

West Virginia
State Board of Barbers and Cosmetologists



ANNUAL REPORT

FY 2009

Director

Adam L. Higginbotham M.B.A.

Board Members

Justina Gabbert

Sarah Hamrick

Paula Kurczak

James "Jim" Ryan

TABLE OF CONTENTS

Letter to the Honorable Joe Manchin III, State of West Virginia.....	4
Statutory History.....	5
Board Members.....	6
Board Staff.....	7
Organizational Chart.....	8
Mission.....	9
Operations.....	10
Performance Measures.....	11
Staff Training and Development.....	12
Board’s FY2010 Goals.....	13
National Presence	14
Overview of Board’s FY2009 Activities.....	15
Receipts and Disbursements	
FY 2009.....	16
Five Year (2005-2009) Review of Receipts and Disbursements.....	17
Educational Overview	18
State Approved Schools	
Beauty Schools.....	19
Barbering Schools.....	20
Licenses Issued	
2009.....	21
Graph: 2009 Distribution of Licenses.....	22
Five Year (2005-2009) Review of Licenses.	23
Graph: Beauty Industry.....	23
Graph: Barber 5 Year Review.....	24
Graph: Cosmetologist 5 Year Review	24
Graph: Manicurist 5 Year Review.....	25
Graph: Aesthetician 5 Year Review.....	25
Graph: Shop 5 Year Review.....	26
Five Year New Registration	27
Graph: Five Year New Registration Review	27
Five Year Shop Opening and Booth Rental Registration.....	28
Estimated Number of Job Created.....	28
Shops Insepected.....	29

Shops per County.....	30
Individuals per County.....	31
Complaints.....	32

Governor Joe Manchin III
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

September 1st, 2009

The West Virginia State Board of Barbers and Cosmetologists presents the FY 2009 Annual Report as required by West Virginia Code § 30-1-12.

The report consists of the general operations and functions of the board, revenue and expenditure data, licensee and state statistics related to the beauty culture industry, past and recent activities of the board, and future goals.

Sincerely,

Adam L. Higginbotham M.B.A.
Director

STATUTORY HISTORY

In April 2009, the West Virginia State Legislature passed HB2531 that replaced the previous law governing the practice of barbering and beauty culture that was established in 1934.

The new West Virginia Code § 30-27 took effect July 1st, 2009. The major change to the code was the separation from the Department of Health and Human Resources and the Board of Barbers and Cosmetologists. Some other changes to the code include: updated terminology, outlined scope of practice for professions, and organized operations, powers, and duties of the board.

West Virginia Code § 30-27 is accompanied by eight (8) rules and regulations that govern or detail the practice, operations, businesses, schools, curricula, fees, and fines associated with beauty culture.

The rules are:

[Series 1- Procedures, Criteria, and Curricula for Examination and Licensure of Barbers, Cosmetologists, Manicurists, and Aestheticians](#)

[Series 2- Qualifications, Training, Examination, and Licensure of Instructors in Barbering and Beauty Culture](#)

[Series 3- Rules and Regulations for Licensing Schools of Barbering and Beauty Culture](#)

[Series 4- Operational Standards for Schools of Barbering and Beauty Culture](#)

[Series 5- Operation of Barber, Beauty Shops, and Schools of Barbering and Beauty Culture](#)

[Series 6- Schedule of Fees](#)

[Series 7- Schedule of Fines](#)

[Series 9- Complaint Procedures](#)

BOARD MEMBERS

Justina Gabbert
Lay Member
Martinsburg, West Virginia

Sarah Hamrick
Cosmetologist
Hurricane, West Virginia

Paula Kurczak
Cosmetologist
Fairmont, West Virginia

James "Jim" Ryan
Barber
Alum Creek, West Virginia

BOARD STAFF

Board Office

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

Mindi Stewart
Office Assistant III

Shon Smith
Office Assistant II

Cindy Mercer
Office Assistant II

Field Inspectors

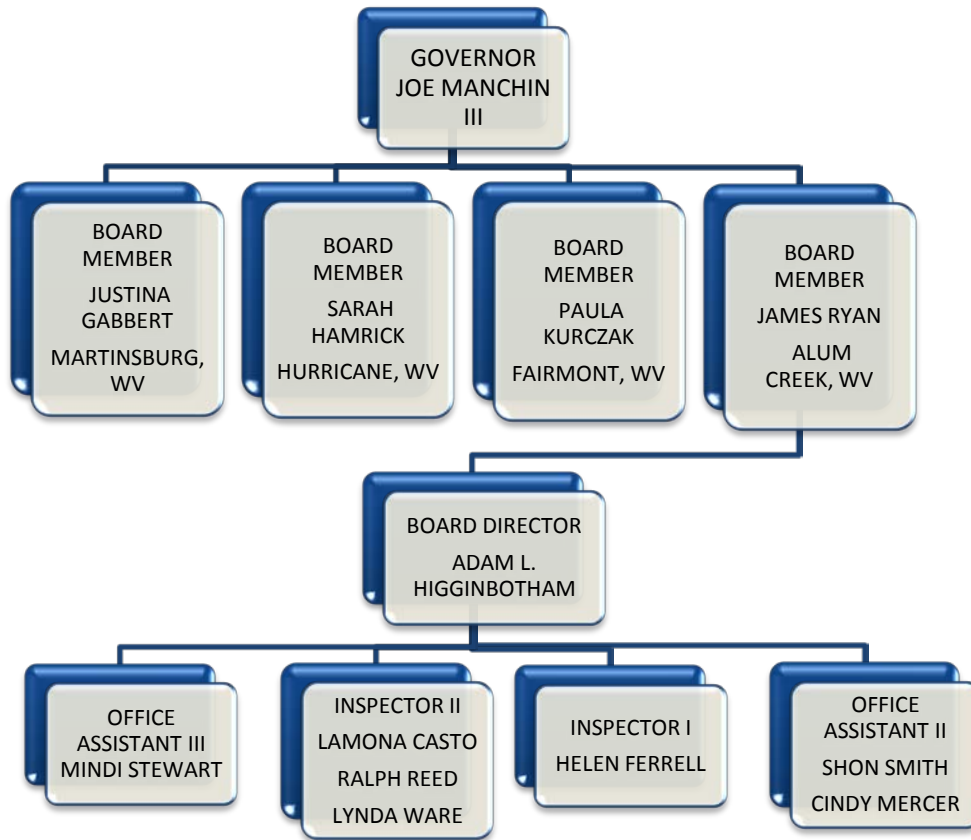
Lamona Casto
Inspector II
Burnsville, West Virginia

Lynda Ware
Inspector II
Reedsville, West Virginia

Ralph Reed
Inspector II
Beckley, West Virginia

Helen Ferrell
Inspector I
Folsom, West Virginia

ORGANIZATIONAL CHART



MISSION

The West Virginia Board of Barbers and Cosmetologists protects the health and welfare of all West Virginia citizens who seek professional services in barbering, cosmetology, manicuring, and aesthetics while ensuring good health standards and practices are kept with the law by frequent inspections of all licensed facilities. The Board also conducts examinations to determine competency in the licensing of all barbers, cosmetologists, manicurists, and aestheticians.

OPERATIONS

- Issues licenses to qualified applicants.
- Processes applications and documents for licenses and permits.
- Maintains database of all licensees, shops, salons, and schools.
- Maintains record of all proceedings of the board.
- Inspects licensed shops, salons, and schools within the jurisdiction of the board.
- Investigates and processes complaints against barbers, cosmetologists, manicurists, aestheticians, salons, shops, and schools.
- Establishes procedures and guidelines for the suspension or revocation of a license and suspends, revokes, and reinstates those licenses.
- Conducts hearings on licensing issues and any other matter within the jurisdiction of the board.
- Responds to requests for information relating to licensees, functions of the board, or upcoming events.
- Responds to requests related to verification of licensees and certification, discipline cases, complaints, and the functions of the board.
- Implements rules and regulations relative to the practice of beauty culture.
- Reviews and evaluates multistate regulations.
- Establishes, implements, and regulates the curriculum in all licensed schools by legislative rule.
- Establishes and regulates licensing standards for individuals, shops, salons, and schools by legislative rule.
- Administers examination for applicants to become licensed barbers, cosmetologists, manicurist, or aestheticians.
- Prepares and supervises annual budget and reports.
- Provides support services for inspectors.
- Provides collection and accounting for license, permit, examination, and other applicable fees.

PERFORMANCE MEASURES

Performance measures were not implemented into past operations due to the Board previously being listed as a program under the Department of Health and Humans Resources' Public Health Division. However, below is a list of measures that were accomplished by the end of Fiscal Year 2009.

- ✓ Completed new website with downloadable and printable forms and applications.
- ✓ Restructured state territories for reduced fuel consumption.
- ✓ Updated and re-organized all forms and applications.
- ✓ Implemented in-house accounting functions.
- ✓ New code governing the Board was introduced and passed.
- ✓ Introduced 10 set of rules and regulations changes or new rules for 2010 legislative session.

STAFF TRAINING AND DEVELOPMENT

Board Office

Training

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

Access Database 1&2, Driver Safety
Word /Outlook Foundations, PCARD

Mindi Stewart
Office Assistant III

Word/Outlook Foundations
Excel Level 1

Shon Smith
Office Assistant II

Word 1

Cindy Mercer
Office Assistant II

Word/Outlook Foundations
Word 1

Field Inspectors

Training

Lamona Casto
Inspector II

Investigation Training

Lynda Ware
Inspector II

Investigation Training

Ralph Reed
Inspector II

Investigation Training

Helen Ferrell
Inspector I

Investigation Training

FISCAL YEAR 2010 BOARD GOALS AND OBJECTIVES

1. Resolve complaint findings within 9 months.
2. Implement online license renewals.
3. Create online form submission capabilities for applicable documents.
4. Develop and implement new web-based licensing database software.
5. Switch individual licenses to security protected features to prevent fraudulent documents.
6. Modify inspector's violation process.
7. Improve operations and reduce expenses by implementing new inspector job functions of utilizing web-based licensing database software, computer reporting system, and data-entry functions.
8. Inspect all licensed facilities twice per year.
9. Inform licensees of rules and regulations changes and of website capabilities through mailings.
10. Move office into ADA compliant office by December 1st, 2009.

BOARD'S NATIONAL PRESENCE

The national beauty culture industry is experiencing large amounts of fraudulent, questionable, and improbable documentation and certification from individual applicants for reciprocity. The Virginia Board recently revoked nearly 80 licenses that were deemed fraudulent through Pennsylvania and Massachusetts State Boards license certificates.

A license certificate is an official document that is requested to a state board by a licensee in their state of residence to the state board where the licensee will be moving. The license certificate contains: name of applicant, school hours obtained, previous address, school(s) attended, test results, and other miscellaneous information.

These license certificates are compromised through exact replicas and other means to a level unknown by any state board. Most, if not all, state boards lack the resources to perform in-depth background checks to determine if all documents and supporting evidence are accurate.

In order to fight fraudulent documents, protect the public health, and protect individual licensees' careers across the county, the West Virginia Board of Barbers and Cosmetologists is in the process of designing an online software application with the help of the West Virginia State Treasurer's Office to prevent fraudulent documentation through online license certifications (state-to-state board information transmittal). It is the Board's goal to accomplish this regionally in the next two years. As of 8/14/2009, two states will implement the software application and two others are waiting for the development to be completed before making any decision.

The online application will be based on the premise to securely transmit individual information from one state board to another with the individual licensee's permission through an online license certificate (an individual seeking to transfer a license in one state to another).

The online software application will work like a website that is logged into but for information transmittal. The data transferred, which will be approved by the applicant, will be a series of 10 questions that will verify the applicants name and qualifications. Another question will ask how many states the individual license has transferred their specific license to in order to prevent individuals from working on someone else's license in another state, which is a very suspected act that cannot be proven without proper communication in place.

The Board will discuss this plan with other states at the National Interstate Board Council Conference in late September 2009. An update will be placed in the FY 2010 Annual Report.

FISCAL YEAR 2009 KEY BOARD ACTIVITIES/OPERATIONS REVIEW

- Emergency fee increase became effective due to budgetary/ cash flow issues July 2008.
- Former Executive Director Larry Absten retired October 2008.
- Executive Director Adam L. Higginbotham was hired November 2008.
- New software development talks began with State Treasurer's Office in January 2009.
- Former Inspector II Barbara Conley retired February 2009.
- State inspector's territories were re-structured in March 2009.
- New effective and informative website became "live" in March 2009.
- Software development talks and specifications continued in March 2009.
- Office operational re-organization discussion began in March 2009.
- House and Senate passed HB 2531 updating the law governing the Board in April 2009.
- HB2531 separated the Board and DHHR in July 2009.
- HB2531 updated the laws and terminology pertaining to the Board.
- HB2531 defined the powers and duties of the Board.
- HB2531 withdrew the fees that were previously established in code.
- HB2531 defines each profession and their scope of practice.
- Software development talks and specifications continued in June 2009.
- Search for an ADA compliant office began May 2009.
- Online national license certification transfer development began in May 2009.
- Ohio, Virginia, and Nebraska showed interest in online certification transfer June 2009.
- Online national license certification guidelines were started in June 2009.
- Goals and objectives were developed for Fiscal Year 2010.

RECEIPTS AND DISBURSEMENTS

2008 CARRYOVER

2008 Carryover	\$66,455.22
----------------	-------------

2009

1ST QUARTER

Month	Receipts	Disbursements	Balance with Treasurer
July 08	\$36,523.70	\$36,372.34	\$66,455.22
August 08	\$21,560.02	\$35,913.02	\$50,908.72
September 08	\$16,242.50	\$36,059.47	\$29,126.78
1st Quarter Totals	\$74,326.22	\$108,344.83	\$48,830.24 avg.

2009

2ND QUARTER

Month	Receipts	Disbursements	Balance with Treasurer
October 08	\$15,089.44	\$37,076.26	\$5,066.46
November 08	\$23,218.38	\$13,081.50	\$15,124.57
December 08	\$91,363.50	\$29,207.56	\$76,638.39
2nd Quarter Totals	\$129,671.32	\$79,365.32	\$32,726.47 qtr. avg.

2009

3RD QUARTER

Month	Receipts	Disbursements	Balance with Treasurer
January 09	\$123,508.00	\$69,276.46	\$128,947.33
February 09	\$75,260.34	\$39,363.70	\$164,004.65
March 09	\$31,142.00	\$28,871.93	\$164,732.58
3rd Quarter Totals	\$229,910.34	\$137,512.09	\$152,561.52 qtr. avg.

2009

4TH QUARTER

Month	Receipts	Disbursements	Balance with Treasurer
April 09	\$20,765.48	\$30,801.80	\$152,049.31
May 09	\$17,635.00	\$29,064.05	\$136,847.98
June 09	\$48,073.00	\$53,464.09	\$129,965.58
4th Quarter Totals	\$86,473.48	\$113,329.94	\$139,620.96 qtr. avg.

2009 TOTALS

2009 TOTALS	\$520,381.36	\$438,552.18	\$93,322.30 mo. avg.
--------------------	---------------------	---------------------	-----------------------------

Receipts – Disbursements Total	\$81,829.18
--------------------------------	-------------

2009 CARRYOVER

2009 Carryover	\$139,438.70
----------------	--------------

FIVE YEAR REVIEW- RECEIPTS AND DISBURSEMENTS

Fiscal Year	Receipts	Disbursements	Carryover Balance
2009	\$520,381.36	\$438,552.18	\$139,438.70
2008	\$412,220.10	\$412,672.22	\$66,177.66
2007	\$418,307.32	\$415,950.54	\$66,629.78
2006	\$407,304.01	\$435,909.44	\$60,909.44
2005	\$411,359.16	\$432,422.11	\$86,767.43
Average	\$433,914.39	\$427,101.30	\$83,288.90

REVIEW COMMENTS

The 2009 Receipts and Disbursements appear strong along with the carryover balance, but the financial numbers in this situation do not show the bleak outlook for FY2010, FY2011, and beyond.

The separation from the Department of Health and Human Resources in HB 2531 is expected to increase the board's expenditures in excess of \$50,000.00 annually.

Due to the separation, the board is faced with an increase in the follow:

- \$10,000 increase is postage (DHHR covered postage in past).
- \$1,000 increase in software licensing rights.
- \$1,000 increase in telephone services.
- \$40,000 increase in job creation due to additional duties once performed by DHHR.

Along with the additional expenses accrued from the separation, the Board will be faced with continuing education implementation which will result in an expensive informational campaign to educate licensees of the rule change, the possible hiring of additional staff, and other unforeseen expenses.

Additionally, the Board is also faced with the challenge of updating office technology to include computers, telephones, field equipment, and other items to ensure the public health is not compromised. The Board will also have to allocate previously unused money to move into an ADA compliant office, provide security protected licenses, expand testing locations to the northern part of the state, and cover expenses for more board members that was created by HB 2531.

Overall, the Board appears financially stable with the 2009 carryover balance, however with issues mentioned above the carryover balance will quickly fall well below the 2006 carryover balance without minimal fee increases.

EDUCATIONAL OVERVIEW

The educational training and school curricula for barbers, cosmetologists, manicurists, and aestheticians are detailed in Title 3, Series 1: Procedures, Criteria, and Curricula for Examination and Licensure of Barbers, Cosmetologists, Manicurists, and Aestheticians.

The following are the required hours for each profession governed by the Board:

PROFESSION	HOURS NEEDED TO TEST
Barber	1,800 hours
Barber Permanent Wavist	2,000 hours
Barber Crossover (barber/cosmo)	2,000 hours
Cosmetologists	2,000 hours
Manicurist	400 hours
Aesthetician	600 hours

LICENSED BEAUTY SCHOOLS IN WEST VIRGINIA

Art and Science Institute of Cosmetology
33 Corey Road
White Hall, WV 26554
304-363-2015

Carver Beauty Academy
4799 Midland Drive
Charleston, WV 25306
304-348-1968

Clarksburg Beauty Academy
120 South Third Street
Clarksburg, WV 26301
304-624-6473

International Beauty School
201 West King Street
Martinsburg, WV 25401
304-267-6231

Morgantown Beauty College, Inc.
276 Walnut Street
Morgantown, WV 26505
304-292-8475

Scott College of Cosmetology
1502 Market Street
Wheeling, WV 26003
304-232-7798

Valley Beauty School
707 Market Street
Parkersburg, WV 26101
304-422-2226

Buena Vista Beauty School
Alderson Prison Camp
PO BOX B
Alderson, WV 24910
304-445-2901

Beckley Beauty Academy
109 South Fayette Street
Beckley, WV 25801
304-253-8326

Charleston School of Beauty Culture
210 Capitol Street
Charleston, WV 25301
304-346-9603

Huntington School of Beauty Culture
Rt. 60 East Room 115
Huntington, WV 25705
304-736-6289

Mercer County Beauty School
1397 Strafford Drive
Princeton, WV 24740
304-425-9551

Mountaineer Beauty College
700 6th Avenue
PO BOX 547
St. Albans, WV 25177
304-727-9999

Southern WV Community & Technical College
3505 Daniel Boone Parkway
Danville, WV 25053
304-792-7041

Wyoming Co. Vocational Technical Center
HCR 72, Box 200
Pineville, WV 24874
304-732-8050

LICENSED BARBER SCHOOLS IN WEST VIRGINIA

Charleston School of Barbering
210 Capitol Street
Charleston, WV 25301
304-346-9603

LICENSES ISSUED

2009

RENEWALS

PROFESSION	NUMBER OF RENEWALS
Barbers & Barber Perm.	750
Cosmetologists	6,568
Barber/Cosmetologists	99
Manicurists	830
Aestheticians	133
Instructors	90
Shops	2,789
Schools	16
Total Renewals	11,525

2009

NEW REGISTRATIONS

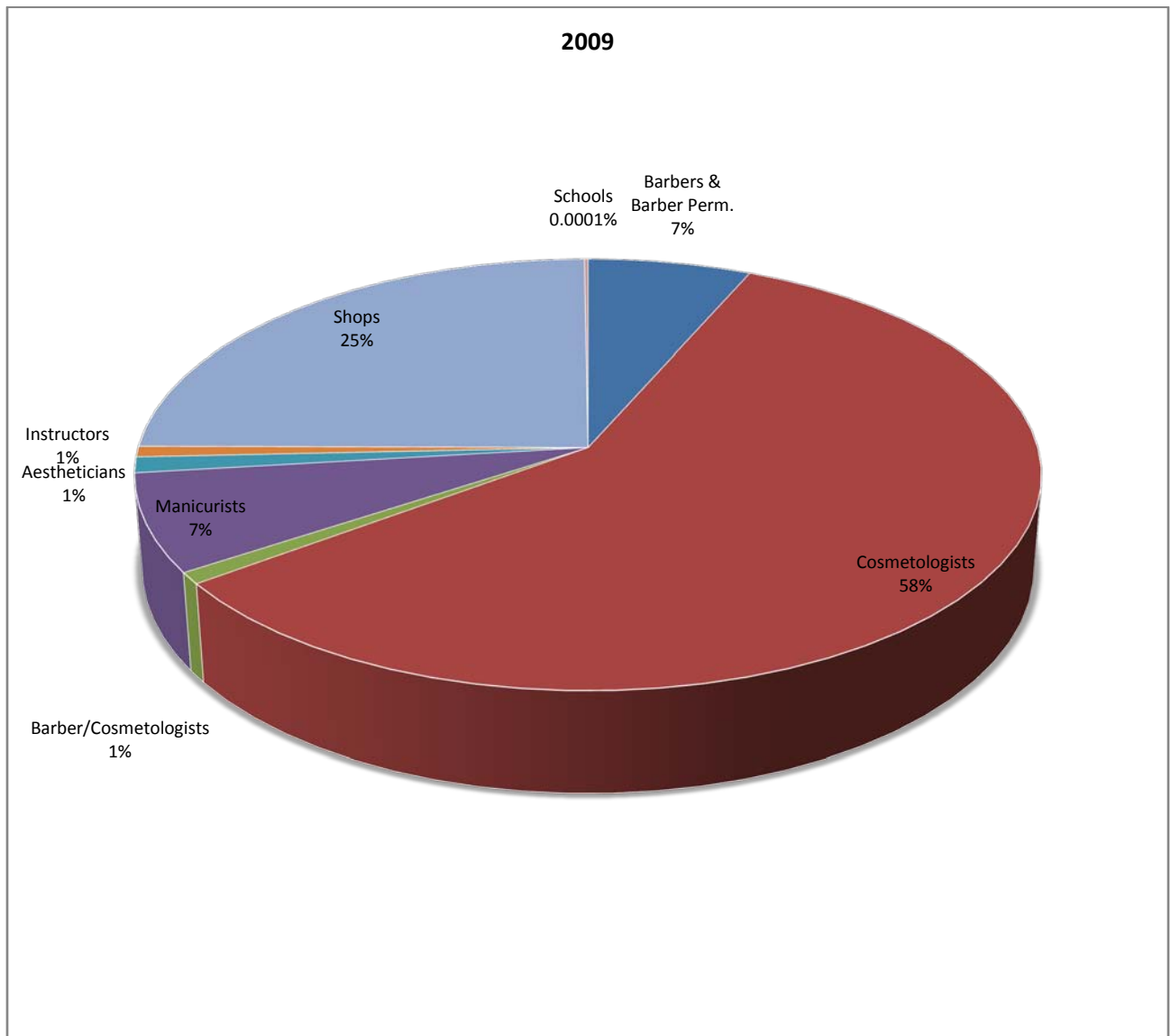
PROFESSION	NUMBER OF REGISTRATIONS
Barbers	17
Cosmetologists	292
Barber/Cosmetologists	0
Barbers Permanent Wavist	2
Manicurists	99
Aestheticians	24
Instructors	8
Shops	275
Students	817
Instructor In-Training	13
Booth Rentals	825
Total Registrations	2,372

2009

TOTAL LICENSES, PERMITS, CERTIFICATIONS ISSUED

TOTAL ISSUED	13,897
---------------------	---------------

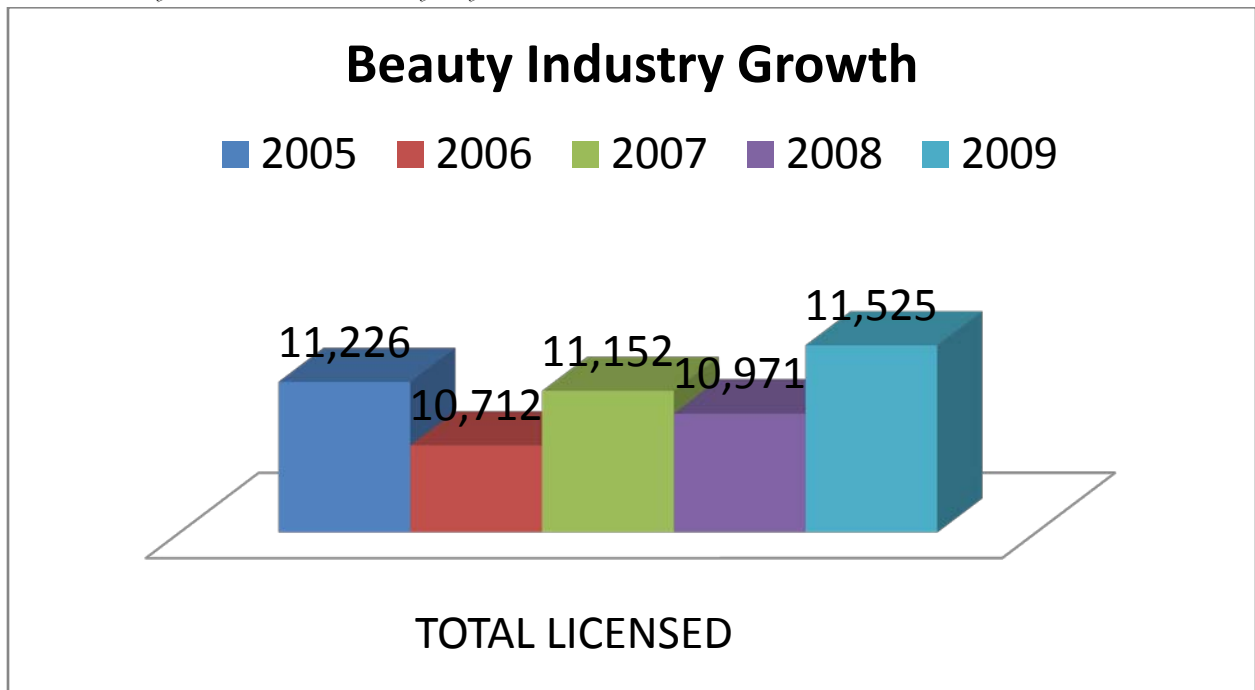
**DISTRIBUTION OF LICENSES
2009**



FIVE YEAR LICENSES ISSUED REVIEW

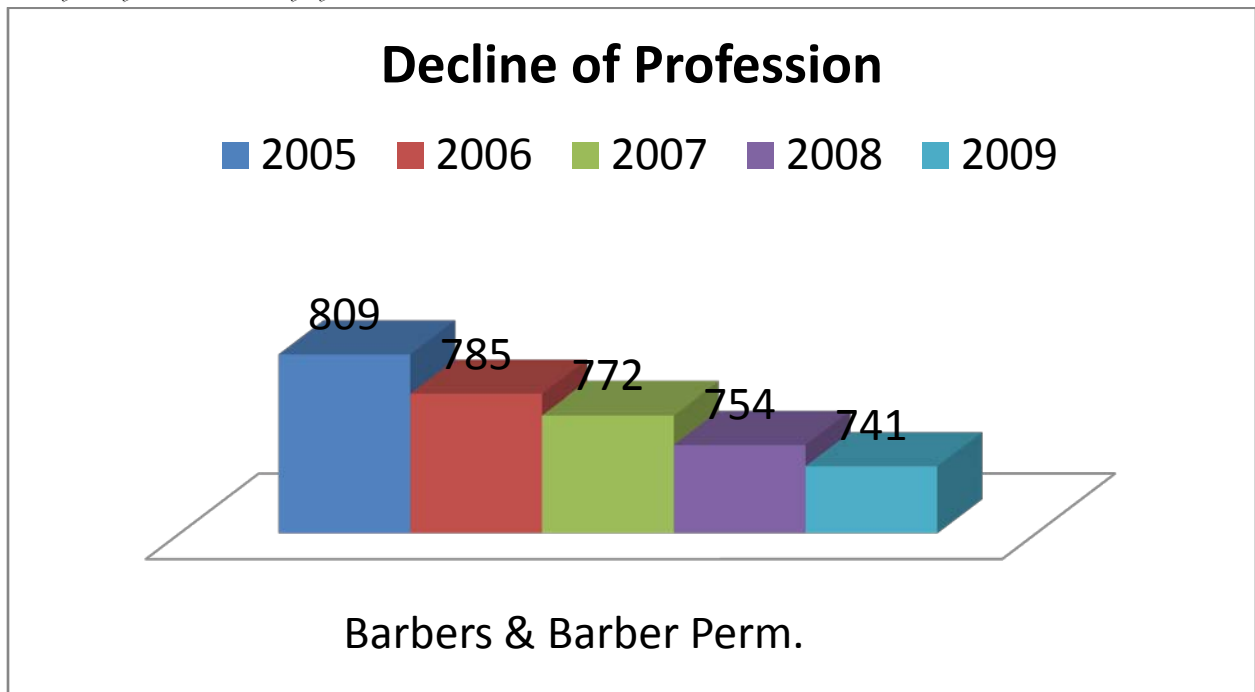
PROFESSION	2005	2006	2007	2008	2009
Barbers & Barber Perm.	809	785	772	754	741
Cosmetologists	6,431	6,376	6,375	6,301	6,568
Barber/Cosmetologists	97	91	98	97	99
Manicurists	632	655	684	714	830
Aestheticians	59	78	87	91	133
Instructors	89	83	78	77	90
Shops	3,095	2,630	3,044	2,921	2,789
Schools	14	14	14	16	16
TOTAL	11,226	10,712	11,152	10,971	11,525

FIVE YEAR BEAUTY INDUSTRY REVIEW

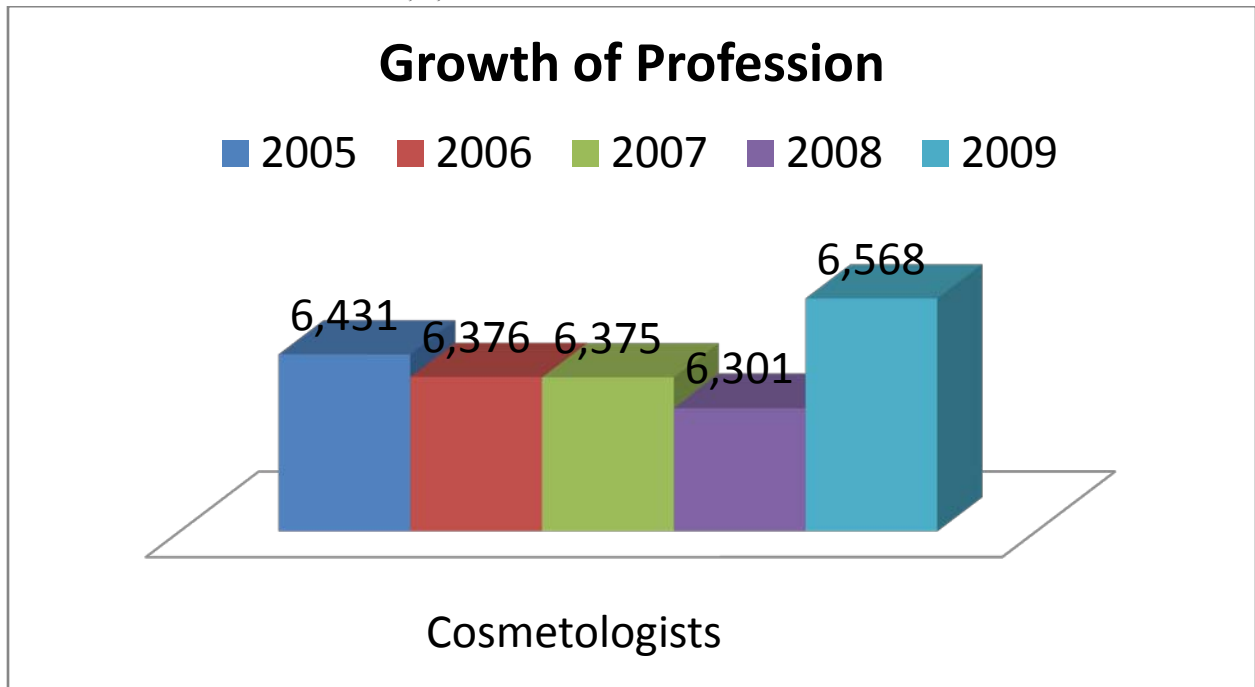


BARBER, COSMETOLOGISTS, MANICURISTS, AESTHETICIAN, AND SHOP RENEWALS

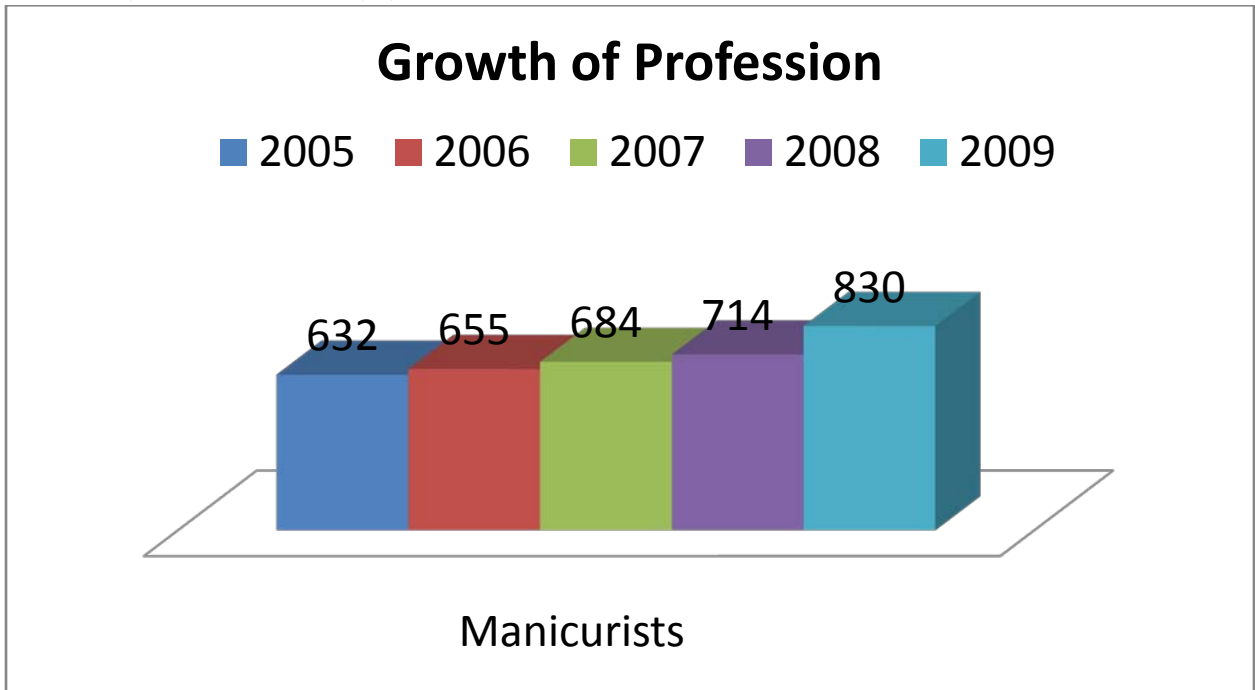
BARBER FIVE YEAR REVIEW



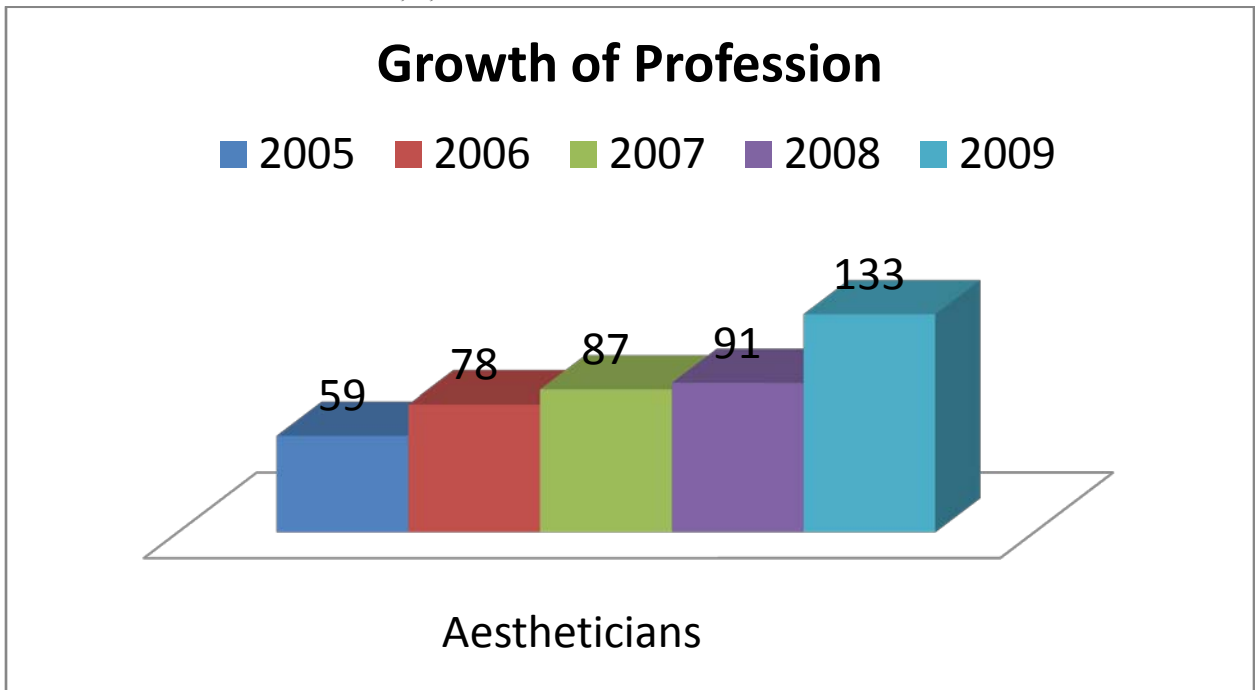
COSMETOLOGIST FIVE YEAR REVIEW



MANICURISTS FIVE YEAR REVIEW



AESTHETICIANS FIVE YEAR REVIEW



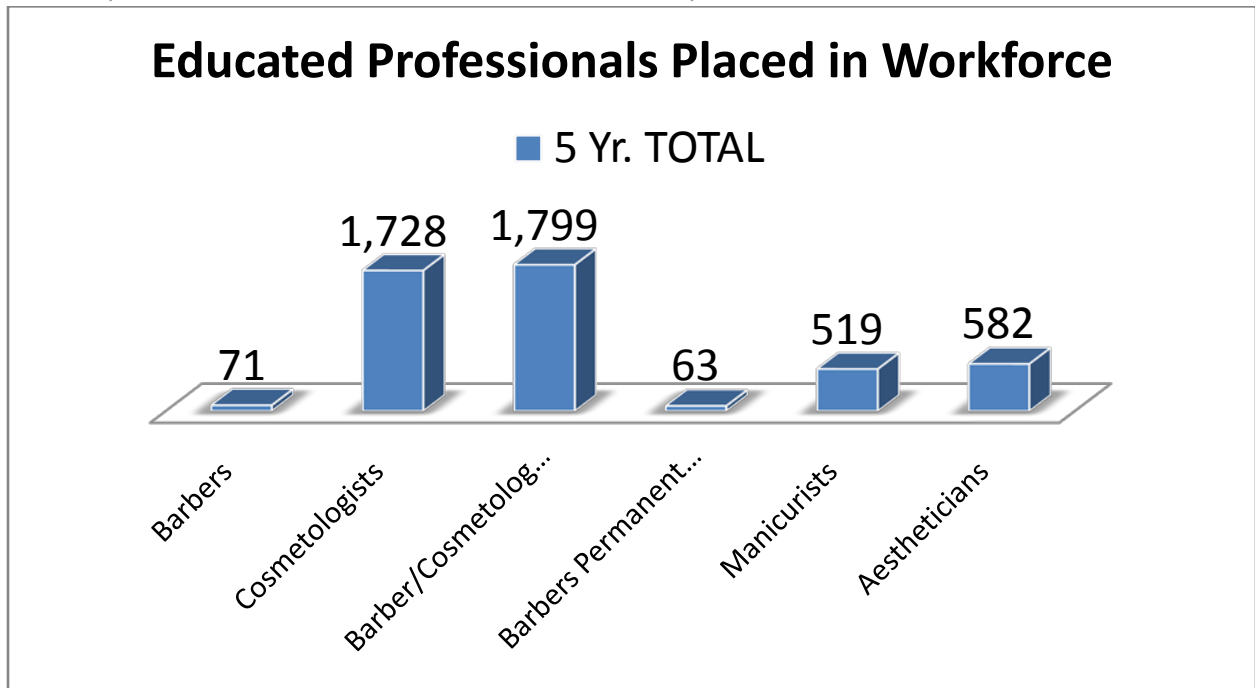
SHOP FIVE YEAR REVIEW



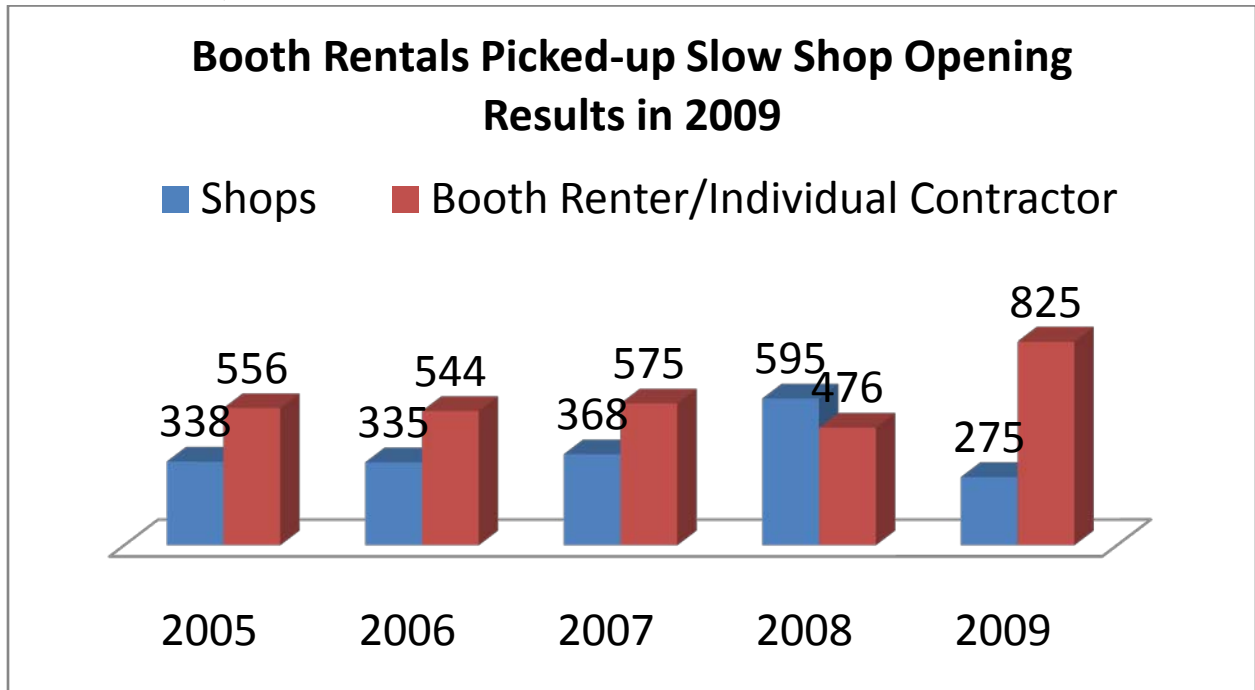
FIVE YEAR NEW REGISTRATION GROWTH

PROFESSION	2005	2006	2007	2008	2009	5 Yr. TOTAL
Barbers	13	7	8	26	17	71
Cosmetologists	373	377	369	317	292	1,728
Barber/Cosmetologists	5	0	3	2	0	1,799
Barbers Permanent Wavist	11	18	16	16	2	63
Manicurists	132	111	92	85	99	519
Aestheticians	32	21	27	34	24	582
Instructors	11	14	13	27	8	73
Shops	338	335	368	595	275	1,911
Students	908	916	799	740	817	1,984
Instructor In-Training	15	17	13	9	13	67
Booth Rentals	556	544	575	476	825	2,976

5 YEAR TOTAL OF NEW LICENSES ISSUED BY PROFESSION



FIVE YEAR TOTAL OF NEW SHOPS AND BOOTH RENTAL REGISTRATION
BUSINESSES CREATED



ESTIMATED NUMBER OF JOBS CREATED

PROFESSION	2009
Barbers	17
Cosmetologists	292
Barbers Permanent Wavist	2
Manicurists	99
Aestheticians	24
TOTAL	434

INSPECTION TOTALS

2009 Shop Inspections	7,978
----------------------------------	--------------

Violations Issued	166
------------------------------	------------

SHOPS PER COUNTY

County	Shops	County	Shops
Barbour	25	Mingo	69
Berkeley	107	Monongalia	129
Boone	45	Monroe	23
Braxton	23	Morgan	23
Brooke	22	Nicholas	44
Cabell	149	Ohio	79
Calhoun	12	Pendleton	16
Clay	15	Pleasants	7
Doddridge	7	Pocahontas	16
Fayette	66	Preston	65
Gilmer	10	Putnam	73
Grant	31	Raleigh	134
Greenbrier	79	Randolph	37
Hampshire	28	Ritchie	20
Hancock	43	Roane	25
Hardy	28	Summers	17
Harrison	119	Taylor	13
Jackson	38	Tucker	13
Jefferson	48	Tyler	14
Kanawha	302	Upshur	40
Lewis	21	Wayne	65
Lincoln	26	Webster	18
Logan	81	Wetzel	40
Marion	97	Wirt	5
Marshall	42	Wood	142
Mason	42	Wyoming	55
McDowell	34		
Mercer	99		
Mineral	38		

LICENSEES PER COUNTY

County	Licensees	County	Licensees
Barbour	72	Mingo	123
Berkeley	380	Monongalia	355
Boone	103	Monroe	52
Braxton	59	Morgan	69
Brooke	88	Nicholas	99
Cabell	551	Ohio	230
Calhoun	20	Pendleton	25
Clay	28	Pleasants	17
Doddridge	21	Pocahontas	27
Fayette	164	Preston	134
Gilmer	17	Putnam	249
Grant	60	Raleigh	314
Greenbrier	164	Randolph	93
Hampshire	62	Ritchie	41
Hancock	117	Roane	36
Hardy	35	Summers	44
Harrison	361	Taylor	55
Jackson	109	Tucker	27
Jefferson	170	Tyler	40
Kanawha	904	Upshur	83
Lewis	49	Wayne	126
Lincoln	64	Webster	19
Logan	177	Wetzel	64
Marion	275	Wirt	14
Marshall	144	Wood	402
Mason	106	Wyoming	111
McDowell	63		
Mercer	267		
Mineral	91		

BOARD OF BARBERS AND COSMETOLOGISTS

COMPLAINT LOG – FISCAL YEAR 2009

C-7-1-08

RECEIVED EMAIL COMPLAINT 07/01/08

Dear Larry, I wrote a list of concerns and the legality of licensing and reciprocity. I hope that you take into careful consideration. There will be more Vietnamese test takers and Vietnamese people applying for reciprocity for their cosmetology license. Their licenses from other states are bought, not earned. Retesting is the only way to make sure they could verify their education and skills. Aside from that there is one issue I like to point out. Please correct me if I am wrong.

-waxing without a Aesthetician or Cosmetologist license

-manicuring and pedicuring without any type of license

If this is illegal please check out the following salons. If you send in the inspector to ask for these services, they will know because the salons alert each other. Send in a young adult from the cosmetology school and ask for these services. Come in on a Thursday or Friday and ask for the lady who does only pedicures and manicures. Also ask for the lady owner to do waxing. Exotic Nails, Barboursville, WV, Hollywood Nails and Spa, Bridgeport, WV.

On 08/13/08 Barbara Conley inspected Exotic Nails in Barboursville, WV. I entered Exotic Nails and did regular inspection especially looking for waxing equipment. Did not find waxing machine or heater. Did find waxing strips, cleaner and applicators in supply room. I told owner Luc Tien Nguyen of complaint and told him to remove all waxing equipment. He told me that for a short period of time they had a licensed cosmetologist who did some waxing and that she is no longer there. Has gone to Vietnam. So they aren't waxing. He said he has only 4 nail techs working (5 licenses were posted) and they are all licensed. I reminded him that if another fine is issued it will be for a \$1,000.00.

On 07/03/08 Helen Ferrell inspected Hollywood Nails #13705 in Bridgeport, WV. All employees were busy. I walked through observing and checking the workers, went back through salon check for a wax machine. I asked John to come to back and talk to me. I

Explained to him that there was a complaint that two individuals were doing eyebrow, etc. waxing with only a manicurist license. I ask do you have a wax machine? He said they had previously had one but removed a long time ago. He asks when was the complaint made, I told him to Charleston on July 1, 2008. No wax machine found. I reminded John that the shop license was expired. We also went over procedures on keeping equipment and implements, clean, disinfected and sterilized. Although the salon looked clean.

C-2-08 Investigation requested by Larry Absten by telephone 07/10/08

Helen Ferrell. While in a salon in New Martinsville Madeline's Family Hair Care overheard conversations indicating a salon in Wallace on Rt. 20 was open. A customer said she saw a sign on the left side of the road. It had an arrow in Red pointing towards the right with letters Hair Cuts. Inspector said I travel the road I have never seen it. The client said it is there around the first of the month. Spoke with my neighbor Jim Glasscock, he has a store in Wallace goes there everyday. Jim said he had not seen any sign but Tish cuts hair, she is located on Rt. 20 in Wallace. Salon used to be legally open as Tish's Hairport. This is an old sign on right side of the road. It is her old shop sign. Went to Tish Ashcrafts home where her shop had been located. She was not there but two teenage girls were in the yard. I asked for Tish, they said she was at work and I asked where she worked. They said Wishing Well. I asked if she did hair there. They said no she no longer does hair. I asked if they knew of anyone in this area that was. First they said no then they said Connie up little elk. I went a good ways up little elk. Stopped at nice looking home and asked if they knew what house that Connie that did hair lived in. A man said the next house down. There was no one home so I did not catch Connie working but it seems she is doing hair illegally. I will try again next week. Connie's address Rt. 1 Box 390 Wallace, WV. Choquette possible shop, phone #796-4005 Home #706-4633. Several years back Connie Choquette had a shop on Rt. 20 in Wallace.

Went up Little Elk where Connie suspected of operating a hair salon in a building next to her home with out a shop license. Connie was home today but not out in the building. I told her that I was Helen Ferrell inspector for WV Board of Barbers & Cosmetologists. That approximately a month ago there was a complaint and an attempt to investigate. Her doing hair without a salon license. She said she had not been in business for a long time. I asked if she was cutting hair in the building next to her home and was her equipment there. She said she was doing her family. That her hair salon equipment was set up. Later she said she sometimes did people other than her families hair but not for pay. I told her she could only do immediate family regardless of whether she was paid or not paid. That there is a \$200.00 fine if caught doing hair without applying to the Board for shop opening license, practicing without shop license could apply to her. That if she was or continued to do this she would be fined when caught. She was going to be traveling with her husband for several months and not at home. Also she had health problems and was not doing hair. She asked about my sisters shop up ten mile in Wallace Nellie Clayton

and my niece salon because of Nellie and I being sisters. We made some small talk and I left. There is no confirmation. Also concerning another complaint that led to this investigation as to around the first of the month a sign with arrow indicating Hair Cutting on Route 20 South in Wallace, I have not seen it.

C-3-08 Investigation requested by Larry Absten per telephone 07/10/08.

Helen Ferrell inspector overheard individual's conversation about a salon in Smithfield cutting old hair styled called mullet. There is no hairstyling salon in Smithfield. They lady indicated a Cindy owned the salon.

I arrived at a home in Stout Run Smithfield, WV where a salon was several years ago approximately 5 years licensed and open. Cindy Wade was the owner. Cindy and her 5 year old daughter was out by the swimming pool. I asked Cindy if her salon was open. She said no, but I could look at if I wanted. Her equipment was still there but there was no water in salon sink. There was a barbicide jar with barbicide and combs in it. She said she did her husband and childrens hair also mom and dad. Cindy recognized me as a Board of Barbers and Cosmetologists inspector. The home is up for sale. I explained that their was a reasonable belief that she might have been doing hair. She denied anybody immediate family. The house is up for sale a sign indicated this. She said once her 5 year old starts school next year re-opening her salon might be considered, there if house does not sale. Pine Grove where they want to buy if the house does sale. Cindy fully understands she must inform and request shop opening inspection forms from myself or Charleston. She also realizes if caught doing hair without shop license there is a \$500.00 fine. She also said her individual license are expired.

C-4-08 RECEIVED TELEPHONE COMPLAINT 07/14/08

Received a call from a gentleman who state that he knew Freda Jackson \$18356 (lapsed license) is operating a shop in her home. She worked for him (he owns Merle Norman in the mall) and is now collecting unemployment but is still doing hair at her house. He has also gone to her house on several occasions in the past and gotten his hair cut there. The address is listed below along with her personal cel phone number. He insisted I call and make a hair appointment "that would be the quickest way to prove it". He said it was wrong for her to collect unemployment and still be doing hair and it was against the law to operate an unlicensed shop in her home. Fred Jackson, 5369 Delta Rd., Lavalette, WV 25535. 304-544-7191.

On 07/25/08 inspector Barbara Conley found address 5369 Delta Rd. Lavalette after three inquiries. At end of graveled driveway there was a large sawhorse covering entrance with sign attached reading private property. At the top of the driveway or the side of hill was house with large dog sitting on porch. I did not pass the sign and enter. Phoned Cindy at Board office immediately and informed her of the situation and asked her to send a letter to Freda Jackson.

C-5-08 RECEIVED TELEPHONE COMPLAINT 07/17/08

Salon Vivace in Greenbrier Hotel is running the shop with an unlicensed person as manager. The manager's name is Michelle Hefer. The girl who called would not give her name but said she was told to call and report the shop from another person.

Copy of the complaint was mailed to inspector Ralph Reed.

On 8/01/08 inspector Ralph Reed fine the shop 2.12 1st offense \$500.00 for not having a licensed manager.

C-6-08 RECEIVED TELEPHONE COMPLAINT 07/17/07

Anonymous caller stated there were 2 guys working in L.A. Nails #14328 who were not licensed. Same caller stated that Regal Nails in Walmart has one guy and one older female working there who are both not licensed. I looked at every Walmart listed and didn't find one in Clarksburg or Harrison Co. but maybe you know one in the area around L.A. Nails. If not don't worry about it. Mailed to inspector Ms. Ferrell.

Inspector Helen Ferrell investigated L.A. Nails on 07/23/08 they received a fine 2.12 for \$2,000 3rd offense for 2 illegal workers will possibly have to go before the WV Board of Barbers and Cosmetologists.

On 07/23/08 she investigated Regal Nails #14945 – Upon arriving at Regal Nails there was 3 people working 2 male 1 female. Fined salon 2.12 \$1,000 – 2nd offense 1st offense Paula Kurczak board member warned 7/04/08.

C-7-08 RECEIVED TELEPHONE COMPLAINT 07/18/08

Anonymous caller stated shop Pro Nails #14863 was not clean and pedicure spa looked dirty. Right afterward client had athlete's foot. She said she never had athlete's foot before and it doesn't take a rocket scientist to figure out where she got it. The oldest lady working there was the one who did her pedicure but everyone working there was cleaning the basins in the same way and they didn't seem like they were cleaning them enough or in the right way. She thought to herself, "Now this can't be right".

Mailed copy of complain to inspector Lynda Ware.

On 08/21/08 inspector Lynda Ware did a regular inspection and gave instructions to clean shop. Talked to Julie Le about complaint and to give the shop a good cleaning and make sure she always disinfects everything she uses on clients.

C-8-08 RECEIVED VERBAL COMPLAINT 07/24/08

Cut Up2 license #14920 owner: Renee complained to inspector when her salon was being inspected that a sign with barber emblem on it at The Hair Gallery, Main St. Grafton, WV.

Helen Ferrell – I had an inspection to do at The Hair Gallery license 09147 manager/owner Judith N. Louzy license #17189. The new sign was up with a barber pole emblem instructed on the inspection slip with warning. Paint over barber pole emblem or hire a barber within 90 days or fine will be issued. They have a very clean salon. Judith was not working but I spoke with both her employees. Judith is on vacation. Her employees extremely respectful and nice. They said they would get in compliance as soon as possible, once they get Judith's permission.

C-9-08 RECEIVED A EMAIL COMPLAINT 07/25/08

I called your office today, the West Virginia State Board of Barbers and Cosmetologists, regarding employees at Nails 2001, 62 Market Place, Cross Lanes not licensed. I am a customer in that shop – by a licensed technician – and I was there last night and two unlicensed gentlemen were doing pedicures and nails as they have been for the past several months. I don't appreciate this, and I am certain if the other customers knew this they would not either, and do not want to be put in a position that they wait on me should my regular tech not be available. I know on the persons name is Lee – Vietnamese decent. I know the other unlicensed person is the owner's (Kim) brother in law, who works most of the time in their other shop that recently opened in Hurricane, I asked my technician if they were licensed and I was told no. I also know that these guys normally wait until evenings and on weekends to work, to avoid the violation. I would very much appreciate it if you would have someone investigate this situation and not allow people that are not trained to perform these services. Also, I would appreciate my name not being mentioned since I am a customer in that shop. Thanking you in advance for your assistance. If you need additional information, please fee free to contact me at the numbers below. G-parsons – 545-8923 cell 558-2346 work

On 08/22/08 inspector Conley investigated complaint of 07/25/08. Kim Vo denied allowing anyone unlicensed to work there. This took place during her regular inspection and she also investigated complaint of 07/30/08. Kim Vo denied accusations. Barbara Conley gave her a copy of the complaint with names blacked out and warned her of fine \$1,000 if complaint found to be true. During time there was another nail tech came in but she was licensed and had photo I.D.

C-10-08 RECEIVED EMAIL COMPLAINT 07/29/08

I've spoken with you a few times in the past expressing my concerns as a student of the International Beauty School in Martinsburg, and although I wish I were writing with reports of improvement the reason for my letter today is to express further disappointment and inconvenience. Aside from the problems that have been present since the day I arrived up to the beginning date of my leave of absence including roaches, which I've been told the building is sprayed for once a month, are still present and much more common, we were still without air conditioning and the temperature was exceeding 80 degrees in the building on a daily basis, piece of our kits, which we received late, were to be replaced due to damage at the time of arrival have still not been issued to us and the overall experience and atmosphere of the institute. Because of the these problems, along with others including a possible address change, I have recently decided to transfer to another school. When I spoke with Jorgina about this I was told that in order to transfer my hours it was necessary to pay the remainder of the tuition. She said the contract signed states that if a student exceeds 50% of his or her "possible" hours he or she is required to pay 100% of the programs tuition. She then printed a copy of the contact which states, "if

a student withdraws during their first 60% of an Academic Year (AY) the tuition charges refunded by the school shall be equal to the portion of the enrollment period for which the student has been charged that remains on the withdrawal date minus any student charges. No refund is due to a student if the student has attended over 60% of the period of enrollment for which the student has been charged". This statement appears to contradict her claim that full tuition must be paid after 50% of the academic year. I also see nothing in the contract that refers to "possible hours". In conclusion, it appears to me that because I have 828 clocked hours and 1122 possible hours, I should not only, have no problem transferring to another school without paying for time I will not be attending, I should also receive a refund for the time that I have not attended. Even though my possible hours, according to her came to 1122 she did not deduct hours that the school was closed due to inclement weather or days when the heat in the building was intolerable and I was unable to attend. Sincerely, Katie Heare.

7-29-08 faxed a copy of the complaint to Jorgina Andrawos at International Beauty School.

On 08/30/08 we received a response from International Beauty School. This letter is in response to a student complaint filed by Katie Heare. The school refund policy clearly states that tuition owed to the school is calculated based on possible hours not actual hours attended. Ms. Heare was advised that terminating the cosmetology program would be costly. In calculating Ms. Heare's possible hours, snow days or other days when the school was closed were not counted as part of her possible hours. The roach problem has been resolved to the best of our ability by hiring an exterminator to fumigate the entire facility monthly. Both air conditioning units have been replaced and all of the duct work has been corrected. I had a meeting with Ms. Heare and her mother. I informed them that the entire balance of the student tuition was due in order to receive transcripts. I also informed them that I would be willing to negotiate a fair and reasonable settlement. However, after reviewing Ms. Heare's attendance did not vary with the heart. In the winter months her attendance was the same. During the meeting I also informed Ms. Heare that I had excused four of her Saturdays and that the new equipment was on its way from the supplier. This took several weeks because of the process involved in returning faulty equipment to the supplier and then receiving it back from the vendor. Ms. Heare is not entitled to any type of refund. At our meeting she chose to take a leave of absence until November. She has not contacted me or informed me of any desire for transcripts or to transfer schools. If she would like to discuss this matter further she can contact me to come to some type of resolution. A copy of this response was mailed to Ms. Heare on 09/03/08.

C-11-08 RECEIVED TELEPHONE COMPLAINT 07/31/08

Sarah of Magic Nails in Hurricane

Problem with Barbara Conley who inspected the shop yesterday (7/30/08). Sarah stated she is an American who is working in Magic Nails, a Vietnamese Nail Salon.

Sarah says Barbara made comments to customers and questioned customers to the point that Sarah feels Barbara ran 5 customers out of the shop. She felt it was unprofessional and thinks its discrimination since she has heard Barbara talk badly about Vietnamese nail shops before. Sarah thinks Barbara caused problems with the customers. If an inspector has a problem with a shop, they should take the owner or manager to the back room and discuss the problems or the fines they are writing, not do it in front of paying customers.

Sarah says Barbara even asked a customer if she had seen them sanitize the whirlpool chair. She states customers don't see them sanitize the chair since its done before customers use it. Unless Barbara swabs the chair she has no proof if its clean or dirty. Her questioning the client in front of other clients caused rumors to leave the shop with the customers who were there to see what was going on. Now its going around town that the shop was fined "by the Health Department because it was dirty."

They did get fined, because Chris's (Chris Nguyen, the owner) younger brother was polishing a 3 year olds nails without a license. They don't plan on fighting that, but its "wrong of her to treat the Vietnamese like she does."

Sarah feels Larry should know about how Barbara treats the Vietnamese and she should be reprimanded for how she acted toward the shop, the customers and Vietnamese nail techs in general.

On 04/18/09 inspector Lamona Casto went to shop. Talked with the owner Chris about the complaint. Of course he said Scotty was not doing a pedicure that he did the cleaning of the shop. Chris said the people at Sally's and Dollar Tree were trying to make trouble for him.

C-12-08 RECEIVED TELEPHONE COMPLANIT 07/30/08

Patricia White was in shop Nails 2001 #12293 approx. 6 weeks back and had new nails puts on. Then se went back for her 3 week fill and the problem began. She said the man didn't seem to know too much but the nails looked pretty good. She went to New York for 2 weeks and her nail beds turned black and fake nails were coming off. She went to the shop and spoke with the owner Kim Vo, who said they need to take them all off and they did. Owner said it looks like there's water under 1 nail and could be a fungus. It didn't get better and on 07/30/08 Ms. White went to Dr. and was told it was a fungus and that it could spread to all her nails if she was not medicated for it. One medicine is a pill which requires blood tests and the other a cream to apply to nails directly. The Dr. said it could take a year to clear up. She has had her nails done for 10 years at different places in Charleston without problems until now. The shop has now let the man who worked on her nails go. The owner said they had other complaints on him. Ms. White said one other time when she was there that a pregnant lady was there and trying to do 2 pedicures and 2 manicures at the same time. That was about 6 months back. She was the only

woman in there at the time. She said it was the owner and that she should have known then that something wasn't right.

Mailed copy of complaint to inspector Barbara Conley on 7/31/08.

On 08/22/08 inspector Conley investigated complaint of 07/25/08. Kim Vo denied allowing anyone unlicensed to work there. This took place during her regular inspection and she also investigated complaint of 07/30/08. Kim Vo denied accusations. Barbara Conley gave her a copy of the complaint with names blacked out and warned her of fine \$1,000 if complaint found to be true. During time there was another nail tech came in but she was licensed and had photo I.D.

C-13-08RECEIVED TELEPHONE COMPLAINT 07/31/08

Anonymous caller said this shop Spa-La-Tida has unlicensed people working there who are doing manicures, pedicures, facials and fixing hair. The caller stated one of these unlicensed workers said they were trained by a manicurist. They were supposedly told by the owner that had contacted the Board office and was told that what they were doing is not illegal. I was also informed that you had been in this shop prior to it opening and once since then. This is not a legal shop. Mailed memo to inspector Barbara Conley.

On 09/16/08 Prev. to submitting shop opening application this shop was reported for performing services without a shop license.

After filling out a shop opening application inspector Barbara Conley approved the shop on October 15, 2008.

C-14-08RECEIVED TELEPHONE COMPLAINT 08/04/08

L. A Nails on Emily drive, Clarksburg Husband and wife visited salon and have witnessed unlicensed workers and unclean pedicure stations, called them "super dirty". The caller didn't see it cleaned between clients and didn't want to get the service done after watching CNN and hearing about fungus.

The wife received an eyebrow waxing service in the one of the rooms in the back (there is also a room that looks like it has a massage table). Trash bins were overflowing with paper towels and it smelled strongly of "fake nail" odor. Had seen clients coming and going and the techs didn't clean "tools used on one client then on the next one". Caller wants to remain anonymous but has called before complaining of dirty shop, and unlicensed workers. Wanted to know how a shop that bad could stay in business and wondered why we didn't shut them down since they were always doing things illegally. Busiest days are Thursday through Saturday and inspector (called them investigator) can see for themselves how this shop is illegal.

On 08/08/08 shop was fined 2.12 3rd + offense \$1,000.00 by inspector.

C-15-08RECEIVED EMAIL COMPLAINT 08/05/08

>>> <nichmom3@aol.com> 08/05/08 2:30 AM >>>

???? Hello, my name is Brandi and I am seeking information on how I can file a complaint and possible lawsuit against a Morgantown nail salon. I went there on June 26, 2008 to get my acrylic nails filled for a wedding I was in that coming weekend. well upon arriving there was the 2 normal people working and another much younger girl. the salon was busy and all 3 of them were working on customers. when it was my turn I sat at the

chair they had requested and the young girl, which I had never seen before today and I frequented the salon, began to buff my nails with the drill they use. well for starters they don't clean these drills between clients and use the same files over and over again. anyway, she buffed a few then on the fourth nail I jerked my hand away because my nail was getting hot. she continued on with the other nails. when she got to the index finger on my left hand she again buffed to much and my nail got hot after a few moments I gave my hand back and she continued with the same nail again. this time she didn't let go when I tried to take my hand away. I finally got my hand away and made her stop with that nail. she then went on with the rest of my nails not doing to bad. well she went to put the primer on my nails it burned my index nail very badly, she asked if it hurt and I told her yes, she said she was sorry and continued on like nothing had happened. The normal woman worker sitting in the next booth was talking to her client when I heard her say the girl doing my nails was her daughter and only 15 years old. now if I'm not mistaken, you have to be licensed to be able to do nails in the state of West Virginia. with this girl being 15 there is absolutely no way she is licensed. well the normal woman came over and air brushed my nails, they dried and I went home. upon getting home I noticed my nail was extremely red and starting to hurt rather badly. I left the artificial nails on for 3 days and thought it best to take them off so I could check my real nails. once I got them off my index nail was buffed clear through my nail into my nail bed. there was actually a small hole in my nail. I went back to the nail salon the very next day

and told them I wanted my money back and that I was filing a complaint if my nail doesn't return to normal. the woman after much debate gave my money back and asked why. I informed her that I knew her daughter wasn't old enough to be licensed, she agreed and said she wasn't but they were busy so she was letting her help and learn at the same time. so here I am over a month later and my nail still has not grown back up where it was buffed clear through. it has grown longer but not up to cover the hole. I want to file a complaint and make sure this does not happen to anyone else. it sends a pain into my finger if anything hits my nail as there is nothing to protect the nail bed. thank you for taking the time to read this and any possible response you may have for me.

Brandi

Brandi:

We would be happy to investigate your complaint if you will provide us with the name of the Morgantown nail salon and possibly the name of the underage girl the provided you the service. As for a lawsuit, you will need to contact an attorney.

Larry W. Absten, Director

Board of Barbers & Cosmetologists

>>> <nichmom3@aol.com> 08/05/08 10:33 AM >>>

thank you for such a quick response. i've had a hard time finding the right person to contact about this. the salon is Hollywood Nails it is located at the Mountaineer mall on the Greenbag rd. in Morgantown. as for the girls name i'm not real sure. she didn't tell her name and stupidly i didn't ask. i wasn't the only person that she worked on, she did 3 other people while i waited and more after me. again thank you for the quick response.

Brandi

-----Original Message-----

From: Larry Absten <larryabsten@wvdhhr.org>

To: nichmom3@aol.com

Sent: Tue, 5 Aug 2008 9:07 am

Subject: Re: complaint against morgantown nail salon

On 08/18/09 inspector Lynda Ware investigated complaint and no illegals were working there, gave shop a warning.

C-16-08 RECEIVED EMAIL COMPLAINT

>>> <Mishelliott2@aol.com> 08/05/08 10:46 PM >>>

Dear Mr. Absten:

I am writing in concern about the Morgantown Beauty College. I am currently a student. I have written Mr. Sodomick with no response, talked with the instructors with no response, and am now seeking help from the State Board.

I am a model student and take my schooling very serious. I feel that the favoritism has gotten out of hand with students and instructors. The fact is, we are here to learn and get out in the real world and work. There is time altering going on with certain students that I feel is not fair because I along with most students are busting our butts to get our time in and make up hours when needed. I have tried taking my concerns to the instructors with no luck. If you are not "in the click" forget it. There is also a student, paying via VA grant money, who has had some issues and problems, but is also being slighted as a student who needs extra help. Instead of the extra help she deserves, she is put at a back station to work on her manikin all day with no attention. The clinic floor is not being run as it should be. When we need haircuts checked or to ask a question about a service, we have to search the building to find the floor instructor. Then you find her on the porch smoking with her "pets" on the front porch, or she is receiving services from students. She has even asked other students to check the haircut or services for her!

And frankly, I am tired of being smart mouthed and talked down to. I get the job finished each and every time there is a task or service at hand. Just today, I witnessed a student being penalized on the manikin worksheet for the day because she did not complete the tasks listed for the day, mind you, I

know for a fact that she had clients solid one right after another from 9am-4:30pm. I don't know how a students' practical grade can suffer because of services being performed on actual clients and not the manikin head! Services are refused by some students who "don't like to do that". This is not OK in my book. If you are available, and the service needs a student, you shouldn't have to ask more than one student to perform. Certain students run the desk or help with tasks to keep from taking clients. The instructors really should have a professional dress code. Short dresses and low cut shirts are not appropriate dress, students are looking up to these instructors for advice and instruction not a peep show. Students are required to have a uniform to show professionalism, therefore it would only be logical for the floor instructor to show the same type of professionalism in their dress attire. These are the same concerns I express to Mr. Sodomick with no response as of yet. I hope by expressing my concerns to you, that you will please take the time to respond to let me know that they have been acknowledged. Several students come to me in confidence with their concerns. I hear them every day. I am asking for some help, please. Normally, I would not say anything, but have been listening for long enough to know that if I don't speak up, no one else will. Even though most of us don't have very much time left at MBC, I feel for the new classes to come. In closing, I wish to express my sincere thanks to you in taking the time to read my email. I hope that you will take an interest in this matter and come to observe for yourself these noted concerns. This way you can observe the performance of the students and instructors for yourself. I truly

believe what you see will speak for itself and where the problems are originating.

Concerned Student

08/05/08 Director Larry Absten did not send a copy of this letter since it was signed concerned student. Most all of these deficiencies/concerns are not the Board's jurisdiction.

C-17-08RECEIVED ANONYMOUS COMPLAINT 08/07/08

Anonymous Compliant on Valley Beauty School from a current student taken by phone on 8/7/08 by Mindi Stewart:

Valley Beauty School in Parkersburg just lost 2 more instructors on Tuesday. The student is concerned one day that they will show up and the school will be closed for lack of instructors. 5 instructors there yesterday and 3 are temporary. When the student asked for help no one helped student and the client's hair was messed up because no one was there to help or they didn't know what they were doing. 2

instructors are assigned to the back classroom and one is with out a license. The student feels that they are not getting education. The school cost \$12,000.00 and there will be loans to pay back for a waste of time. Because of the lack of instructors and the constant changing and losing instructors the student feels they didn't learn what they needed to go on the floor. When you ask one for help they tell you to go ask someone else. No one seems to know what to do or how to help. The student did go to the administration to complain and ask about a transfer but would have to pay off the school to leave and have hours transferred. That isn't financially possible right now.

The student started in February in hair cutting class. There was some "chaos" in class, Bob Bhavani came in class and without finding out what happened, jumped on the instructor both in front of students and then away from students and as a result she quit. The new instructor they hired seems to be on drugs. She didn't know what they had learned and they lost 2 weeks of time trying to find where they were in the lesson and what they still needed to learn. The master instructor is a "zombie"; just walks around in circles all day and there seems to be "nobody home". Lots of students have gone on leave of absence and not returned because of the chaos. The instructors are outside either on their cell phone or smoking and not in the building helping.

On 08/18/08 received a response from Valley Beauty School.

Dear Mr. Absten it has always been the objective of Valley Beauty School to comply with local, state and federal regulations and held high standards to ensure the proper training of the students, with whom it has a responsibility. The school has in place a complaint procedure, whereby the complainant must submit the complaint in writing to the Owner or Director. The complainant has not followed the the complaint procedure outlined in the catalog, and that they have agreed to abide by. Valley Beauty School has substitute instructors capable of fulfilling the educational requirements of the students. The school has substitute instructors for situations to fill in, especially when an instructor employed full time quits without notice. The school follows the refund policy set by the accrediting agency and abides by it. All students are encouraged to ask for help whenever necessary. Simply because the instructor they may ask is not readily available, does not mean they are being ignored. The students themselves are encouraged to also take on the responsibility of private study time to help prepare and learn on their own, when that time presents itself. The cost of tuition, books and kit are clearly and prominently displayed on the enrollment agreement at the time of the students enrollment. Mr. Bhavnani is adamant that the students receive a quality training, and may have been upset about the "chaos" the student refers to. Each instructor has their own personality, and simply because they do not fit the stereotypical profile does not mean they are abusing illegal substances. The student is not aware of the many facets of Valley Beauty School and the lengths at which the school goes to please them. While you can please some of the people some of the time, it is impossible to appease all of the student all of the time. Instructors, like students, take breaks and are permitted to go to designated smoking areas, make a phone call, or tend to other responsibilities they may have. If you have any questions regarding this response, please feel free to contact me at 740-373-3617.

C-18-08RECEIVED TELEPHONE COMPLAINT 07/31/08

Shop had sign "shop is moving" to 442-B Pike St. Board office has no new change of location application. Inspector Helen Ferrell went to new location and they are still painting. She left them a change of location application.

C-19-08RECEIVED EMAIL COMPLAINT 07/31/08

Mr. Absten, my name is Joanna Potter but I was enrolled as Joanna Vance, I recently got married. I attended the International Beauty School in Martinsburg. My mother spoke to you on the phone on Wednesday July 30th about some problems we have been having with the Director of the school, Jorgina Andrawos. My mother told me that you requested a written statement of all the difficulty we have been having. I will start with when I took my medical leave of absence. I had doctors notes and medical records letting them know I was very ill and she told me one day that she had to drop me off the roster. I even filled out paper work for them to have record of it. When you make appointments to see her she cancels half the time because she doesn't want to come in and that is hard to get her to sign any paper work. She canceled my appointment I had made to come see her and get information on how to set up my state boards and just mailed me my transcripts. When I got my transcripts she had spelled my name wrong and wrote in two different color inks. Three of my anatomy grades are missing and I remember taking that class! I have gone through my school books and found all my notes and worksheets on the sections missing. They are nerves, muscles and anatomy the date on my worksheet is October of 2006. We are just trying to get my career going and we are having trouble getting everything squared away with her. I appreciate your concern and I hope we can get everything taken care of.

On 08/13/08 we received a response from International Beauty School. Joanna Vance was very ill during her enrollment in school. She was given a leave of absence. However, once a student exceeds 180 days absent they must be terminated. Ms. Vance was advised of this but told that her financial standing and hours would be held for her until her return. I have never cancelled an appointment with Ms. Vance. I spoke with her over the phone and she told me that all she needed was her transcript. Therefore, there was no need to meet with her. Her transcript was mailed immediately. Since that time she has never called to schedule another appointment until she scheduled an August 5, 2008 appointment with Mrs. Kirby. I attended this meeting to finalize an issue about grades that were missing on her transcript. The reason that these grades were missing is because Ms. Vance had never taken the tests. She attended the classes; therefore she had her notes and worksheets. However, she was absent for the actual tests and no grades could be issued. Prior to August 5, 2008 I had never been contacted by Ms. Vance to

address any issues or concerns. Mrs. Kirby never received a phone call or message that they needed to reach me. The first point of contact on August 5, 2008 was the first time that she told me that she had any questions. I addressed those issues and to my knowledge all matters have been resolved. Thank You, Jorgina Andrawos.

The West Virginia Board of Barbers and Cosmetologists has reviewed your complaint regarding the International Beauty School of Martinsburg, WV. The Board also reviewed the response to your complaint by Ms. Andrawos, owner of the school (copy enclosed). The Board's decision was to dismiss the complaint.

C-20-08 RECEIVED ANONYMOUS TELEPHONE COMPLAINT 08/11/08

Zinnia's #13022 – caller stated she was getting a pedicure and the place was filthy and they reused the same instruments. Mailed copy of the complaint to inspector Ralph Reed.

On 08/12/08 inspector Ralph Reed inspected the shop and told them of the complaint. Not very many customers and all instruments seemed to be cleaned. He gave them a warning not to reuse instruments and about their sanitation.

C-21-08 TELEPHONE COMPLAINT TAKEN 08/26/08

Male caller stated that he had a complaint on a nail Salon...gave the salon's name as

L. A. Nails at the address of 520 Emily Drive Clarksburg, WV.

The gentleman said the salon hired (or hires) people that don't have a license to work there. The unlicensed people that are currently working there have gone or are going for the exam to get their license but they don't have them yet.

09/26/08 Inspector Helen Ferrell – I have not completed investigation on one complaint on L.A. Nails telephone complaint dated 8/28/08, Larry told me after I was threatened at this location while doing a complaint investigation on them 8/8/08 not to go back until we received something from the Attorney

in Charleston. Spoke with Larry today on telephone and he said that there has been another complaint on L.A. Nails, he is going to have Lynda Ware investigate, and I said that was fine with me.

On 10/02/09 Inspector Lynda Ware investigated shop – 4 people were working and 1 person standing at the desk. She introduced herself to the first male worker and he told her he was not doing nails and she asked the customer he was working on was he doing her nails and she said yes. He jumped up and starting yelling at the inspector. Two girls got out their license and I.D. and showed them to her another girl Hai T. Nguyen had a 2006 license and was fined. Inspector wrote a 2nd and 3rd fine offense. She told them the shop needed a good cleaning. Paid fine 11/18/08 \$1,000.00. This shop has paid \$7,000.00 in fines. On 04/27/09 this shop closed.

C-22-08

Telephone message left on the voicemail time stamped 6:08pm August 25, 2008:

“I’m a concerned citizen calling to report a salon that cuts kids hair with lice and doesn’t send them away. It’s Master Cuts in Bluefield, WV in the Mercer Mall. We know of several kids that they cut that had lice and they never sent them away or told them they needed to be treated or any thing.”

There is no shop by that name in Bluefield, WV.

C-23-08 RECEIVED ANONYMOUS TELEPHONE COMPLAINT 08/28/08

Re: Tammy Anderson #29775 (lapsed 12/31/07) 4425 16th Street Rd., Huntington, WV 25701.

Anonymous caller said Tammy is cutting hair out of her home. She also goes to a chiropractor’s home and cuts his and his families hair. She cuts hair at the home of others. She will sometimes trade haircuts for drugs. Caller said Cathy McComas tipped her off the last time she was reported. Cathy is her sister. She thinks Barbara Conley told Cathy and then Cathy told Tammy.

Mailed to Barbara Conley 8/29/08

On 08/28/09 inspector Barbara Conley went by her home and no one was there. She left schedule of fines and will continue to monitor her. Inspector believes she no longer lives there.

C-24-08 RECEIVED TELEPHONE COMPLAINT 09/04/08

Female caller stated that she goes to New Wave #14838 in the Falling Waters area to get her hair done and that there are normally 2 dogs in the salon at all times. She said there was dog urine and feces in the floor and it was just disgusting. She also stated the owner and/or lady working there said when the "Lady" (inspector) came by and had seen a dog there on one occasion, it was told to the inspector that the dog was just visiting. The caller stated she knew that there were always 2 dogs in the salon and she wouldn't have called but "getting your hair done while there was dog *expletives* in the floor" was just too much.

C-25-08 RECEIVED TELEPHONE COMPLAINT 09/04/08

Complaint on Le Grand Salon #10010. Female client says she went in to Le Grand Salon on 8/16 and watched the lady who would be doing her hair. The cosmetologist used the same comb on her that she had used on the client before. According to the caller of the people working there do the same thing, so she thought it was normal. I told her the procedure they should be doing to sanitize their implements. She says she hasn't seen a "glass jar with a lid and blue liquid" on any station in the salon like she has in other salons. She notices that every time she goes to that salon her head starts to itch that day. She has recently gone to the doctor because her head had been itching so badly. After calling the Health Department, who gave her out number, she wants us to go in and check on the salon since they don't seem to be doing something right in regards to sanitation.

On 09/17/09 Inspector Barbara Conley went to the salon for regular inspection. Every station had a wet sanitizer with disinfectant in them which they always have had at past inspections. Each station also had more than the minimum amount of clean combs. The manager, Cindy DeBoard wasn't working so I spoke to the two assistant managers Sheila Lilly and Tracie Kessel. I showed them a copy of the complaint. We talked about sanitizing procedures and they said they would advise employees of complaint. We also discussed that the client may be allergic to disinfectant used on combs or maybe styling product used.

C-26-08 Complaint taken over the phone by female caller (sounded like an employee, she kept saying “we” when referring to the salon) taken 9/8/08.

On 09/17/08 inspector Conley went to the salon for regular inspection. Every station had a wet sanitizer with disinfectant in them which they have had always at past inspections. Each station also had more than the minimum amount of clean combs. The manager, Cindy Deboard, wasn't working so I spoke to the two assistance managers Sheila Lilly and Tracie Kessel. I showed them a copy of the complaint. We talked about sanitizing procedures and they said they would advise employees of complaint. We also discussed that the client may be allergic to disinfectant used on combs or maybe styling product used.

Fantastic Sams, 1st St and 7th Ave Huntington, WV

Employee who worked here and wasn't licensed was named Bobbi Yatt and was working under Linda Eddy's ID number. Linda let Bobbie work under her license for her to get tips only the day she was there. Written up for not being painted; still not painted and there is mold up on the ceiling...they change the tiles but do not clean the mold, so the mold keeps returning.

Copy of complaint mailed to inspector Barbara Conley 09/08/08.

On 12/07/08 inspector Conley spoke to manager Linda Eddy – First of all the operators name was Bobbi Yapp not Bobbi Yett and she is licensed. She is on leave from Fantastic Sams and came into visit. They were extremely busy and Linda asked her to help through the rush – she (Linda) used her I.D. # for the cash register as Bobbi was on leave and let her have her tips as payment. The walls haven't been painted but Linda said owner is planning to remodel. There was no visible mold.

C-27-08 RECEIVED ANONYMOUS TELEPHONE COMPLAINT 09/08/08

Caller stated that she is a customer of Headquarters Beauty Salon located in Inwood, WV. She stated that only one of the operators has a disinfectant jar on their station. She further stated that rumor is that the inspector has a personal relationship with the shop owner and allows this to continue.

Copy of complaint mailed to inspector Lynda Ware 09/08/08.

On 10-08-08 inspector went to shop all seven stations have jars inside and one leaves hers out all the time. They all use dry sanitizer in drawer. I Lynda Ware only know the owner from inspection. I know one of the girls that works there is younger than I. I went to grade school before they moved to Martinsburg area over 35 years ago or more. I was in school with her older sister. Shop is very nice and clean.

C-28-08 RECEIVED A COMPLAINT FROM INSPECTOR ON 09/09/08

Inspector Lamona Casto states Mr. Charlene Curfman/Johnston is a licensed operator and a former shop owner who is now going house to house. Please send her a letter of warning.

On 09/09/2008 Larry Absten director, sent a letter to her stating if the allegations are true she is jeopardizing her license.

On 10/03/08 Ms. Curfman started booth renting at Custom Cuts in Elizabeth, WV.

C-29-08 RECEIVED TELEPHONE COMPLAINT 09/16/

A licensed nail tech wanting to know if she could do eyelash extensions with training...I told her no. She then asked about certain hair removal procedures and I told her only licensed cosmetologists, aestheticians and electrologists can remove hair. She then stated she knew there were others in the area doing hair removal.

1. Indian Sun and Silver (#14018) located on Winchester Ave in Martinsburg. The waxing room is upstairs behind the counter. The product they use for hair removal is called Nufree Nudesse. Judith Wright, owner (?) states she doesn't have to be licensed since the product sugar-free and wax-free. She routinely does legs, eyebrow, face and back hair removal. The shop isn't inspected since it's a tanning facility. They also are doing infrared body wraps.

On 10/19/08 investigated by inspector Lynda Ware. I talked to the owner and told hershe was not allowed to wax anyone without a license. She thought it was ok because her insurance said they did not have any problem with it. The infrared body wraps are with your clothes on and she doesn't touch the body. Told her she could get a cosmetologist in and she would need a shop license and then she would be legal to wax otherwise I told her deacease still she decide what she planned on doing. She said she would.

2. Gigi wax is being used in Allure Nails (#13264) in Martinsburg. The wax machine is kept in the room located behind the first door after the sink on the left, underneath the massage bed, warming.

On 10/19/08 inspector went to Allur nails and they do have a was machine they have two licensed cosmetologists working there that does the waxing. I spoke to the owner and informed him that manicurist were not allowed to wax. He said he know that. The wax sat right on the counter in front the pedicure station.

3. Europe Nails (#13851) in the Martinsburg mall has a waxing room in back, second door on the left. They know what Lynda looks like they cover the wax machine. They watch for her because they have people running out the back door when she comes in. The owner(s) tell the employees to be on the lookout for anyone holding the clip board, to be on their guard.

On 10/19/08 inspector went to shop, they do have a waxing room in the back but she also has a cosmetologist that does waxing. They had 3 people working and only 1 customer.

C-30-08RECEIVED TELEPHONE COMPLAINT 09/17/ 08

Anonymous complaint regarding sanitation issues in several nail salons in the Parkersburg area, especially pedicure stations. The caller (American female) says she knows they have water in the spray bottles that is supposed to contain cleaning chemicals. When the inspector shows up they pull out spray bottles with the cleaning chemicals for the inspections and hide the bottles containing only water. The caller listed the following salons as the ones she personally has had dealings with and knows for a fact that they do not properly sanitize their pedicure stations. As a result, she now refuses to go to any salons in the area for any type of services.

1. Queen Nails (#13703) in Parkersburg

2. Golden Nails (#14148) in Vienna

3. Citi Nails (?) in the Grand Central Mall. I only found the one shop by this name and it is in Morgantown.

11/03/09 inspector has inspected shops several times and found the complaint to be without merit. Another salon calling on them.

C-31-08 RECEIVED ANONYMOUS COMPLAINT 09/08/08

Larry Absten, approved investigation by telephone, Re: Regal Nails #14945 – illegal workers. On 09/12/08 inspector Helen Ferrell went to investigate. Went to shop and found no illegal workers at that time. Waited about an hour went back to shop and all licensed manicurist were working on customers.

C-32-08 RECEIVED ANONYMOUS COMPLAINT 09/08/08

Larry Absten, approved investigation by telephone, Re: Exotic Nails #14794 - very dirty shop doing waxing. On 09/12/08 inspector Helen Ferrell went to investigate. When I arrived there was a male asian that left but I did not see him working on anyone. They have no wax machines there since removed after last inspection. The salon was clean, manicure stations and pedicures. No wax machines were present.

C-33-08 RECEIVED ANONYMOUS COMPLAINT 09/08/08

Larry Absten, approved investigation by telephone, Re: Pro Nails #14183 – waxing being performed without licensed skin care person or cosmetologists. On 09/12/08 went to investigate. Went into salon 4 employees 1 customer. I looked for wax machine. They did not have one, spoke with Tony. Asked if they had done waxing let him read the complaint. He said that several months ago they had a wax machine but when I asked them to remove it they did.

C-34-08 RECEIVED ANONYMOUS COMPLAINT 09/09/08

Larry Absten, approved investigation by telephone, Re: J.C. Penney #006493 at Town Center Mall is remodeling and in his opinion it is not safe enough to be open for business. He declined to be served at the shop.

On 09/11/08 inspector Barbara Conley arrived at the Salon 9:15 a.m. Sales manager and another gentlemen were placing cash register on reception desk. I told sales manager of the complaint. He explained that the only thing done was old stations being removed (which was done in one-working hours) and new ones being installed. This started Monday. As they worked one side of the shop was being worked on and clients were being service on the other side. Then they changed sides and completed work – no ceiling or floor work was being done. While I was there the store manager came in and said exactly the same thing. She apologized for a customer being uncomfortable. She did say it was a little messy but she felt it was safe. In my opinion it was safe – especially today, work is almost completed. They plan on finishing the dispensary area this weekend and doing a deep cleaning to meet all sanitation rules.

C-35-08RECEIVED TELEPHONE COMPLAINT 09/18/09

A client against Upper Cutz Salon (#14370) Morgantown.

The client heard other employees talking about how Tricia (Tricia Ponceroff #25745) had lice. The client noticed that Tricia didn't clean her station or brushes when she left that day, and she also reused brushes with out cleaning them. She didn't think it was right that she did hair while she had lice.

09/18/08 copy of complaint mailed to inspector.

As of 09/25/08 we received no other calls regarding Tricia. The complaint was without merit.

C-36-08RECEIVED TELEPHONE COMPLAINT 09/25/08

A female caller, who wants to remain anonymous, called the Board Office on 9/25/08 and reported to Mindi Stewart state that Logan Nails (#015032), has 2 illegal workers. She knows they have worked there over a year and apparently do not plan on getting their WV license. She requested we investigate soon.

On 10/28/08 the shop had closed and a new owner has taken over.

C-37-08 Complaint by telephone 09/08/08

Anonymous caller reported shop was very dirty. Doing, waxing. Possible unlicensed nail techs.

Inspector Helen Ferrell on 09/12/08 – while in the mall walked through Hollywood Nails not many customers, approximately 6 employees working. Will do extensive investigation on 09/16/08 possibly with help from Lynda Ware.

09/16/08 Detailed report of investigation. Inspector Lynda Ware went through the front door and did an inspection, I came through back door. Lynda gave warning to Ngoc Yen T Le #M02277 she had work permit posted. She did not have her license posted. Two tanning bed rooms both had tanning beds in them. 5 individuals working 3 female and 2 male – total workers with license posted 9. Checked on nail liquid 800-833 nail Creative Nail Design Radical Solar Nail Liquid out of Vista California 92081. Ingredients Ethylmethacrylate meth acylate monomers hydroxyethylmethytolamine. I will telephone Larry tomorrow to see if any of these are illegal ingredients. I checked cabinets, tanning bed rooms, found no wax machine. We Lynda and I saw no illegal/unlicensed workers. Salon can improve on sterilizing etc. but it was not extremely dirty. Lynda gave them instructions, as I have done previously on cleaning pedicures, manicures, sterilizing implements. The salon has wet sterilizer and electrical sterilizer. You can tell that some of their drill bits are mixed in with unsterilized ones. Lynda also told them no towels clean or dirty should be on pedicure spa or manicure station, when not in use. She did an shop inspection record, that she will mail to Charleston with her other records of inspection. Unfounded: complaint of waxing, no unlicensed nail techs. Shop was not extremely dirty. A few noncomplaine's but none that a fine could be given.

On 09/26/08 investigated shop again – 4 workers, 2 male, 2 female all legal. Found no wax or wax machine. I have investigated this Salon in the last few months several times due to telephone in complaints. After speaking with one of the male employees, my understanding is some employees, no longer working and other shop owner/s managers become jealous or for various reasons dislike the shop owners, managers or employees and call in complaints on each other. This causes cost to the State because they do not have to identify themselves. To some extent I believe this is true.

C-38-08 RECEIVED WRITTEN COMPLAINT 09/29/08.

Attention Larry Absten: My name is Sarah Criner and I am a licensed manicurist. License #M01240. I have been working as a manicurist in this state, on and off for the last 8 years. Never in my life have I had the kind of problems with a shop owner as I have had with this last one I worked with. His name is Chris Nguyen and he owns and operates Magic Nails in Hurricane. He is Vietnamese. In June of this year, he sent word through a mutual friend that he needed help in his new nail salon that he had just opened. And requested I come and discuss the possibility of coming to work for him. I agreed to the meeting, and we met toward the end of June 2008. In this meeting we discussed what days he needed help and the way he would pay me. I agreed to 3-4 days a week and the pay would be commission based 60-40. 60% coming to me and 40% to him. He agreed to pay me weekly since I was going to be part time. It started out pretty good, then he started not paying me but every 2 weeks and the checks continued to be short \$50-\$60 here and there. He started expecting me to work 5-6 days a week, berating me to clean the shop. He was not coming in hardly at all and I was left running a shop with 6 pedicure chairs and 6 nail stations by myself, in a strip mall that is open for walk-ins. I was overwhelmed to say the least. I brought this to his attention. A young American boy named Scotty started coming in and Chris would drop him off then leave. This boy was not licensed. He was doing pedicures and manicures, he would also go outside and come back into the shop smelling of marijuana. I complained to Chris, then several customers complained. Scotty did not come back. Then two young Vietnamese started coming in periodically to help with the customers. Their name as I knew them are Tommy and Tina, both of which are siblings of Chris's. Neither of which have a license. Tina is only 17 years old and is enrolled in Nitro High School. Barbara the inspector actually came in to inspect the shop and caught Tommy. He and Chris were fined. But the next day Tommy was right back to work. Some days he would go to the other nail shop that Chris and his girlfriend, Kim Vo run in the Nitro Marketplace called Nails 2001. But he was working on Saturdays at the Magic Nails location. Tina can only work in the evenings and on weekends because of school, and then Tommy would only work few hours here and there. On several occasions Chris would not come in at all and I would close, and was told to leave the money from that day in the drawer for Chris to get the next day. He would come in the next day and there would be money missing. He would then blame me and take that amount from my check. Even though businesses beside this location had employees that would see Tommy come in after hours and leave counting money. Chris started coming in smelling of alcohol, when I would call him during the day when it was busy. He has a gambling problem and would drink then would come in to work chewing gum and work on customers. Then customers started telling me that he would constantly talk bad about me when I wasn't at work, so I finally decided to leave, because I could not take it anymore. This man needs to be shut down. He has no morals and constantly talks about how stupid Americans are and how he can talk his way out of anything. He still owes me \$479.40 for the last 3 days I worked for him which were 9/1, 9/2 and 9/5 of 2008. In the last conversation we had he informed me that he owed me nothing and he was not going to pay, although I have proof of everything I did there. I spoke with you Mr. Absten on 9/26/08 and you informed me that I would have to take the money matter up with Magistrate court which I intend to do. But the important thing is that he should be thoroughly investigated and I guarantee you if you do you will see that unlicensed people are working there. He also does waxing which I thought was not allowed by nail techs. It is in the back of the shop behind the airbrush table under a little box where he hides it. He also cleans nothing with bleach. While I was there he was sanitizing the pedicure chairs with Windex! I don't think that kills germs. Do you? He also

uses the credo callus shavers that are illegal. They are hidden under the pedicure chairs and in the side pockets of the pedi stools. Please all I ask is that you really watch him and reprimand him for what he does wrong. The laws are there for a reason, but somehow this guy is doing whatever he wants and getting away with it, at the sake of the customers. The best time to catch him with other unlicensed workers is on a Saturday, I have several customers that will come to a board hearing if requested to tell you about what kind of services they received especially from Tina, the 17 yr. old. Please contact me if you have any questions or let me know when the next board meeting is and I'll be there! Sincerely, Sarah Criner.

C-39-08 RECEIVED TELEPHONE COMPLAINT 10/10/08

Male barber called. Said he called before. He complained that this shop still has a sign on top of the building advertising it is a barber shop. (Plaza Barber Shop) There are no barbers working there, only 3 cosmetologists. Caller stated he has a lawyer and if the Board didn't do anything about it he would have his lawyer take care of it because it was false advertising.

On 10/10/08 a letter to the shop giving them 30 days from today to remove the sign before action would be taken against them. I sent a copy of the letter and complaint to inspector Lamona Casto.

On 10/16/08 inspector phoned and was at the shop and all signs have been removed.

C-40-08 RECEIVED WRITTEN COMPLAINT 10/21/08

Written complaint from David Le RE: Elite Nails & Spa (5308 MacCorkle Ave. S.W. So. Chas.) Vy Nguyen who is waxing without an Aesthetician license. Enclosed is her flyer which shows all boxy waxing and the prices.

On 11/20/08 Inspector investigated the complaint and told the manager Mark of the complaint and he said there was a cosmetologist working in the salon but she left. As she turned she saw Vee Nguyen exiting shop out the back door carrying what she believed to be the wax machine. Inspector warned them if she came in again and there was any indication of wax or waxing without an aesthetician or cosmetologists there they would be fined.

C-41-08 RECEIVED ANONYMOUS COMPLAINT 09/16/08

RE: La Belle ad advertising African hair braiding at Xyann Beauty Supply

On 10/09/08 Inspector Lynda Ware called and tried to make an appointment and she would be out of town all week to call her when I was ready I told her I would not be able to do it next week. She gives me partial directions and she told me when I was ready she would give me directions on how to find her. I thanked her and told her I would call back. She is in Marquis Landing across from the City Hospital Exit 14 on left side. I will try the next time I'm in the area. Dismissed only selling products, had mailed in a money order and shop opening application but decided not to go through with it.

On 4-19-09 inspector went to shop and fined them 2.9, performing services which the shop/and or practitioner is not licensed and 2.8, practicing without board authorization.

C-42-08 RECEIVED EMAIL COMPLAINT 10/23/08

>>> "Sandy Hebb" <SandyH@sarabrokers.com> 10/23/08 8:07 AM >>>

Good Morning Mr. Absten:

I am a parent of a student that attends the above school which as you know has its problems. Well for the past three days it has been very cold here and they have no heat. Those students are freezing in there and owner/operator will not get someone out there to fix heating system. Any help would be greatly appreciated. Thank you and have a wonderful day!

On 10/23/08 Director Larry Absten phoned the school and told him of the complaint. Owner of the school stated they were having the heating problem looked at.

On 11/17/08 it was brought to the Board's attention that the owner of the school had simply not paid the gas bill.

C-43-08 RECEIVED WRITTEN COMPLAINT ON 10/23/08

Dear Sir, A Mrs. Scarlett Marcum is cutting and coloring men and women's hair at the Bus-Barn Flea Market at West 19th St. in Huntington, WV. She does not have any license or insurance of business license. Is this legal? Your friend, legal license barber.

On 10-23-08 mailed a copy of complaint to inspector.

On 12/7/08 inspector arrived at Bus Barn Flea Market at 9:30 a.m. walked around bus barn for 30 minutes. Went to all stalls. Saw none doing hair. Didn't see any hairstyling equipment in any stalls, including closed stalls. It was very cold outside. I will return at

a later date and time.

On 12/18/08 inspector Conley returned to the Bus Barn Flea Market at around 2:30 p.m. and walked the whole thing and check each booth. There was no evidence of hair being done. This is the 2nd time I've been there. The last time was 12/5/08 around 9:30 a.m. No evidence. I'm going to discontinue this investigation until spring when the weather is warmer and more conducive to doing hair in a large open cold building.

C-44-08 RECEIVED TELEPHONE COMPLAINT 10/27/2008

Female caller stated that she knows Danielle LaCava #36570, is doing hair in her own home or doing hair in other people's houses. She spends time at both her mother's house in Ravenswood, and her boyfriend's apartment in Vienna. Caller isn't sure if she is going to the clients' homes, which would be hard to catch her; or in either place in Ravenswood or Vienna. She has been overheard several times verbally making appointments with clients to do their hair (foils, etc.), but not for the salon.

On several occasions the inspector would try to find her and could not. A letter was sent to her for her to cease and desist or she would be fined.

C-45-08 RECEIVED TELEPHONE COMPLAINT 10/27/08

RE: Sharon Schultz, #14453, Hair Today, #11354 Wheeling, WV. Stephen Jones reported that another booth renter in the shop where he works is doing clients hair in their homes. He has heard her off to do this. These are clients who were in "Hair Today" where Sharon rents a booth when she spoke with theses ladies. They are Ms. S. Pockl, 17 Wren Ct. Wheeling, phone #232-5508 and Deanna Towan, 44 Schuberts Lanes, Wheeling, WV phone #232-8803.

Mailed a copy of complaint to inspector Helen Ferrell. 10/27/08.

On 10/28/08 inspector Ferrell telephoned and spoke with Mrs. Pockl. I explainted who I was and asked if Sharon her hairstylist had told her that she could do hair in her home. Sharon said no. I explained that Sharon could not legally do this unless she was ill and could not leave her home. I also attempted several times to speak with MRs. Towan left messages for her to call me she did not return my calls. On 10/29/08 I would have gone to their homes to check but I have no idea what days she was suppose to do their hair. I did go to Hair Today. They are permanently closed on the door. Closed thank you for all your memories.

C-46-08 RECEIVED TELEPHONE COMPLAINT 10/27/08

Received a telephone complaint from a perspective customer from L.J. Nails located at the Walmart shopping center in Lewisburg, WV #14372. The lady said she refused to have any services performed after asking the owner if they disinfected the implements after each customer. He allegedly informed

her that they did not have to disinfect them after each customer so she refused the service and filed a complaint with our Board.

On 12/16/2008 inspector was there for regular inspection and found everything to be okay.

C-47-08 RECEIVED TELEPHONE COMPLAINT 10/29/08

Received a complaint for the International Beauty School in Martinsburg. The caller is a step-mother to one of the students currently attending. (Taken by Mindi Stewart; this is a lengthy call that I tried my best to summarize.)

There is no heat and it's not been on for at least week and a half. The owner is doing nothing about it and in fact she (Jorgina) told girls there is a "gas shortage and that's why there is no heat" .

All summer there was no air conditioning and now no there is no heat. The students have to wear scarves and gloves and students can't do services that way. The chemicals aren't working on the client's hair because it's too cold.

The school is full of roaches; they are crawling all over the place.

The owner just put a note on her door saying that she just dropped her insurance and if anything happens it's their (the students) right to sue.

"How can a school stay open like that, and why isn't the State Board doing something about it? Why aren't they closing it? Nothing will change as long as the woman who owns the school owns it."

The owner has gotten in trouble with professional sales places because she was buying products in bulk and selling them to drug stores. Now she can't get sales people to come in and sell her professional products. She refuses to show students how much money she is getting from Financial Aid. "She creates their account balances on Microsoft Word so how do we know its right? I think she's siphoning from the government money."

I explained that the financial aid allegations are out of our jurisdiction and she needed to contact the Dept of Ed. and I gave her the phone# 1-800-4FED-AID. I also informed her that she could go online and get a copy of all federal monies sent to every school on her step-daughter's behalf. The above number will help her with that as well.

11/17/08 Most of the complaint is not Board jurisdiction, the heating problem has been corrected.

C-48-08 RECEIVED TELEPHONE COMPLAINT 10/29/08

Student called about International Beauty School on 10/29/08. Taken by Mindi Stewart.

Student started on 10/14/08 for nail tech. She still doesn't have her kit, and she is using the teacher's books. The student never received a handbook. The owner is never there, the student has questions about financial aid loan and she can't get in to see Jorgina to ask her about it. The student is sick with a sore throat and ear pain from no heat in the school, so she has not been in school since Friday. The last time the student saw Jorgina, she brought her dog to the school and it ran around all over, she (Jorgina) came into class and said "We have no heat, it will take 2 weeks to fix there is a shortage or a problem with the gas lines or something and was gone. The teacher won't teach but tells the student to get notes from other students. Student stated that Jorgina won't see students or she isn't there. The student stated she still has to turn in her birth certificate, TB and a few papers and the office is closed and she can't turn those in. *

*That statement prompted me to check our system and the student (Jamie Marks, who is to remain anonymous) isn't registered as a student. I told her that her paper work hadn't been turned in to us and as such she isn't registered as a student. I also told her that she needed to contact 1-800-4FED-AID to get access to her account online for her loan to see the payments made on her behalf.

(Not being registered is probably the reason she hasn't received her kit; she may not be in the school's computer as a student either meaning the school can't take payments for her from the gov't.)

As of 12/02/08 this student is still not registered as a student.

C-49-08 RECEIVED TELEPHONE COMPLAINT 10/31/08

A gentleman took his daughter into Heads or Tails Hair & Tanning Salon yesterday. He said there are two big cats running around the shop and a little box in the back room. He also said there was a very strong smell of marijuana. His daughter is allergic to cat dander and her eyes are still puffy and swollen today. He didn't mind if I mentioned that it was the man with the little girl who reported them. He said

he knows the owner's husband is ill but the marijuana smoke should not be able to come into the shop. He would like to get a call from the owner and for her to apologize.

Mailed a copy of the complaint to the inspector on 11/3/08.

C-50-08 RECEIVED TELEPHONE COMPLAINT 11/20/08

Anonymous complaint from student – reported that the Huntington School of Beauty Culture has not heat.

On 11/26/08 Director Adam Higginbotham and Larry Absten visited the school. Talked to the school owner about the complaint. Heat was on. Owner said one day the heat went out and had it fixed by the end of the day.

C-51-08 RECEIVED WRITTEN COMPLAINT 11/21/08

I am writing to you as the attorney and legal representative of Morgantown Beauty College, Inc. for which after a lengthy meeting with Mr. Michael Sodomick of Morgantown Beauty College, Inc. I have been requested to write a letter to the State of West Virginia of Board of Barbers and Cosmetologists so that Morgantown Beauty College, Inc. , can be on the record, so to speak, regarding what it deems to be several important issues. A lengthy letter resulting in the questions of why two of the instructors have failed the state board exam twice.

On November 21, 2008 a letter was sent from the Director Adam L. Higginbotham to the Board members to review the letter from Mr. Sodomick, saying there are numerous requests that he is demanding. I have numbered them on the letter. Should there be one that I left out , please let me know. He wants their comments before speaking to Mr. Sodomick.

On 11/30/09 a letter was sent out to Mr. Sodomick stating that some points in his letter will be addressed and that the testing process is under review.

C-52-08 RECEIVED TELEPHONE COMPLAINT 11/25/08

Caller Tommy stated there were people at L.A. Nails, #14328, working without a license.

Called Helen Ferrell, inspector to inspect, she stated that she didn't feel comfortable inspecting alone since her life was threatened.

On 12/2/08 inspector and Director, Adam Higginbotham went to the shop. The closure for the complaint against L.A. Nails is 1) no unlicensed workers were performing nail service, 2) the business had 1 customer and has had little business.

C-53-08 RECEIVED WRITTEN COMPLAINT 11/25/08

Inspector received a complaint about Mr. Billers cutting hair at home, this is the third time. He has set up a building by his house on Georgetown Rd. Beverly, WV. He was a licensed barber.

On 11/25/08 letter was sent to Mr. Billing to discontinue operations out of his house. Letter was returned and inspector Lamona Casto was asked to report further findings.

ON 12/10/08 Mr. Biller told inspector about health problems and cutting hair was therapy for him. He said he would have to start paying for therapy and that I had ruined his Christmas. Mr. Biller turn off the light. He had told me earlier that he knew this would happen sooner or later and that this was king of a relief. He and his wife were still in the shop when I left. A car pulled up and a gentleman went in the shop. I'm sure he as there for a haircut.

C-54-08 RECEIVED WRITTEN COMPLAINT 11/25/08

Inspector received a complaint about William Alexander cutting hair at home, this is the third time. He has set up a building by his house on Valley Bend, WV. He was a licensed barber.

On 11/26/08 sent a letter to discontinue operating out of house and without a license. Sent inspector Lamona Casto to investigate.

C-55-08 RECEIVED TELEPHONE COMPLAINT 12/01/08

Anonymous complaint that Mountain Laurel Spa, "there has not been a "real" manager at this shop for the last 4 years. There have been "interim" managers and now there is somebody named as the "interim" manager who is not a licensed person. There is a "lead" cosmetologist. She does not want the responsibility of being the manager.

On 12/1/08 mailed a copy of the complaint to inspector Lamona Casto to investigate.

On 12/12/08 investigator went to shop and they have a manager named Freeda Beam who is licensed.

C-56-08 RECEIVED WRITTEN COMPLAINT 12/04/08

I went to Natural Remedies Spa Salon to have my hair cut on November 28, 2008. While the stylist, Brad was drying my hair the stylist (I don't know her name) at the next station said she needed the "round brush" when he was finished with it. Brad handed it to her and she styled the other patrons hair. At the time I was uncomfortable with the situation but the more I thought about it the more I know it wasn't right. I have tried to think since then I don't think there was even the "germicide" containers on the stations. I know the "round brush" did not go through any disinfectant. Natural Remedies, 6600 Grand Central Ave., Vienna, WV 26105, 304-295-9750. Thank you for your help with this situation.

12/13/09 inspector Lamona Casto went to shop showed them the complaint and warned them but she did find everything to be in compliance.

C-57-08 RECEIVED WRITTEN COMPLAINT 12/05/08

Inspector Lamona Casto wrote Summer Black is a licensed manicurist, who, until recently, worked at Betsy's Unique Style in Spencer. She is now working from her home, an unlicensed facility. Ms. Black has been charged with 14 felony counts of prescription fraud and 14 counts of obtaining prescription drugs. I believe a letter of warning reminding her of the results of this practice.

On 12/11/08 director sent a letter to Ms. Black to cease your operations or she could be fined.

C-58-09 RECEIVED WRITTEN COMPLAINT 01/12/09

Recently, an email was sent to me from a Ms. Deanna Krame for your office. Last week, when I contacted the state board of barbers and cosmetologist, I was told that CNA's were not allowed to perform these duties on residents. However, I think what Ms. Krame is misunderstanding is that...at the Madison Rehabilitation and Long Care facility in Morgantown, there are CNA's (while on the job) that have been cutting and coloring residents hair. And, when they offer their "beauty day" they are not using proper sanitation and disinfectant. They are using the same nail files over and over. So, from what I was told from the state board of barbers and cosmetologist was that regardless if they trained the CNA's or not. CNA's are not nurses. And according to state law, it is illegal for them to perform these duties.

On 01/12/09 It was determined and stated by the Board Office that CAN's (Certified Nursing Assistants) are not allowed to perform any beauty culture functions on patients or clients.

C-59-09 RECEIVED WRITTEN COMPLAINT 01/21/09

Anonymous complaint stating there was an unlicensed worker doing hair at Runway Salon. Tipster heard while at salon that April was a student and was doing hair without proper license.

On 01/21/09 director called Huntington Beauty School confirmed student named April Manns that works at Runway Salon. On 01/21/09 notified Inspector to investigate complaint.

On 01/21/09 inspector Barbara Conley went to the shop and gave them a copy of the complaint. They denied that she worked there and inspector left them a copy of the schedule of fines.

C-60-09 RECEIVED WRITTEN COMPLAINT 01/29/09

Received written complaint that the Charleston school of Beauty Culture was dirty. The shampoo sinks were dirty and air vents and intakes were full of dust and hair.

On 01/30/09 copy of the complaint was mailed to the inspector.

On 02/03/09 inspector Barbara Conley did her regular inspection and found everything was in compliance.

C-61-09 RECEIVED WRITTEN COMPLAINT 01/30/09

A complaint form forwarded to us by Randolph County Health Department, regarding Love Nails at Tygart Valley Mall in Randolph County, nail work caused cuticles to puss and become infect for over a month.

01/30/09 mailed copy of the complaint to inspector.

On 03/05/09 Inspector Lamona Casto went to shop showed them a copy of the complaint. They denied they caused the fungus. The shop has been fined several times, at last inspection written up for several things, anti-bacterial soap at hand sink must be labeled, needs to be sanitized and disinfectant properly – final warning – needs 70% alcohol.

C-62-09 RECEIVED TELEPHONE COMPLAINT 02/06/09

Emily Benear, 304-991-1165 a student at Valley Beauty School in Parkersburg stated she had a client come in with an open wound that contained pus. She went to get an instructor who told her who told her to get the Master Instructor Cheryl (Richardson). The Master Instructor told the student that the client was a regular and to put cholesterol on the sore and do the service. The student was concerned because she had very dry skin and didn't want to come in contact with the infection and possibly contract an infection herself. The student did wear gloves but still is afraid she could catch something contagious from the infection in the sore. She feels it isn't right to make a student perform services on open wounds much less on with infection present.

This is not the Board's jurisdiction. That was the schools choice/decision.

C-63-09 RECEIVED WRITTEN COMPLAINT 02/13/09

Susan Nutter has a complaint RE: The Rage, #014951 is operating a dental bleaching service at the Grand Central Mall in Vienna, WV. They have a kiosk in the mall offering dental teeth bleaching complete with ultraviolet lights and dental chairs. We believe the cosmetologists are practicing outside the parameter of a cosmetology license. She also had filed a complaint with the dental board.

We can not do anything about a kiosk in the mall.

C-64-09 RECEIVED WRITTEN COMPLAINT 03/04/09

Multiple complaints on multiple dates RE: International Beauty School. They have no Air Conditioning, no heat, cockroach problem, unsanitary conditions, drug and alcohol abuse in the school. Operation of school. No supplies or inadequate supplies.

On 03/05/09 inspector Lynda Ware was notified of the complaints for investigation.

This has been an ongoing situation with this school. The Director has talked with the school owner again and discussed the school situation. She assured him she is making the necessary corrections.

C-65-09 RECEIVED TELEPHONE COMPLAINT 03/09/09

Received a anonymous telephone call that Heather Spurlock, #029846 is traveling doing hair in peoples home to get drug money.

On 03/09/09 Director Adam Higginbotham referred the matter to the Huntington Police Department because she was too hard to track with no address. Huntington police Department reported back that she was arrested on 03/08/09 for possession of substance.

C-66-09 RECEIVED TELEPHONE COMPLAINT 03/09/09

A woman telephoned last week and read an ad from the Weirton Daily Times for Terry's Homebound Hair. Ad states that Terry will go to homes in the Weirton area and does hair for those who are too sick to leave their homes. Says ad has run on several occasions. Phone number given as (304) 723-1229 for Terry's Homebound Hair.

03/10/09 mailed copy of the complaint to inspector.

C-67-09 RECEIVED WRITTEN COMPLAINT 03/09/09

A man was in the town for the West Virginia ballgame and stopped at the Campus Cuts #015005 for a haircut. He said the smell of dog and cigarettes was terrible. He said it seemed like a nice spot but between the food lying around, the dog and cigarettes he thought someone should be aware.

03/10/09 mailed copy of complaint to the inspector.

On 04/14/09 inspector attempted to investigate this complaint shop was closed due to spring break. #032361 Trish is living at the shop Campus Cuts 249 Beechurst Ave Mgt. Shop was clean no food or junk

sitting around. The dog met me at the door. I gave her a warning and told her she would be fined if this happened again, 2.49 fine. She is living there due to a divorce. The only way to take dog out is through front door, there is another room there. She smokes outside and smell goes back in the door.

C-68-09 RECEIVED WRITTEN COMPLAINT 03/17/09

Written complaint regard Beth Shreeves, no license/Amy Bassett #032352 / Jan Kelly – no license / Jean Judge – no license / Corina Tennant #22166 – all doing hair outside of shops. Traveling around Wetzel County doing hair in individuals home. They are telling people that they cannot charge them, but can take donations from individuals.

On 03/17/09 Director contact inspector in the read. Asked her to keep an eye out on these individuals in other shops and ask shop owners if they know or have heard of individuals doing hair outside of a shop.

C-69-09 RECEIVED WRITTEN COMPLAINT 03/17/09

Jeff Poling phoned RE: Country Cuts, #011497, stated shop is dirty. Trash is lying around the shop. Gas is shut off and there is no heat available.

Director contacted Helen Ferrell, investigator in region to investigate on 03/18/09 or 03/19/09.

04/11/09 Inspector Helen Ferrell investigated complaint but Brenda Glendenning was not working at that time. Complaint unfounded.

C-70-09 RECEIVED WRITTEN COMPLAINT 03/25/09

Anonymous letter RE: Frederick's Salon, #014169. I was a customer at this salon in February and was not pleased with the services although I did not complain. I asked this stylist if she had a valid license and she dodged the question. Her license was not visibly posted. She seems to work in the evenings

and Saturdays to avoid inspections. I heard that the salon was fined before for her not having a valid license and I believe she is still employed there. I am most concerned about this.

04/11/09 04/11/09 Inspector Helen Ferrell investigated complaint but Brenda Glendenning was not working at that time. Shop was fined for an unlicensed worker and fine was paid.

C-71-09 RECEIVED A PICTURE OF AN AD 04/06/09

Received a picture of an ad/flyer "BRAIDS BY ROXZ!" Prom, sporting events, weddings, work, school....you name it! Listed phone number 304-615-8080.

On 04/06/09 mailed inspector copy of the ad for investigation.

04/11/09 an attempt was made to call the phone number listed and was not in service there was no address or anything on this flyer to investigate.

C-72-09 RECEIVED TELEPHONE COMPLAINT 03/31/09, 04/07/09

Anonymous telephone complaint RE: Pretty Nails #14982. Complainant's girlfriend contracted nail fungus from the establishment from acrylic nails she rec'd on 3/31/09. She is a nurse and when her boss, a doctor, told her it was a nail fungus she went back to the shop and they denied the fact it was a nail fungus. They did remove them but at no charge they were rough and rude to the client, hurting her several times. They dropped nail clippers on the floor and reused them on her without even wiping them off. There was a white puppy running. They keep the dog in the back office and it would run out every time they would open the door around and at times the manager would carry the dog out into the shop.

On 04/08/09 mailed copy of the complaint to the inspector.

On 05/13/09 Manager Thu Thi Nguyen license #32049 at Salon Pretty Nails #10830. I came into salon checked license and photo ID's asked Kathy to speak in private. Showed her complaint. Kathy checked nails, one finger did have slight nail fungus but she is not sure Acrylic Nails was originally done at Pretty Nails. She asked customer if it hurt. Customer said no. Kathy she removed nails, at no charge. Kathy said she was neither rough or rude. That she did re-use nail clippers dropped because she did not drop the nail clippers. When I checked there was no pet on premises. I reminded Kathy that if she or any employees drop anything to do not re-use before sterilizing. I did shop inspection everything passed. No confirmation of pet in shop.

C-73-09 RECEIVED TELEPHONE COMPLAINT 03/30/09

Telephone complaint from Administrator of the Arbors at Fairmont, Ruth Blair RE: inspector Lynda Ware. Said the inspector came in to inspect the shop and told her the cosmetologist who would be running the shop was Melissa Cain to which Lynda said "I can't stand her," Ever since then Lynda has constantly written Melissa up for small things that the Administrator say is petty and not true. She feels Lynda is picking on Melissa due to her personal feelings against her.

On 03/30/09 Director Adam Higginbotham called and confirmed complaint. Lynda discussed her issues as did Ruth. Discussed ways to improve others perceptions. Will monitor next visit and discuss with Ruth and Lynda separately. Director spoke with Lynda and told her to be nicer and if the shop is not in compliance fine or warn them.

C-74-09 RECEIVED TELEPHONE COMPLAINT 04/14/09

Charles Halstead phoned RE: Perfect Nails #013891, on 04/10/09 daughter-in-law went to the shop and later developed a fungus on her foot and started streaking. She went to the doctor and got antibiotics. Doctor stated that the pedicure was probably what initiated the infection.

On 04-14-09 a copy of the complaint was mailed to the inspector.

On 04/18/09 inspector went to the shop. Ms. McCallister, owner of this shop was not aware of any incident but would like to know who the person is so that she could possibly make the correction. She

stated that she couldn't fix a problem if she didn't know what it was. Shop was in a satisfactory condition except for dust. She had sufficient sanitation products and was used properly.

C-75-09 RECEIVED TELEPHONE COMPLAINT 04/16/09

Anonymous complaint that Anh "Ann" Tran #036871 is working at Hair Deco and does not have a booth rental certificate and she is advertising as "Ann's Nail Spa". Complainant knows that Ann has never gone to school for hair or nails but bought a Cosmetologists license in North Carolina.

On 04/16/09 a copy of the complaint was mailed to the inspector.

On 11/16/08 Anh Tran was approved by the Board for reciprocity.

C-76-09 RECEIVED TELEPHONE COMPLAINT 04/16/09

Kim Smith phoned RE: Morgantown Beauty College on 04/04/09. Scheduled a birthday party brought own refreshments place in downstairs lunch room and proceeded with services. When they returned to the cake and refreshments, cock roaches were everywhere. Talked to students and they said was normal...in fridge, light fixtures, etc. Told instructor and she just apologized and seemed sympathetic.

On 04/17/09 a copy of the complaint was mailed to the inspector.

On 04/17/09 the Director made a call to the school to get the problem corrected.

C-77-09 RECEIVED TELEPHONE COMPLAINT ON 04/16/09

Susan phoned RE: Morgantown Beauty College. Got haircut there today and there were cock roaches on the floor and in the corners. Asked the student about it and she said they were in the lunch room as well.

On 04/17/09 mailed copy of the complaint to the instructor.

On 04/17/09 the Director made a call to the school to get the problem corrected.

C-78-09 RECEIVED WRITTEN COMPLAINT ON 04/17/09

Received a complaint RE: Southern West Virginia Community and Technical College Cosmetology program. There are some things that I think that the Cosmetology Board should be aware of I think that there is mistakes being made in our time and some people are being given time that they are not really making up. At least 3 students that I know of were really behind in time (Kristin Mooreland, Chelsea Dolan and Suzanna Vance.

On 04/20/09 Director Adam Higginbotham reviewed hour sheets submitted monthly. Talked to Joan Thompson about the possible hour discrepancy. Increase in student hours were present, but not too alarming. Ms. Dolan had an increase in attendance from 83% in Nov. 08 to 98% in March 09. Ms. Thompson stated Ms. Dolan started attending class more and had a positive attitude change.

C-79-09 RECEIVED TELEPHONE COMPLAINT 05/01/09

Received complaint from Walter RE: A & M's Nails Spa in South Charleston, WV. Said he has been going to this shop for about 4 years, but the last time he was nicked on his right large toes. On Saturday, the toe had a "blood blister" that ended up breaking and draining. Went to the doctor on Monday and was put into the hospital on Tuesday with a staph infection. Spent 3 days in the hospital. Can't work for 3 weeks because he can't stand. No one else does his pedicures, so this infection had to come from this salon.

On 5/1/09 mailed copy of the complaint to inspector.

On May 6, 2009 inspector went to the shop and talked with the owner/manager Tuan Van Tran. He said that they had only about 10 male clients. I looked at the sign in sheet but did not see the clients name. Tam said that some people sign in West Virginia some don't. He also said he would like to know which

nail tech caused this problem. I gave Tam a copy of the complaint. (did not reveal name of person making complaint on his phone number) so that he could discuss this with the nail techs. Other nail techs working at this salon. Hong Nga Huynh, M01981, Nicholas C. Nguyen, M01980, Kim Nguyen Luu M02286. I inspected this shop a few weeks ago and found no deficiencies. I emphasized today the importance of good sanitation and that they should be very diligent about keeping everything clean.

C-80-09 RECEIVED WRITTEN COMPLAINT ON 05/01/09

Anonymous complaint against Summer Nichols Black – operating her manicure business in the basement of her home. Ms. Black is not a well-respected person and has been indicted on felony drug charges. Therefore, I am withholding my name.

On 5-1-09 sent copy of complaint to inspector.

C-81-09 RECEIVED WRITTEN COMPLAINT ON 05/06/09

I, Gerri Austin a cosmetologist for 18 years was giving a job at THE MAPLES retirement home located at 1600 Bland St. Bluefield, WV. On many occasions Kay Papa came to the salon and harassed me over patient's hair. She seems to think that she knows just as much about hair as she does nursing. After many slanderous remarks and the harassment from this nurse I quit the job. On Tuesday, April 28th I went to work and was told the Kay Papa was cutting Betty Rose's hair. On Monday April 27th she told the administrator that she was going to do this, she was told no and yet she took it upon herself to cut her anyway. I felt that this was most definitely over stepping her grounds. I quit on that Thursday after I completed the day. I hope that the State Board of Cosmetology can help me in this matter to ensure that another stylist isn't treated with the disrespect that I had to endure for the three months I worked at this establishment.

05/06/09 Complaint has no merit as nurses are allowed to do hair in nursing homes.

C-82-00 RECEIVED TELEPHONE COMPLAINT ON 05/07/09

Received anonymous telephone call RE: Epicenter Studios – said shop is dirty. Angela does not sweep up hair between clients and uses brushes on clients that already have hair in them from previous clients. Angela sometimes brings dog to shop with her. Angela is very rude to customers.

On 05/07/09 mailed a copy of the complaint in inspector.

C-83-09 RECEIVED WRITTEN COMPLAINT 05/08/09

I am a salon manager in the Martinsburg area and it has come to my attention that a Sabrina Lapole has a falsified license in her home and is operating a home salon business. She is not nor has ever been a licensed cosmetologist in any state ever. When you call her home she has a salon message on the machine and is using products stolen from my salon. Please look into this before she hurts someone. Her address is 500 Bedington Rd. Martinsburg, WV, phone 304-274-0308. Anonymous

On 05/01/09 inspector went to inspect and fined 2.10 \$500.00, 2.8 \$300.00 and 2.9 \$400.00.

C-84-09 RECEIVED TELEPHONE COMPLAINT 05/11/09

Anonymous caller says Sylvia Coleman is working out of her home. She has not been licensed since 1999.

On 05/11/09 mailed copy of the complaint to inspector.

C-85-09 RECEIVED TELEPHONE COMPLAINT 05/14/09

Anonymous caller said there are currently 3 unlicensed nail techs working working in this shop, Natalie's Nail Spa \$14941.

On 05/14/09 sent copy of the complaint to inspector.

C-86-09 RECEIVED TELEPHONE COMPLAINT 05/18/09

RE: Antiki's Salon & Brittany Dillow. Caller said the owner of this salon is not a licensed person and we couldn't find the shop registered under that name but the owner is registered as owner of shop #14319 and previous shops. Caller said Karen changes her last name and moves her shop every couple of years. We have her under Karen Lambert, Karen McPherson and Karen Christian. A woman came to the caller to fix her hair after Karen Christiana's employee Brittany Dillow #36350 burned her scalp and hair.

On 05/18/09 mailed copy of the complaint to the inspector.

C-87-09 RECEIVED WRITTEN COMPLAINT 05/19/09

RE: Natalie's Nail Spa – unlicensed workers, 217 Oak Lee Dr. #11 Ranson, WV 25438

On 05/19/09 mailed copy of the complaint to the inspector.

C-88-09 RECEIVED WRITTEN COMPLAINT 05/22/09

Sandra Morrison – I am a witness which I cannot discuss related to privacy issued. I have had individuals speak to me about this. I have been told that Mr. Bailey has what has been described as drainage from his legs leaking to the floor where he stands and walks. I was told that this has a foul odor. These individuals were concerned about infection control issues and the unsanitary condition that has been present. I request that you make an unscheduled visit to see for yourself. Most people don't want to see him closed or anything but would like for him to seek medical care for his situation. I request that my name to be kept confidential.

On 5/22/09 mailed copy of complaint to inspector.

On 07/14/09 inspector investigated she could not see the sores. He said they were not contagious and signed this statement. She said he had been to the doctor but did not say what was wrong with him.

C-89-09 RECEIVED WRITTEN COMPLAINT 05/22/09

Sherri Horn phoned RE: Nail Tech #13651. Pedicure tubs not being cleaned or sanitized after each person. This happened today 5-22-09. A friend and I went to Nail Tech in Fairmont Mall. I watched as each person sat down that the tub had not been cleaned before they put their feet in it to include the person who sat down after me. I think this is sad and I am sure it has been going on for a long time. I hold a license myself so I do know that this should be done after each person.

C-90-09 RECEIVED TELEPHONE COMPLAINT 06/08/2009

Complaint from Elaine 05/29/09 hair done, RE: Hair Studio. Client went to get perm from Gena. Operator was wrapping and said perm might not take because she had colored her hair. Client asked if rods that operator was using was clean, they had paper on them and hair but operator turned client so she couldn't see and said she would. While wrapping she would quit and do haircuts on clients so wrapping took forever. After processing she said she thought the perm took, she then took out the rods and began combing her hair to cut it but the cut was very uneven. She didn't dry the hair since she didn't want it blow dried. She gave the client a towel to dry her own hair. The client went to the bathroom but it didn't have a sink to wash her hands and it was dirty. The client went home with her hair soaked, so after it was dry it was over processed and straight. She called on Saturday at 4 to see when she could get in to get her hair cut, she told her to come in right then and when the client showed up the door was locked and the operator didn't even answer her cel phone. She let her hair process while the operator was doing other clients, so after the time went off, she sat there for a few more minutes before the operator checked on the client, she even left the neutralizer on too long while doing other clients. She had to go to another salon and get it cut, it was below her shoulders but now it's 2 inches long to have cut off all the over processed hair.

05/29/09 Elaine wants this kept confidential so the Board cannot interfere unless she wants us to. She did not want her money back.

On 06/08/09 mailed copy of the complaint to the inspector.

C-91-09 RECEIVED TELEPHONE COMPLAINT 06/08/2009

Ken filed a complaint RE: Billy's Scott's Hair Alley – student, Christopher Scott is reportedly working at this shop on Saturdays and in the afternoons. Christopher Scott is a registered barber student at Charleston School of Beauty Culture and is still attending class there.

On 06/09/09 mailed copy of the complaint to inspector.

On 07/18/09 inspector Ralph Reed investigated. I watched from both ends of the alley between 11th Ave. and the next street several times and did not see any people in the alley or anyone go into the Barber Shop. I went into the barber shop and identified myself and inspected the shop. While there Christopher Scott came into the shop but wasn't working. I told Mr. Scott the reason for my visit on Saturday and that I would continue to try to catch him working and suggest he go to barber school and get his license. I then left the area. I believe Mr. Scott is allowing Christopher to work in his shop and I will continue to monitor the shop.

C-92-09 RECEIVED TELEPHONE COMPLAINT 06/15/09

Client received a pedicure 06/03/09 and she noticed that the nail tech just picked up instruments off table. They didn't have the instruments in a bag or in a disinfectant solution. Client didn't think anything about it until the worker then used the same implements on the next woman with out even washing them. Everything looks clean when you walk in but they are reusing instruments and she would never go back and is telling anyone to not go there for that reason.

On 6/15/09 copy of the complaint was mailed to the inspector.

C-93-09 RECEIVED ANONYMOUS COMPLAINT 06/24/09

Person making complaint was not happy with haircut from Genea Sherman (too short) Also, said shop was unsanitary, Hair Studio104-A Goff Mt. Rd. Cross Lanes, WV.

On June 24, 2009 inspector went to shop. Genea Sherman told me that she had had two instances when clients were not happy. When I told her about the complaint she said the client's hair was in need of conditioning but she did not cut the hair. As far as sanitation there were three deficiencies but they were nothing critical. The trash container needed to be cleaned, barbicide needed to be changed and there was stain on the carpet. These are all deficiencies that can be easily corrected at the end of any work day. She stated working on making corrections while I was there. There was nothing that warranted a fine. I believe that if the client was happy with her hair she would have never made the statement that the shop was unsanitary. Regardless who was to blame for whatever was wrong with the clients hair, she had to complain about something.