BEFORE THE IOWA BOARD OF COSMETOLOGY ARTS AND SCIENCES

IN THE MATTER OF:	)	Case No. CO 11-163
	)	
Pretty Nails	)	
License No. 103429	)	
	)	
and	)	**STIPULATION AND**
	)	**CONSENT ORDER**
Duy Quang Dau, owner	)	
License No. 065930	)	
	)	
Respondents.	)	

Pursuant to Iowa Code § 17A.10 and 272C.3(4) (2013), and 645 Iowa Administrative Code § 12.1, the Iowa Board of Cosmetology Arts and Sciences (hereinafter, "Board"), and Duy Quang Dau and Pretty Nails (hereinafter, "Respondent"), enter into the following Stipulation and Consent Order settling a disciplinary proceeding pending before the Board.

Allegations specified in a Statement of Charges against Respondent shall be resolved without proceeding to hearing, as the Board and Respondent stipulate as follows:

1. Respondent was issued individual Iowa Nail Technician license no. 065930 (expires 03/31/2014) and shop license no. 103429 (expires 12/31/2014).

2. The Board found probable cause to file charges on or about April 9, 2012 and subsequently filed A Notice of Hearing and Statement of Charges against Respondent.

3. The Board has jurisdiction over the parties and jurisdiction over the subject matter of these proceedings.

4. Respondent has chosen not to contest the allegations set forth in the Notice of Hearing and Statement of Charges and acknowledge that the allegations, if proven in a contested case proceeding, would constitute grounds for the discipline described herein.

5. On the date of the Board's approval of this Stipulation and Consent Order, Duy Quang Dau, shall be assessed a civil penalty in the amount of $1,000 on his individual license and Pretty Nails shall be assessed a civil penalty in the amount of $1,000 on its shop license. This civil penalty shall be paid within thirty (30) days from the Board's approval of this Stipulation and Consent Order, and shall be made payable to the Treasurer of Iowa and mailed to the administrator of the Board, Susan Reynolds, Bureau of Professional Licensure, Lucas State Office Building 5th Floor, 321 E. 12th, Des Moines, Iowa 50319-0075. The civil penalty payment shall be deposited into the State of Iowa general fund. Respondent's licenses will not be renewed until the civil penalties assessed in this paragraph are paid in full.

6. By entering into this Order, Respondent voluntarily waives any right to a contested case hearing on the allegations contained in the Notice of Hearing and Statement of Charges and voluntarily waives any objections to the terms of this Order, including the right to appeal.

7. This Order is voluntarily submitted by Respondent to the Board for consideration. Respondent agrees that counsel for the State may present this Order to the Board ex parte.

8. This Order is subject to approval of the Board. If the Board fails to approve this Order it shall be of no force or effect to either party.

9. This Order shall be part of the Respondent's permanent record and shall be considered by the Board in determining the nature and severity of any discipline to be imposed as a result of future disciplinary proceedings.

10. In the event Respondent violates or fails to comply with any of the terms of this Order, the Board may initiate action to revoke or suspend Respondent's license or to impose

other licensee discipline in accordance with Iowa Code § 272C.3(2).

11. Upon Board approval, this Order shall become a public record available for inspection and copying.

12. The Board's approval of this Order shall constitute a FINAL ORDER.

This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the 12 day of July, 2013.

Duy Quang Dau, Pretty Nails,
Respondent

Subscribed and sworn to before me by Duy Quang Dau on this 12 day of July, 2013.

NOTARY PUBLIC IN AND FOR
THE STATE OF IOWA

This Stipulation and Consent Order is accepted by the Iowa Board of Cosmetology Arts and Sciences on the 15 day of ~~July~~ August, 2013.

CHAIRPERSON, BOARD OF
COSMETOLOGY ARTS AND SCIENCES

cc:

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