STATE OF MINNESOTA

BOARD OF BARBER EXAMINERS

In the Matter of Ray Robinson, Owner
Five Star Barber Shop
Barber Shop License No. 14004404
RESPONDENT

STIPULATION AND ORDER

Board File No. AP20150226

TO: Ray Robinson, Owner
Five Star Barber Shop
7818 45th Ave N
New Hope, MN 55428

The Minnesota Board of Barber Examiners ("Board") is authorized pursuant to Minnesota Statutes sections 214.10 and 154.001 to 154.28 (2014) to review complaints against barbers and to take disciplinary action whenever appropriate. The Board is authorized by Minnesota Statutes section 154.162 (2014) to issue administrative penalties as provided therein.

The Board received information concerning Respondent as a result of a routine barber shop inspection. Pursuant to Board Resolution 2013-1, the Board's Complaint Committee ("Committee") is authorized to issue administrative penalties and to enter into settlement agreements when appropriate. The committee reviewed the information regarding the above referenced inspection. The parties have agreed that the matter may now be resolved by this Stipulation and Order.

STIPULATION

IT IS HEREBY AGREED by and between Respondent and the Committee as follows:

1. Jurisdiction. Respondent has held a Barber Shop license to operate a Barber Shop since October 20, 2014. Respondent is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation.

2. Facts. This Stipulation is based upon the following facts:

a. Respondent was first licensed operate a barber shop in the State of

Minnesota on October 20, 2014.

b. Respondent is the owner of record of Five Star Barbershop located at 1415 E 66 St., Richfield MN 55423.

c. On February 26, 2015 the Board's Inspector conducted a routine inspection of Five Star Barbershop.

d. Upon inspection it was determined that barber William McCrearry's registered barber license had expired on December 31, 2014 and was not current at the time of inspection.

3. Violations. Respondent admits that the facts specified above constitute violations of Minn. Stat. § 154.162(2014) and are sufficient grounds for the action specified below.

4. Enforcement Action. Respondent and the Committee agree that the Board should issue an Order in accordance with the following terms:

a. Respondent shall pay an Administrative penalty in the amount of One Hundred Dollars ($100.00), which must be received by the Board within 30 days of the Respondent's receipt of the attached and signed Order of the Board approving this Stipulation.

5. Waiver of Respondent's Rights. For the purpose of this Stipulation, Respondent waives all procedures and proceedings before the Board to which Respondent may be entitled under the Minnesota and United States constitutions, statutes, or the rules of the Board, including the right to dispute the allegations against Respondent, and to dispute the appropriateness of discipline in a contested case proceeding pursuant to Minn. Stat. Ch. 14 (2014) imposed by this Agreement. Respondent agrees that upon the application of the Committee without notice to or an appearance by Respondent, the Board may issue an Order containing the enforcement action specified in paragraph 4 herein. Respondent waives the right to any judicial review of the Order by appeal, writ of certiorari, or otherwise.

6. Board Rejection of Stipulation and Order. In the event the Board in its discretion

6. Board Rejection of Stipulation and Order. In the event the Board in its discretion does not approve this Stipulation and Order or a lesser remedy than specified herein, this Stipulation and Order shall be null and void and shall not be used for any purpose by either party hereto. If this Stipulation is not approved and a contested case proceeding is initiated pursuant to Minn. Stat. Ch. 14 (2014), Respondent agrees not to object to the Board's initiation of the proceedings and hearing the case on the basis that the Board has become disqualified due to its review and consideration of this Stipulation and the record.

7. Unrelated Violations. This settlement shall not in any way or manner limit or affect the authority of the Board to proceed against Respondent by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Respondent justifying disciplinary action which occurred before or after the date of this Stipulation and Order and which is not directly related to the specific facts and circumstances set forth herein.

8. Record. The Stipulation, related investigative reports, and other documents shall constitute the entire record of the proceedings herein upon which the Order is based. The investigative reports, other documents, or summaries thereof may be filed with the Board with this Stipulation.

9. Data Classification. Under the Minnesota Government Data Practices Act ("Data Practices Act"), this Stipulation and Order is classified as public data upon its issuance by the Board. Minn. Stat. § 13.41, subd. 5 (2014). All documents in the record shall maintain the data classification to which they are entitled under the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 (2014). They shall not, to the extent they are not already public documents, become public merely because they are referenced herein. This Order will appear on the Board's website.

10. Entire Agreement. Respondent has read, understood, and agreed to this Stipulation and is freely and voluntarily signing it. The Stipulation contains the entire agreement between the parties hereto relating to the allegations referenced herein. Respondent is not relying on any other agreement or representations of any kind, verbal or otherwise.

11. Counsel. Respondent is aware that he may choose to be represented by legal counsel in this matter. Respondent knowingly waived legal representation.

12. Service. If approved by the Board, a fully signed copy of this Stipulation and Order shall be served personally or by first class mail on Respondent. The Order shall be effective and deemed issued when it is signed by the Chair of the Board.

RESPONDENT

Ray Robinson, Owner Five Star Barbershop, Respondent

6-22-15
Date

SUBSCRIBED and sworn to before me on this 22nd day of June, 2015

Notary Public

THORA GENE FISKO
Notary Public
Minnesota
My Commission Expires January 31, 2020

1-31-20
My Commission Expires

ORDER

Upon consideration of the foregoing Stipulation and based upon all the files, records, and proceedings herein, all terms of the Stipulation are approved and hereby issued as an Order of this Board on this the 27th day of July, 2015.

MINNESOTA BOARD OF BARBER EXAMINERS

Jon Stone, Chair