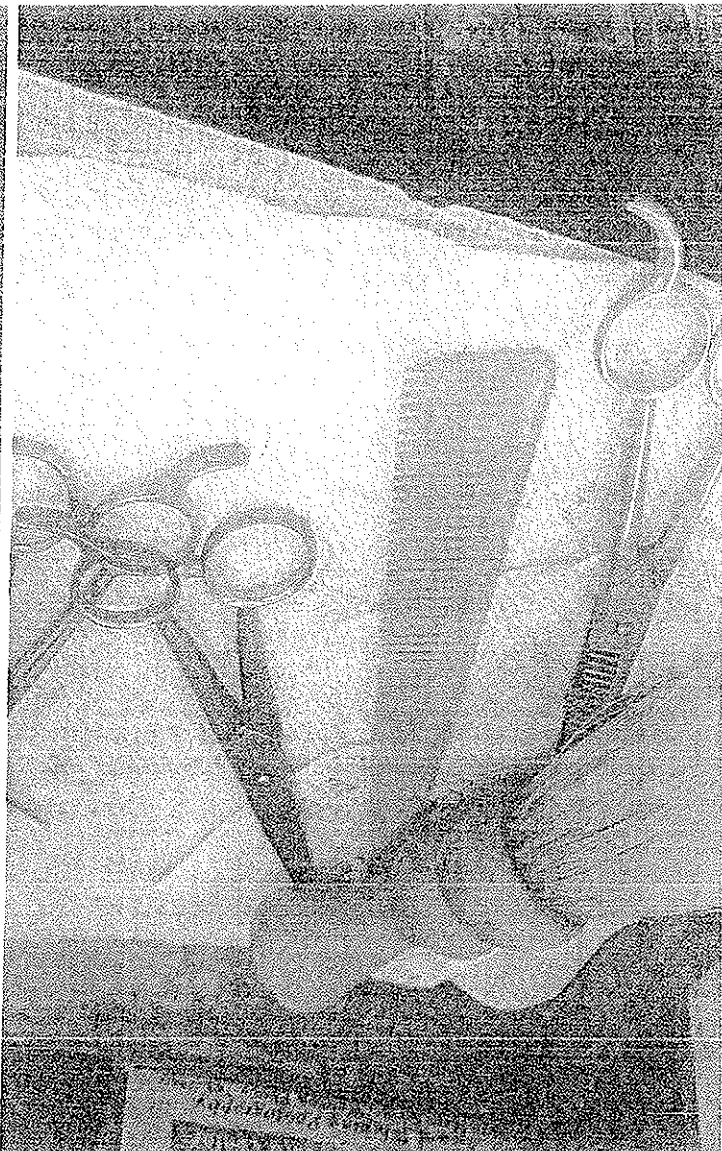
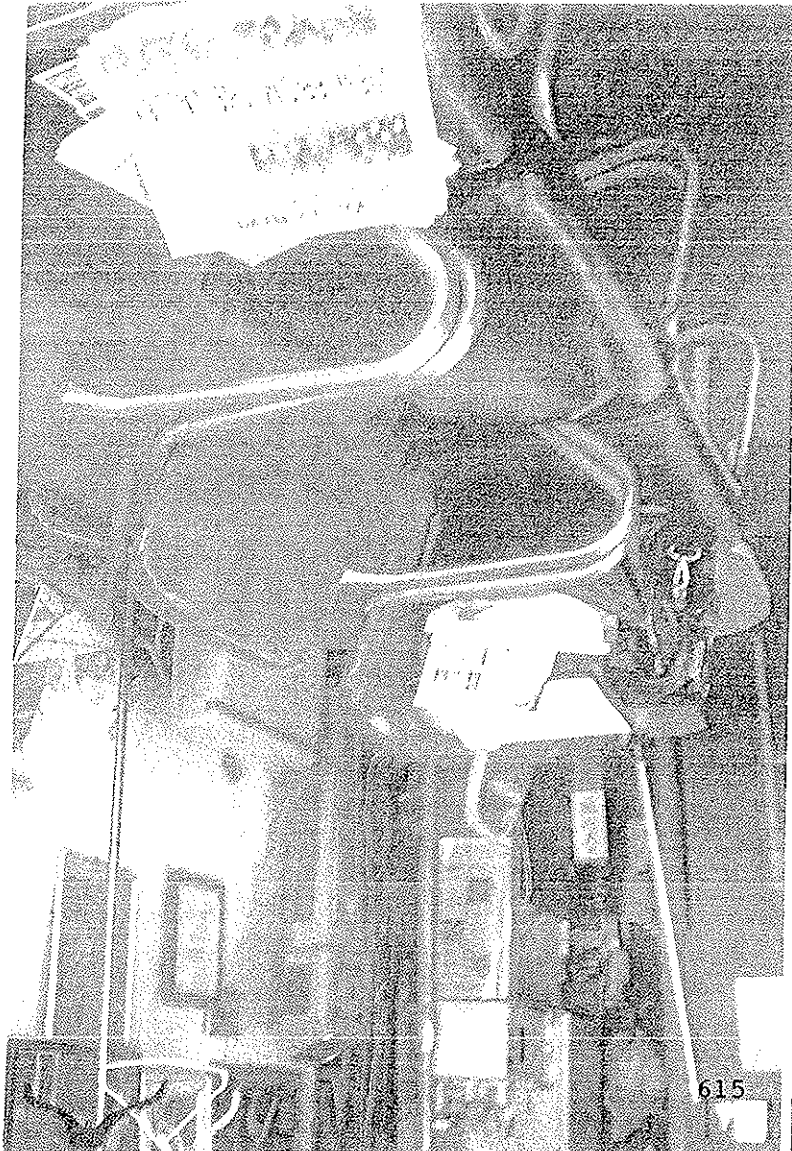
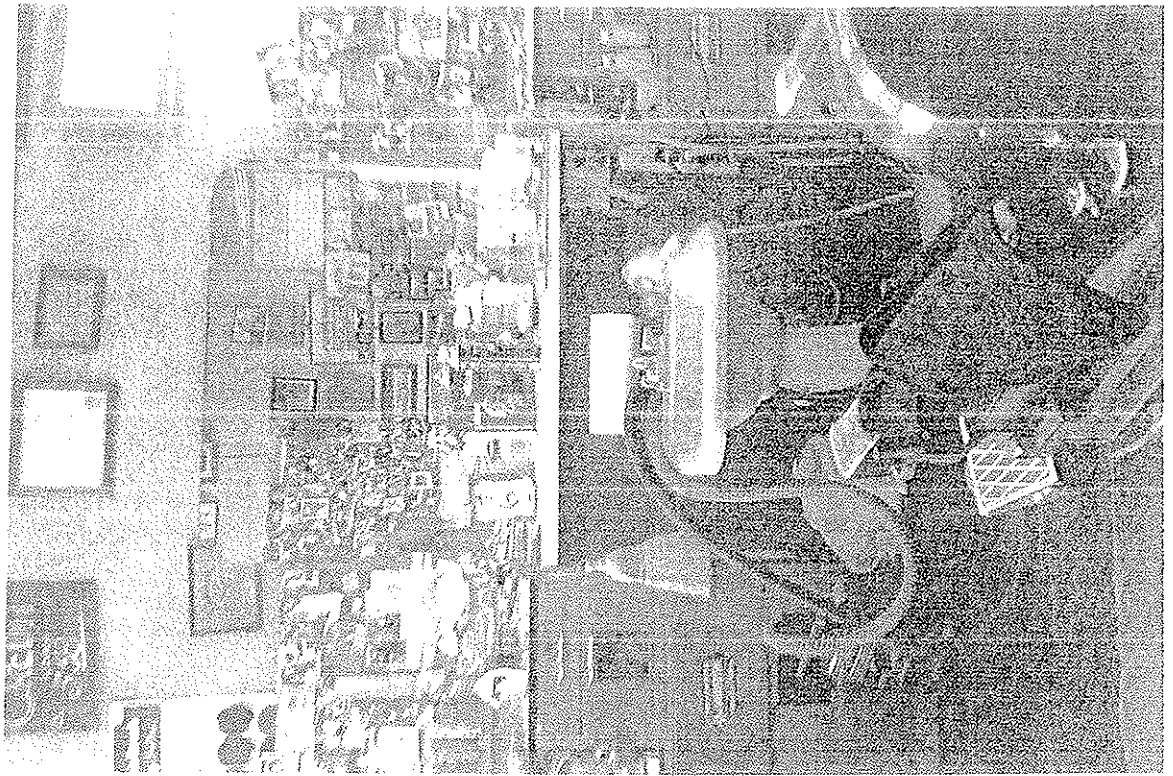
Melissa Payne, Board inspector Board Members Office

### Description of Complaint

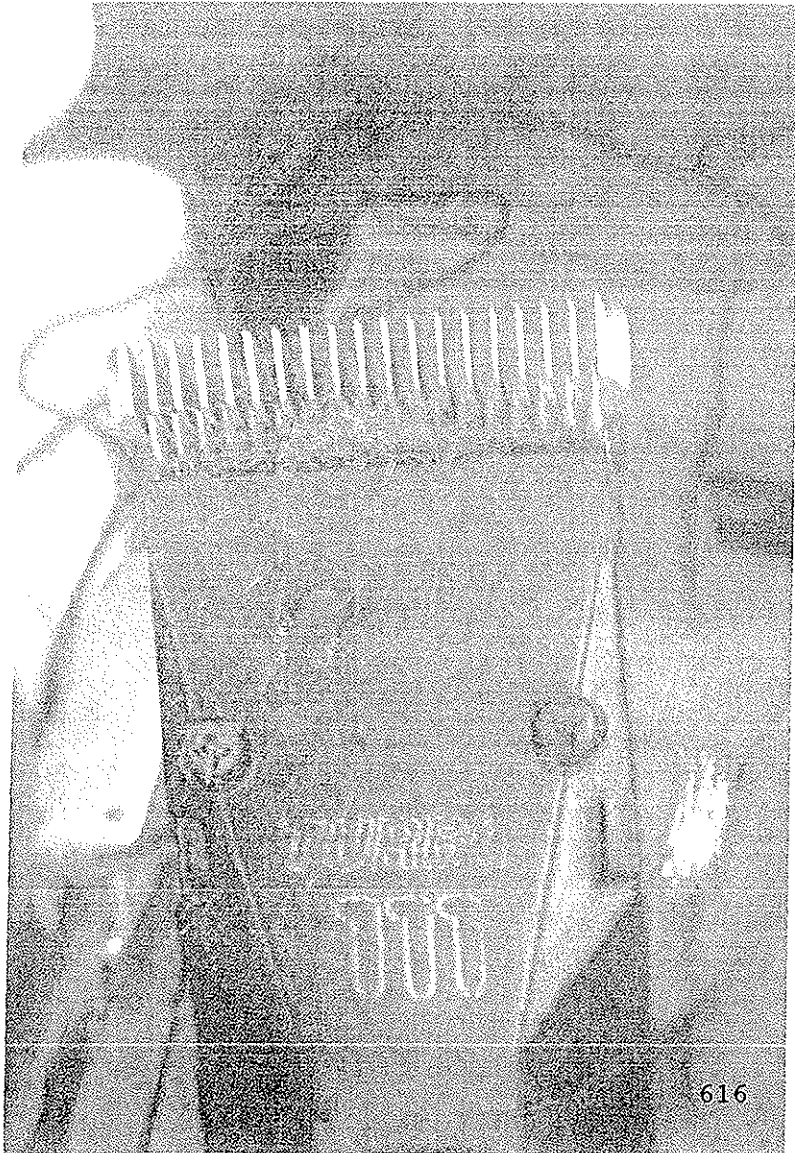
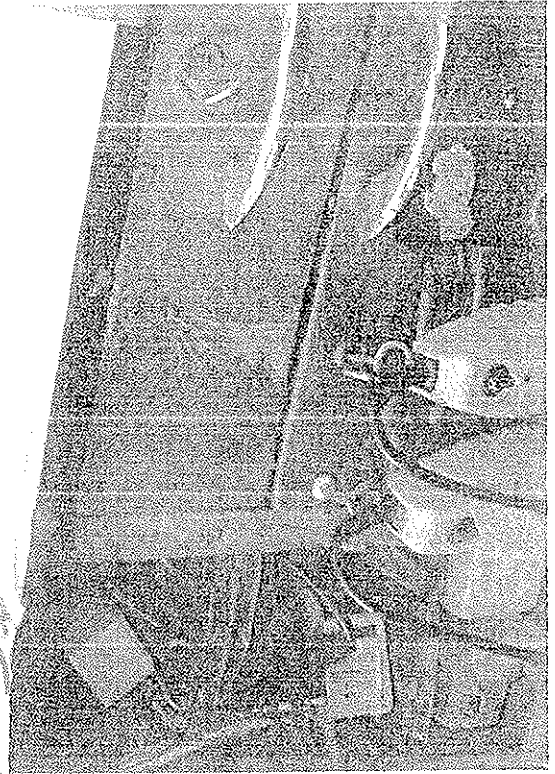
Unsanitary practice, fire hazards, very dirty.













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 Board of Barbers and Cosmetologists  
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 Dunbar, WV 25064

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 Governor

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88's Barber Shop  
 Owners and Staff  
 928 Main Street  
 Follansbee, WV 26037

June 30<sup>th</sup>, 2011

COMPLAINT #: C2011-67

Dear 88's Barber Shop:

The Board office has received the enclosed complaint and photographs and requests a response to the complaint.

This is the second notice that we have received concerning unsanitary practice and hazards from the Board's inspector.

Your shop must be within the state law by July 20<sup>th</sup>, 2011.

This is also the final warning. Should your shop not be cleaned according to state law, a hearing will be requested with disciplinary action against your shop and all licensees within the shop.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response  
 1201 Dunbar Avenue  
 Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham



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88's Barber Shop  
Owners and Staff  
928 Main Street  
Follansbee, WV 26037

September 27, 2011

COMPLAINT #: C2011-63 and 67

Dear 88's Barber Shop:

The Board reviewed the complaints (C2011-63 and C2011-67) that have been filed against your shop. The Board voted to combine the complaints on September 19<sup>th</sup>, 2011 and to continue frequent inspections of the shop.

The Board voted to require frequent inspections of the shop for the next six months. Should the shop fail any inspection during that time the Board will summons the owners and staff before the Board.

Should you have any questions, please feel free to contact the Board office.

Sincerely,

Adam L. Higginbotham  
Director



Earl Ray Tomblin  
*Governor*

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### MEMORANDUM

To:                    2011 Annual Report

From:                Adam L. Higginbotham  
                         Director  
                         Board of Barbers and Cosmetologists

Date:                 September 22, 2011

Subject:              C2011-67

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham", written over the printed name in the "From" field.

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Complaint C2011-67 has resulted in frequent inspections of the barber shop. Failure to keep the shop clean will require the owner's attendance before the Board.