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

________________________________
IN THE MATTER OF
FANCY NAILS
License No. 002-009439
RESPONDENT

NO: CO 03-006

STATEMENT OF CHARGES

Uyenthanh Thi Nguyen
Owner of Fancy Nails
5717 N. Elmore Ave.
Davenport, IA 52807

TO THE ABOVE NAMED RESPONDENT:

1. On or about November 18, 2002, the Iowa Board of Cosmetology Arts
   and Sciences Examiners (hereafter “Board”) issued cosmetology salon license
   number 002-009439 to the Respondent. Board records show that Uyenthanh Thi
   Nguyen is the owner of Respondent Fancy Nails. Respondent’s last known
   address was 5717 N. Elmore Avenue, Davenport, Iowa, 52807.

2. Licenses issued by the Board are subject to the laws of the State of Iowa
   and the administrative rules promulgated by the Board. At all times relevant to the
   conduct alleged in this Statement of Charges, Respondent’s salon license was
   active and current.

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 and/or revocation of the licensee’s cosmetology salon license. See Iowa Code §§ 157.9, 272C.3 (2003), 645 Iowa Admin. Code §§ 13.1, 65.1.

4. Pursuant to Iowa Code Chapters 17A, 157, and 272C (2003) 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 (2003); 645 Iowa Admin. Code § 65.1(9)a.

**CIRCUMSTANCES**

5. During an inspection of the Respondent salon on December 31, 2002, Person #1 and Person #2 were witnessed by the person conducting the inspection to be performing nail technology services at the Respondent salon.

6. 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.


8. 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 (2003); 645 Iowa Admin. Code § 65.1(9)a.
FINDING OF PROBABLE CAUSE

On February 5, 2003, 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 is approved by the board on February 21, 2003.