BEFORE THE IOWA BOARD OF COSMETOLOGY ARTS AND SCIENCES

IN THE MATTER OF:

Nails Expo
License No. 104045

and

Theresa Yen Dang Nguyen, owner
License No. 01122

Respondents.

STIPULATION AND CONSENT ORDER

Case No. CO 09-074

Pursuant to Iowa Code § 17A.10 and 272C.3(4) (2013), and 645 Iowa Administrative Code § 12.1, the Iowa Board of Cosmetology Arts and Sciences (hereinafter, "Board"), and Theresa Yen Dang Nguyen and Nails Expo (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 was issued individual Iowa Nail Technician license no. 01122 (expires 03/31/2014) and shop license no. 104045 (expires 12/31/2014).

2. The Board found probable cause to file charges on or about April 9, 2012 and subsequently filed A Notice of Hearing and Statement of Charges against Respondent.

3. The Board has jurisdiction over the parties 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.
5. On the date of the Board’s approval of this Stipulation and Consent Order, Theresa Yen Dang Nguyen, shall be assessed a civil penalty in the amount of $250.00 on her individual license and Nails Expo shall be assessed a civil penalty in the amount of $250.00 on its shop license. This civil penalty shall be paid within thirty (30) days from 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, Susan Reynolds, Bureau of Professional Licensure, Lucas State Office Building 5th Floor, 321 E. 12th, Des Moines, Iowa 50319-0075. The civil penalty payment shall be deposited into the State of Iowa general fund. Respondent’s licenses will not be renewed until the civil penalties assessed in this paragraph are paid in full.

6. 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.

7. 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 ex parte.

8. 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.

9. This Order shall be part of the 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.

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

11. Upon Board approval, this Order shall become a public record available for inspection and copying.

12. The Board's approval of this Order shall constitute a FINAL ORDER.

This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the \underline{4} day of October, 2013.

Theresa Yen Dang Nguyen, Nails Expo, Respondent

Subscribed and sworn to before me by Theresa Yen Dang Nguyen on this \underline{4} day of October, 2013.

CLAUDIO AGUAYO
Commission Number 779024
My Commission Expires June 24, 2016
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

This Stipulation and Consent Order is accepted by the Iowa Board of Cosmetology Arts and Sciences on the \underline{25} day of October, 2013.

KIMBERLY PAGE
CHAIRPERSON, BOARD OF COSMETOLOGY ARTS AND SCIENCE

cc:

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