STATE OF IOWA
BEFORE THE BOARD OF COSMETOLOGY ARTS & SCIENCES

IN THE MATTER OF:                          )

The Groom Room                              )  CASE NO.  CO 14-0215
License No. 104874                            )
and                                          )  STATEMENT OF CHARGES,
Troy D. Tinnean, Co-Owner                     )  SETTLEMENT AGREEMENT AND
License No. 64103                             )  FINAL ORDER
and                                          )
Karen L. Tinnean, Co-Owner                    )
License No. 64100                             )
RESPONDENTS                                  )

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COMES NOW the Iowa Board of Cosmetology Arts and Sciences (Board) and
The Groom Room, through its owners Troy Tinnean and Karen Tinnean (Respondents),
and hereby enter into this combined Statement of Charges, Settlement Agreement, and
Final Order (Agreement & Order) pursuant to Iowa Code sections 17A.10, 272C.3(4),
and chapter 645 Iowa Administrative Code (IAC) rule 12.1.

STATEMENT OF CHARGES

1. Respondents were issued license number 104874 to operate a salon in the
State of Iowa on September 13, 2013. Respondents’ salon license will expire on
December 31, 2014. Respondent Troy Tinnean was issued a cosmetology license
number 64103 on April 20, 2006. Respondent’s individual license will expire on March
31, 2016. Respondent Karen Tinnean was issued a cosmetology license number 64100
on April 20, 2006. Respondent’s individual license will expire on March 31, 2016.
2. Board records indicate that Respondents’ salon is located at 526 Main Street, Suite 103, Ames, Iowa, 50010.

3. The Board has jurisdiction over the parties and the matter pursuant to Iowa Code chapters 17A, 157, and 272C.

**COUNT I - UNSANITARY PRACTICES**

4. Respondents are charged under Iowa Code §§ 147.55 and 157.9 (2013), and 645 IAC § 65.2(13), with engaging in unsanitary practices, in violation of Iowa Code § 157.6 (2013) and 645 IAC §§ 63.6(9), 63.11(3) and 63.13(3).

**COUNT II - FAILURE TO POST RULES**

5. Respondents are charged under Iowa Code §§ 147.55 and 157.9 (2013), and 645 IAC § 65.2(13), with failing to properly post a copy of the most recent sanitation rules in the reception area at eye level in violation of 645 IAC § 63.2.

**COUNT III - FAILURE TO POST PROFESSIONAL LICENSES**

6. Respondents are charged under Iowa Code §§ 147.55 and 157.9 (2013), and 645 IAC § 65.2(13), with failing to properly post license renewal cards in the reception area at eye level in violation of 645 IAC § 63.3(3).

**COUNT IV - PRACTICE BEYOND SCOPE OF LICENSE**

7. Respondents are charged under Iowa Code §§ 147.55 and 157.9 (2013), and
645 IAC § 65.2(13), with knowingly operating outside the scope of their license in violation of 645 IAC §§ 63.4(3) and 65.2(5) (shaving).

COUNT V - FRAUDULENT REPRESENTATION OF THE PROFESSION

8. Respondents are charged under Iowa Code §§ 147.55 and 157.9 (2013), and 645 IAC § 65.2(13), with fraudulently and deceptively representing themselves to the public as licensed barbers in violation of 645 IAC § 65.2(3).

COUNT VI - UNTRUTHFUL STATEMENTS IN ADVERTISEMENTS

9. Respondents are charged under Iowa Code §§ 147.55 and 157.9 (2013), and 645 IAC § 65.2(13), with using untruthful statements in the course of advertising their business as a barber shop that provided barbering services (shaves) on their web site, Facebook page and phone book in violation of 645 IAC § 65.2(4).

FACTUAL CIRCUMSTANCES

10. On or about August 13, 2014, the following violations were documented.

11. Sanitation rules were not posted in the front entrance area.

12. Salon license was not visibly posted for the public.

13. Disinfectant jars were cloudy and contained debris.

14. The salon did not have a first aid kit.

15. The salon did not have a biohazard bag.
16. Certificates that awarded the salon as the best “Barber” or best “Barber Shop” by local media were posted on the walls.

17. A sign was posted at the counter that offered shaving services.

18. Razor and shaving supplies were sold at the salon.

19. Respondent Troy Tinean admitted that he sponsored a shaving clinic to the public.

SETOLEMENT AGREEMENT AND FINAL ORDER

20. Respondents agree to pay to the Board a civil monetary penalty of $500.00 total. The funds shall be payable to the State of Iowa. Respondents shall remit full payment of the civil monetary penalty within 60 days of the date this Order is executed.

21. Respondents Troy Tinean, Karen Tinean and all employees of The Groom Room shall complete eight (8) hours of continuing education; two (2) of the eight (8) hours will in the area of Iowa law and sanitation within sixty (60) days of the date this Order is executed.

22. Respondents Troy and Karen Tinean will provide proof to the board office that advertising via the web, Facebook and any other venue of advertising that misleads the public to believe that Respondents provide barbering services have been suspended.

23. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

24. By entering into this Agreement and Order, Respondents voluntarily waive any rights to a contested case hearing on the allegations contained in the Agreement and Order and voluntarily waives any objections to the terms of the Agreement and Order, including
the right to appeal.

25. This combined Agreement and Order, is voluntarily submitted by Respondents to the Board for consideration.

26. Respondents acknowledge they have a right to be represented by counsel in this matter.

27. Respondents agree that counsel for the State may present this Agreement and Order ex parte to the Board.

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

29. This Agreement and Order shall be part of the Respondents’ permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violation.

30. In the event Respondents violates or fails to comply with any of the terms of this Settlement Agreement and Final Order, the Board may initiate appropriate action to revoke or suspend Respondents’ licenses or to impose other licensee discipline in accordance with Iowa Code section 272C.3(2)(a).

31. This Agreement, and Order is a public record available for inspection and copying upon execution of the Agreement and Order in accordance with the requirements of Iowa Code chapter 22 and 272C.

32. The Board’s approval of this Agreement and Order shall constitute a FINAL ORDER of the Board.

Wherefore, the terms and conditions of this Statement of Charges, Settlement
Agreement, and Consent Order are agreed to and accepted by the Iowa Board of Cosmetology Arts & Sciences and the Respondents.

Respondent(s)  Iowa Board of Cosmetology Arts & Sciences

By:  By: Chairperson

Dec. 12, 2014  1-12-15
Date  Date

Karen Tinnean
By:

12-12-2014
Date

cc:  Troy and Karen Tinnean, Owners
     The Groom Room
     526 Main Street, Suite 103
     Ames, IA  50010

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