

BEFORE THE IOWA BOARD OF COSMETOLOGY ARTS AND SCIENCES

IN THE MATTER OF:)	Case No. CO 09-60
)	
TRAHVAE PEARSON,)	STIPULATION AND
License No. 59641,)	CONSENT ORDER

Pursuant to Iowa Code §§ 17A.10(2) and 272C.3(4) (2009), and 645 Iowa Administrative Code § 12.1, the Iowa Board of Cosmetology Arts and Sciences (hereinafter, "Board"), and Trahvae Pearson (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 Trahvae Pearson was issued cosmetology license number 59641 on December 13, 1999 and an instructor's license on October 20, 2000. Each license is now current.
2. A Notice of Hearing and Statement of Charges against Respondent was adopted by the Board on January 11, 2010.
3. The Board has jurisdiction over the Respondent 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 acknowledges that the allegations, if proven in a contested case proceeding, would constitute

grounds for the discipline described herein.

6. On the date of the Board's approval of this Stipulation and Consent Order, Respondent's licenses shall be placed on probation on terms which shall include the following:

- a. Respondent agrees to comply with the terms of probation.
- b. The period of probation shall be two (2) years, provided, however, that only those periods during which Respondent has a valid license issued by the Board shall count toward exhaustion of the probationary period.
- c. Within three (3) months after the date of the Board's approval of this Stipulation and Consent Order, Respondent Trahvae Pearson shall complete not less than four (4) hours of formal, structured continuing education ("CE"), which shall be pre-approved by the Board. The CE shall be focused on compliance with Iowa law and Board rules relating to cosmetology, and maintaining salon and salon equipment cleanliness. This CE shall be in addition to – not in lieu of – of CE required for license renewal.
- d. Respondent Trahvae Pearson shall be assessed a civil penalty in the amount of \$500. This civil penalty shall be paid promptly after 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. All civil penalty payments shall be

deposited into the State of Iowa general fund.

e. Respondent shall obey all federal and state laws, rules, and regulations related to the practice of cosmetology, including laws relating to employment of unlicensed persons and laws.

f. Respondent shall report to the Board quarterly, in a typewritten format. The report shall include Respondent's place of business or employment, current address and phone number, *Respondent's most recent efforts to implement the provisions of this Stipulation and Consent Order, by date*, and any further information deemed necessary by the Board from time to time.

g. Respondent shall inform the Board, in writing, of any change of home or business address, place of employment, home telephone number, or work telephone number, within ten (10) days of such a change.

h. Respondent shall appear informally before the Board, upon the request of the Board, for the purpose of reviewing his performance during the probationary period. Respondent shall be given reasonable notice of the date, time, and place for the appearances.

i. Such other reasonable terms as the Board may wish to impose during the probationary period.

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.

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 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 licenses or to impose other licensee discipline in accordance with Iowa Code § 272C.3(2)(a).

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 July 12, 2010.