STATE OF MINNESOTA

BOARD OF BARBER EXAMINERS

In the Matter of: In the Kut Barbershop
Darrell Johnson Owner
RESPONDENT

STIPULATION AND ORDER

Board File No.:AP20150828

TO: Darrell Johnson, Owner
In the Kut Barbershop
1828 E 42nd Street South
Minneapolis, MN 55407

The Minnesota Board of Barber Examiners ("Board") is authorized pursuant to Minnesota Statutes sections 214.10 and 154.001 to 154.28 (2014) to regulate the barbering profession and 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 registration for the above referenced barber shop from the Board since August 1, 2008.. 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's barber shop, In The Kut located at 1828 42nd Street South, Minneapolis MN was first registered in the State of Minnesota on August 1, 2008.

b. On August 28, 2015 the Board's Inspector conducted a routine inspection of In The Kut Barber Shop located at 1828 42nd Street South, Minneapolis MN.

c. Upon inspection it was determined that the Barber Shop registration had expired on June 30, 2015 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 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.

7. 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.

8. 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.

9. 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.

10. 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 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. A link to this Stipulation and Order will appear on the Board's website.

11. 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.

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

13. 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

Darrell Johnson, Respondent

4-29-16
Date

STATE OF MINNESOTA

COUNTY OF HENNIPIN

This instrument was acknowledged before me on this 29 day of April, 2016 by Darrell Johnson.

DONNA K MAKI
Notary Public
Minnesota
My Commission Expires January 31, 2021

Donna K Maki
(Notary Public)
My Commission Expires:
January 31, 2021

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 16 day of May, 2016.

MINNESOTA BOARD OF
BARBER EXAMINERS

Jon Stone, Chair