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

IN THE MATTER OF

LOVELY NAILS
License No. 002-A00960

RESPONDENT

Dien T. Nguyen
Owner of Lovely’s Nails
107 North Ankeny
No. 1
Ankeny, IA 50021

TO THE ABOVE NAMED RESPONDENT:

1. On or about August 4, 1999, the Iowa Board of Cosmetology Arts
and Sciences Examiners (hereafter “Board”) issued cosmetology salon license
number 002-A00960 to the Respondent. Respondent’s license to operate a
cosmetology salon is current until December 31, 2002. Board records show that
Dien T. Nguyen is the owner of Respondent Lovely’s Nails. Respondent’s last
known address was 107 North Ankeny, No. 1, Ankeny, Iowa 50021.

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

3. 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 money penalty up to $1,000

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

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 65.1(9)a.

CIRCUMSTANCES

5. During an inspection of the Respondent salon on August 14, 2001, Person #1 was witnessed by the person conducting the inspection to be performing nail technology services at the Respondent salon.

6. During an inspection of the Respondent salon on August 27, 2001, Persons #1 and Person #2 were witnessed by the person conducting the inspection to be performing nail technology services at the Respondent salon.

7. Board records indicate that neither Person #1 nor Person #2 are licensed by the Board to perform nail technology services in the State of Iowa.

9. 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 65.1(9)a.

10. 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 November 8, 2001, the Iowa Board of Cosmetology Arts and Sciences Examiners 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 January 26, 2002.