STATE OF MINNESOTA

BOARD OF BARBER EXAMINERS

In the Matter of: Nick Steeves, Registered Barber
Registration No.: MBR226303

STIPULATION AND ORDER
Board File No.:20150828

TO: Nick Steeves
648 S. Robert Street
St. Paul, MN 55107

The Minnesota Board of Barber Examiners ("Board") is authorized pursuant to Minnesota Statutes sections 214.10 (2014) and 154.161 (2014) to review complaints against barbers and to take disciplinary action whenever appropriate.

The Board received information concerning Nick Steeves ("Respondent"). The Board's Complaint Committee ("Committee") reviewed the information. The parties have agreed that these matters may now be resolved by this Stipulation and Order.

STIPULATION

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

It is hereby stipulated and agreed by Respondent and the Committee that without trial or adjudication of any issue of fact or law and without any evidence or admission by any party with respect to any such issue:

1. Jurisdiction. Respondent has held a license to practice barbering as a registered barber from the Board since February 4, 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 as a Registered Barber by the Board on February 4, 2014.

b. Respondent practiced barbering in his home, located at 648 S. Robert Street, St. Paul, Minnesota, beginning on or about May 1, 2015, without a certificate of barber shop registration. Respondent's Facebook pages advertised barbering services at his home in postings and a video.

c. Respondent practiced barbering in other business locations without current

certificates of barber shop registration, specifically at Bauhaus Brew Labs, located at 1315 Tyler St. NE, Minneapolis, Minnesota on May 17, 2015, and at Dumarks Auto, located at 6650 US Highway 10, Anoka, Minnesota, on August 29, 2015. Respondent's Facebook pages advertised his barbering services at these locations.

d. Respondent practiced barbering at an unlicensed business location without the required floor to ceiling separation of barbering from other business activities, specifically at Dumarks Auto, located at 6650 US Highway 10, Anoka, Minnesota, on August 29, 2015, as seen in a photo posted on Respondent's Facebook pages.

3. Violations. Respondent admits that the facts specified above constitute violations of Minn. Stat. §§ 154.01(c); 154.161, subds. 4 (a) (1) and 4 (a) (14) (2014); and Minn. R. 2100.0077, subp. 1 (2015) and 154.14 (2014) and are sufficient grounds for the action specified below. Specifically, it is alleged that (a) Respondent practiced barbering at his home and two businesses, none of which had certificates of barber shop registration issued by the Board, and (b) that Respondent practiced barbering at an unlicensed business location without the required floor to ceiling separation of barbering from other business activities.

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

a. Civil Penalty: Respondent shall pay to the Board a Civil Penalty in the amount of Five Hundred Dollars ($500.00). Respondent shall submit a Civil Penalty of Five Hundred Dollars ($500.00) by check or money order to the Board within sixty (60) days of the Board's approval of this Stipulation and Order.

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), and to dispute the civil penalty 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. Collection. Pursuant to Minnesota Statutes section 16D.17 (2014), after ninety (90) days of the Board's approval of this Stipulation and Order, the Board may file and enforce any unpaid portion of the civil penalty imposed by this Order as a judgment against Respondent in district court without further notice or additional proceedings.

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 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 copy of this Order will be linked to 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 is represented by Kent F. Spellman, Esq..

13. 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

Nick Steeves, Respondent, Registered Barber

Dated: 5-2-16

STATE OF MINNESOTA
COUNTY OF Washington

This instrument was acknowledged before me on this 2nd day of May, 2016
By Sandra Kay Schwarz

Sandra Kay Schwarz
(Notary Public)
My Commission Expires: Jan 31, 2017

SANDRA KAY SCHWARZ
Notary Public
Minnesota
My Comm. Expires
Jan 31, 2017

COMPLAINT COMMITTEE

Chair: Jon Stone

Dated: 5/16/2016