STATE OF IOWA
BEFORE THE BOARD OF COSMETOLOGY ARTS & SCIENCES

IN THE MATTER OF SECRET NAILS, License No. 002-A00243 RESPONDENT	))))))))	NO: CO 01-028 **STATEMENT OF CHARGES**

Loan Thi Tran
Owner of Secret Nails
4444 First Avenue N.E.
Cedar Rapids, IA 52402

TO THE ABOVE NAMED RESPONDENT:

Pursuant to Iowa Code Chapters 17A, 157, and 272C (2001) the Iowa Board of Cosmetologist Arts and Sciences (Board) has jurisdiction of this matter.

Licenses issued by the Board are subject to the laws of the State of Iowa and the administrative rules promulgated by the Board. The Board issued cosmetology salon license number 002-A00243 to the Respondent on January 9, 1998. Respondent's cosmetology salon license is active and current through March 31, 2002. Board records show that Loan Thi Tran is the owner of Respondent Secret Nails. The Respondent's last known address is 4444 First Avenue N.E., Cedar Rapids, Iowa 52402.

COUNT I

Respondent is charged with permitting an unlicensed employee or person under the licensee's control to perform activities requiring a license. See Iowa Code §§ 157.2, 157.3, 157.13 (2001); 645 IAC 65.12(9)(a) [now 645 IAC 65.1(9)(a)].

CIRCUMSTANCES

1. During an inspection of the Respondent salon, two individuals were witnessed by the person conducting the inspection to be performing nail technology services at the Respondent salon.

2. Person #1 possessed a license issued by the Board to perform nail technology services in the State of Iowa. Person #1 indicated that the other person then working in the Respondent salon was not licensed in the State of Iowa to perform nail technology services.

3. Board records indicate that Person #2 is not licensed by the Board to perform nail technology services.

4. Nail technology is a cosmetology arts and sciences practice. See Iowa Code § 157.1(3) (2001). Iowa law provides that practitioners of cosmetology arts and sciences must possess a license issued pursuant to Iowa Code Section 157.3. See Iowa Code § 157.2.

5. By employing or permitting persons without an Iowa license to perform cosmetology arts and sciences, the Respondent's salon license is subject to discipline. See Iowa Code § 157.9; 645 IAC 65.12(9)(a) [now 645 IAC 65.1(9)(a)].

6. The respondent has engaged in conduct that violates the laws and rules governing the practice of cosmetology arts and sciences in the State of Iowa and the Board has jurisdiction to initiate a disciplinary proceeding in this case.

FINDING OF PROBABLE CAUSE

On August 7, 2001, the Iowa Board of Cosmetology Arts and Sciences found probable cause to file this Statement of Charges and to order a hearing set in this case.

Dated this _____ day of _____, 2001.

IOWA BOARD OF COSMETOLOGY
ARTS AND SCIENCES

_____
Marge Bledsoe
Acting Board Administrator

Copies to:

John Lundquist
Assistant Attorney General
Hoover Building
LOCAL