

STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

In the Matter of:

Abu Shanab Barber Shop

License No.

SHP591 **RESPONDENT**

STIPULATION AND ORDER

Board File No.20141116

TO: Alla H Abu Shanab, Owner
Abu Shanab Barber Shop
4111 Central Avenue NE
Columbia Heights, MN 55421

The Minnesota Board of Barber Examiners ("Board") is authorized pursuant to Minnesota Statutes sections 214.10 and 154.001 to 154.26 (2014) to review complaints against barbers and barber shops and to take disciplinary action whenever appropriate.

The Board received information concerning Abu Shanab Barber Shop ("Respondent"). The Board's Complaint Committee ("Committee") reviewed the information. 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 held a barber shop registration from the Board from June 1, 2007 through June 30, 2012. 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. On June 1, 2007, Respondent was issued a Minnesota Barber Shop Registration to operate the Abu Shanab Barber Shop at 4111 Central Avenue NE in Columbia Heights, MN.
 - b. Respondent's barber shop registration expired on June 30, 2012.
 - c. On January 5, 2015, the Board notified the Respondent of a complaint received by the Board alleging that Respondent was operating an unlicensed barber shop at the location listed in section 2.a. above.
 - d. On February 26, 2015, Respondent was notified of a conference with the

Committee scheduled for March 23, 2015.

e. At the conference with the Committee held on March 23, 2015, Mr. Abu Shanab, the owner of the shop, stated that his brother used to do all the paperwork to take care of the license. He stated further that his brother has moved away, and he did not know it was not being done or what needed to be done. Mr. Abu Shanab stated that this is why the shop license was not renewed.

3. Violations. Respondent admits that the facts specified above constitute violations of Minn. Stat. § 154.01 (2014) and are sufficient grounds for the action specified below. Specifically, Respondent operated a barber shop in Minnesota without current barber shop registration.

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

a. Reinstatement: Respondent shall pay to the Board Three Hundred Forty-Six Dollars and Fifty Cents (\$346.50) in reinstatement fees. The Committee acknowledges that Respondent paid these reinstatement fees to the Board and that the Abu Shanab Barber Shop now has a current barber shop registration.

b. Respondent shall cease and desist from violating any laws, rules, or orders entrusted to enforcement by the Board.

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 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. A summary of this Order will appear in the Board's newsletter.

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 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
ABU SHANAB BARBER SHOP

Alla H Abu Shanab, Owner

Dated: 5-8-2015

COMPLAINT COMMITTEE

Jon Stone
Jon Stone, Complaint Committee Chair

Dated: 5/18/15

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 18 day of May, 2015.

**MINNESOTA BOARD OF
BARBER EXAMINERS**

Jon Stone
Jon Stone, Chair