In the Matter of: Burhan Dhuh Ali

RESPONDENT

TO: Burhan Dhuh Ali
2500 Blaisdell Ave S # 114
Minneapolis, MN  55404

The Minnesota Board of Barber Examiners ("Board") is authorized pursuant to Minnesota Statutes sections 214.10 and 154.001 to 154.28 (2016) to regulate the barbering profession and take disciplinary action whenever appropriate. The Board is authorized by Minnesota Statutes section 154.162 (2016) to issue administrative penalties.

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 was observed providing barbering services during a barbershop inspection. 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 is not registered in the State of Minnesota to provide barbering services.
   b. On October 12, 2017, the Board’s Inspector conducted a routine inspection
of Burhan Barber Shop located at 2910 Pillsbury Ave S #119A Minneapolis, MN.

3. **Violations.** Respondent admits that the facts specified above constitute violations of Minn. Stat. § 154.01 (2016) 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 Five Hundred Dollars ($500.00) of which Four Hundred Dollars ($400.00) will be stayed, the remaining One Hundred Dollars ($100.00) must be received by the Board within 30 days of this order being signed by the chair of the Board.**

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

   c. If the Board determines that Respondent has violated this order or any law, rule, or order over which the Board has authority, the stay shall be lifted and the stayed $400 administrative penalty shall become due and payable in addition to any additional penalty the Board deems appropriate for any new violation. In the event the Board seeks to lift the stay, Respondent may request a hearing to challenge the factual basis for the lifting of the stay, but may not challenge the amount of the stayed administrative penalty that is due and payable. In the event that Respondent does not violate this order or any law, rule or order over which the Board has authority in the next three years, the stayed administrative penalty shall be vacated.

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
imposed by this order at a contested case proceeding pursuant to Minnesota Statutes Chapter 14 (2016). 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 (2016), 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 Stipulation and Order 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.** This Stipulation and Order, 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 (2016). All documents in the record shall maintain the data classification
to which they are entitled under the Data Practices Act, Minn. Stat. ch. 13 (2016). 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.

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 has 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**

_Burhan_  
Respondent  

Date  
07/05/18

**STATE OF MINNESOTA**

**COUNTY OF HENNIPIN**

This instrument was acknowledged before me on this __5___ day of __July__, 2018

by_ Burhan Dhuh Ali.  
printed name of respondent

_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 23rd day of July, 2018.

MINNESOTA BOARD OF BARBER EXAMINERS

[Signature]
Chair