

STATE OF MINNESOTA
BOARD OF BARBER EXAMINERS

Received By
JUN 20 2014
MN Barber Board

In the Matter of:
Jeffery Hackett

STIPULATION AND ORDER

Board File No. 20140324

Registration No. : 14001403

TO: Jeffery Hackett
7051 Antelope Dr.
Lino Lakes, MN 55014

The Minnesota Board of Barber Examiners ("Board") is authorized pursuant to Minnesota Statutes sections 214.10 (2012) and 154.001 to 154.26 (2012) to review complaints against barbers and to take disciplinary action whenever appropriate.

The Board received information concerning Jeffery Hackett ("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 has held a license to practice barbering from the Board since November 4, 2013. 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 November 1, 2004, the Board issued an initial certificate of registration to Respondent to practice as an apprentice barber in Minnesota which, pursuant to Minn. Stat. § 154.06 (c), was valid for four years.

b. Respondent's initial certificate of registration to practice as an apprentice barber in Minnesota expired on November 1, 2008.

c. Respondent was not registered by the Board to practice as a barber in Minnesota between November 1, 2008 and November 4, 2013, when Respondent's certificate of registration to practice as an apprentice barber was reinstated by examination.

d. On May 8, 2014, the Board issued a certificate of registration to Respondent to practice as a registered (master) barber in the State of Minnesota.

e. On March 24, 2014 the Board received a complaint, including a video, alleging that Respondent was practicing barbering in a barbershop in the State of Minnesota on February 27, 2013 without a license and alleging that the video was documentation of this alleged violation. The video did not contain a date stamp.

f. The video submitted with the complaint shows Respondent as the sole barber in a barbershop performing barbering services. On February 27, 2013, the date on which the complaint alleges the video was made; Respondent was not registered by the Board to practice as a barber in the State of Minnesota.

3. Violations. Respondent admits that the facts specified above constitute violations of Minn. Stat. § 154.01 (2012); Minn. Stat. § 154.161, subd. 4(a)(1) (2012); and Minn. R. 2100.7800 (2013), and are sufficient grounds for the action specified below. Specifically, Respondent performed barbering services in Minnesota during the time his registration as an apprentice barber had lapsed.

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

a. Censure and Reprimand. Respondent is censured and reprimanded for the

foregoing conduct.

b. Civil Penalty. Respondent shall pay to the Board a civil penalty of One Hundred Dollars (\$100.00). Respondent shall submit a civil penalty of One Hundred Dollars (\$100.00) by check or money order to the Board within sixty (60) days of the Board's approval of this Stipulation and Order.

c. 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 (2012) 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 (2012), 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 (2012). All documents in the record shall maintain the data classification to which they are entitled under the Data Practices Act, Minn. Stat. Ch. 13 (2012). 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

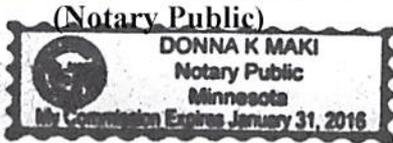


Jeffery Hackett

Dated: 6-20-14

SUBSCRIBED and sworn to before me on
this 20 day of June, 2014.





My Commission Expires: _____

January 31, 2014

COMPLAINT COMMITTEE



Chair: Jon Stone

Dated: 7/28/2014

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 28th day of July, 2014.

**MINNESOTA BOARD OF
BARBER EXAMINERS**



Chair: Jon Stone