

BEFORE THE IOWA BOARD OF BARBERING

IN THE MATTER OF:)	Case No. 11-001
)	
DANIEL PEARCY)	
License # 14411)	
)	STIPULATION
and)	AND
)	CONSENT ORDER
DAN'S BARBER SHOP)	
License # 002987)	
)	
Respondents.)	

Pursuant to Iowa Code ' ' 17A.10 and 272C.3(4) (2011), and 645 Iowa Administrative Code ' 12.1, the Iowa Board of Barbering (hereinafter, "Board"), and Daniel Percy and Dan's Barber Shop (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 barbering license no. 14411 and shop license no. 002987. Both licenses expired on June 30, 2008.
2. A Notice of Hearing and Statement of Charges against Respondent was adopted by the Board on April 26, 2011.
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, Respondent shall be assessed a civil penalty in the amount of \$1,000 on his individual license and \$1,000 on his shop license. This civil penalty shall be paid within ninety (90) 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. This penalty is in addition to any reactivation fees that may also be required.

6. Additionally, Respondent shall have ninety (90) days from the date of this Order to obtain and provide the Board with documentation that he has completed eight (8) hours of continuing education for the July 1, 2008 to June 30, 2010 biennium. These hours of continuing education can not be used for future continuing education requirements and are in addition to any continuing education hours Respondent obtained for the compliance period of July 1, 2008 and June 30, 2010. Respondent's barber license will not be renewed until these continuing education hours have been completed and documented as noted in this paragraph.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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).

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

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

This Stipulation and Consent Order is approved by the Board on October 25, 2011.