

STATE OF IOWA
BEFORE THE BOARD OF COSMETOLOGY ARTS & SCIENCES EXAMINERS

IN THE MATTER OF:)	
)	NO: 01-030
HELEN'S NAILS)	
License No. 002-009711,)	STATEMENT OF CHARGES
)	
RESPONDENT)	

Helen's Nails
% Danh and Hang Ho, Owners
9753 University Avenue
Clive, Iowa 50325

TO THE ABOVE NAMED RESPONDENT:

1. On or about March 4, 2003, pursuant to a Consent Order entered that same date, attached as Exhibit 1, the Iowa Board of Cosmetology Arts and Science Examiners (Board) issued cosmetology salon license number 002-009711 to Respondent.

2. Board records show that Danh Ho and Hang Ho are the owners of Respondent Helen's Nails. Respondent's last known address is 9753 University Avenue, Clive, Iowa.

3. Pursuant to the Consent Order, Respondent's salon license was placed on probation for a one year term ending March 4, 2004, and Respondent was subject to a number of terms of probation including, but not limited to, the filing of quarterly reports providing information regarding its employees.

4. Licenses issued by the Board are subject to the laws of the State of Iowa and the administrative rules promulgated by the Board.

5. The penalties authorized under Iowa law which the Board may impose against any licensed cosmetology salon found to have engaged in prohibited conduct include imposition of a civil monetary penalty up to \$1,000 and/or revocation of the

licensee's cosmetology salon license. See Iowa Code sections 157.9, 272C.3 (2003) and 645 Iowa Administrative Code (IAC) rules 13.1 and 65.3.

6. Pursuant to Iowa Code chapters 17A, 157, and 272C (2003), the Board has jurisdiction of this matter.

COUNT I

7. In violation of 645 IAC rule 65.2(21), Respondent is charged with violation of the terms of an order issued by the Board.

CIRCUMSTANCES

8. The terms of the Consent Order require Respondent file "quarterly employee reports" attesting to certain information regarding its employees. Pursuant to the Consent Order, the first required report was to be submitted by April 1, 2003, and each report thereafter by the first day of every subsequent third month--July, October, and January.

9. On January 21, 2004, Respondent submitted its quarterly report for the months July through September, 2003. On that same date, Respondent submitted its quarterly report for the months October through December of 2003.

10. Respondent violated the terms of the Consent Order in that it failed to timely file the required quarterly reports with the Board.

11. Pursuant to Iowa Code section 147.55 and 645 IAC rule 65.2(21), a license issued by the Board is subject to discipline if a licensee violates the terms of an order entered issued by the Board.

FINDING OF PROBABLE CAUSE

On February 4, 2004, the Board found probable cause to file this Statement of Charges and to order a hearing set in this case.

This Statement of Charges was approved by the board on May 5, 2004.