



WEST VIRGINIA
STATE BOARD OF
BARBERS AND COSMETOLOGISTS

2011 ANNUAL REPORT
VOLUME 2 (COMPLAINTS)

BOARD MEMBERS

Michael Belcher	Justina Gabbert
Sarah Hamrick	Susan Poveromo
Jim Ryan	Rick Stache

EXECUTIVE DIRECTOR

Adam L. Higginbotham

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Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbs.org

Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabbert
Sarah Hamrick Susan Poveromo
Jim Ryan Rick Stache

EXPLANATION OF COMPLAINT PROCEDURES

While reading the complaints received, inspected, and reviewed by the Board, please keep in mind the complaint process is detailed below:

1. Complaint letter/call is received.
2. Letter is sent to individual that complaint is filed against.
3. Board office investigates the complaint (if applicable).
4. Board office reports the findings to the Board at a board meeting.
5. Board determines next course of action or dismisses complaint.



Joe Manchin III
Governor

Adam L. Higginbotham
Director

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Ave.
Dunbar, WV 25064
Telephone: 304-558-2924
Fax: 304-558-3450
www.wvbhc.org

Board Members

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Susan Poveromo
Jim Ryan
Rick Stache

Nails 2001
Kim Vo
62 Nitro Market Place
Cross Lanes, WV 25313

July 7, 2010

COMPLAINT #: C2011-01

Dear Kim Vo and/or Owner of Nails 2001:

The West Virginia State Board of Barbers and Cosmetologists has received a complaint against your salon for the following reasons:

- Waxing without a proper license
- Unsanitary practice- using the waxing stick for multiple dips in the wax bowl.

The above incident occurred on July 6th, 2010. Enclosed is a copy of the complaint received by the Board.

According to 3CSR9, you have 15 days to respond to this letter in writing.

Please mail your response to:

WVBBC
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director

Higginbotham, Adam L.

From: Western, Patrick L
Sent: Wednesday, July 07, 2010 9:45 AM
To: Higginbotham, Adam L
Subject: COMPLAINT FW: Nails 2001 Nitro

Sincerely,

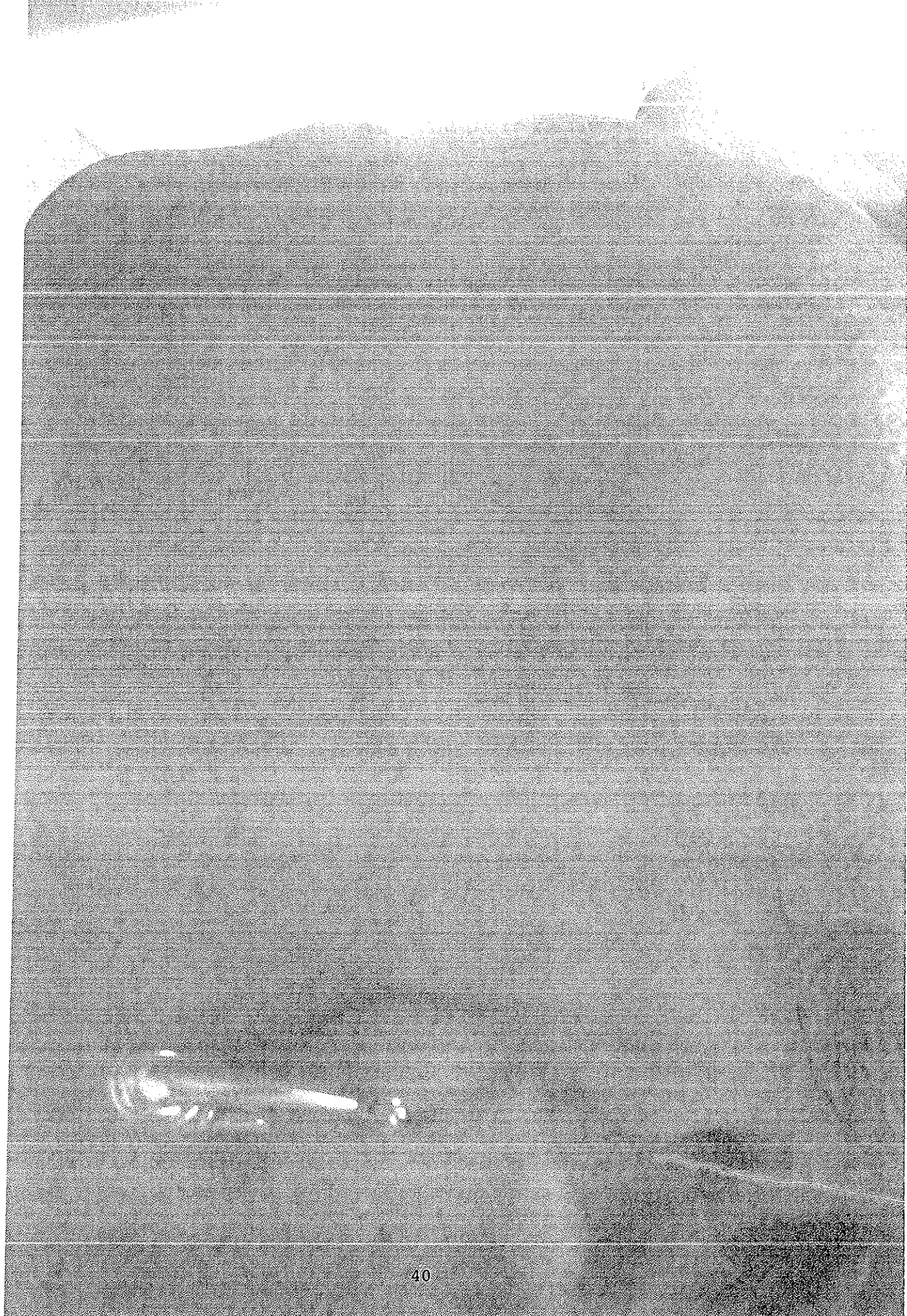
Patrick L. Western
Office Staff
State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064
Telephone: (304) 558-2924x9
Fax: 304-558-3450
Email: patrick.l.western@wv.gov
<http://www.wvbbc.com/>

You can view recent changes to state law on our [website](#).
Interested in opening a salon? See our how-to [here](#).

From: Marcia D. Greenhowe [mailto:mdgreenhowe@verizon.net]
Sent: Wednesday, July 07, 2010 9:42 AM
To: Western, Patrick L
Subject: Nails 2001 Nitro

Visited the shop yesterday Tuesday July 6, 2010 for a pedicure and waxing on my chin, upper lip and sides of face. Pedicure bathes are not being cleaned after each client and the tool used are not being sanitized after each client. Also they are blowing their breath on each stick of wax that is dipped before they put it on your face. He dipped my wax about 12 times. The other man working did a lady after me, her eyebrows and he did the same thing, blowing his breath on the wax on the stick and then applying it to her face. My face is broken out on both sides.





Higginbotham, Adam L

From: Casto, Lamona R
Sent: Saturday, July 10, 2010 3:37 PM
To: Higginbotham, Adam L
Cc: Western, Patrick L
Subject: Complaint Investigation: Nails 2001 (12293), Nitro Market Place, Cross Lanes, Kim Vo, Owner/Manager.

July 8, 2010 - I did a regular on this shop today. There were three manicure licenses and one cosmetology license: Kim Vo (MO1050); Binh Hoa Nguyen (MO1793); Khanh Tuan Vu (MO2360); Tam Kim Van (36631). They were all working but Tam Kim Van. There was a warm wax machine on the bottom shelf of a table that was draped which kept it out of sight. I showed Ms. Vo the complaint and she told me that they do sanitize after each client. There was a dry sanitizer with several implements ready to use. (She had been on vacation and was not in the shop when the incident took place). Ms. Vo was discussing the situation with the two gentlemen. Of course, they were speaking in another language so who knows what they were saying. I told Ms. Vo to turn off the wax machine because there was no one present that was permitted to do waxing. She said the cosmetologist was not working "today". I issued Violation Notice 2.9 to the shop. Ms Vo told me that she was very upset. I told her it really upsets me when people cannot follow simple rules and regulations.



Earl Ray Tomblin
Governor

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Jim Ryan Rick Stache

Nails 2001
Kim Vo
62 Nitro Market Place
Cross Lanes, WV 25313

September 22, 2011

COMPLAINT #: C2011-01

Dear Kim Vo and/or Owner of Nails 2001:

The West Virginia State Board of Barbers and Cosmetologists reviewed the complaint filed against you and voted to dismiss the complaint on September 18th, 2011.

The complaint was dismissed since an inspector issued violation notices for practicing outside of scope which resulted in a \$400.00 fine.

Sincerely,

Adam L. Higginbotham
Director



Joe Manchin III
Governor

Adam L. Higginbotham
Director

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Scott College of Cosmetology
Joe Mamone
1502 Market Street
Wheeling, WV 26003

July 12, 2010

COMPLAINT #: C2011-02

Dear Joe Mamone:

The Board office has received the enclosed complaint concerning a disciplinary action by Scott College against Angelina Macneil.

Please respond to the Board office concerning this complaint within 15 days of receipt.

Should you have any further questions, please contact the Board office at 304-558-2924.

Sincerely,

Adam L. Higginbotham
Director

Higginbotham, Adam L

From: Adam.L.Higginbotham@wv.gov
Sent: Saturday, July 10, 2010 1:59 AM
To: Higginbotham, Adam L; Western, Patrick L
Cc: amac2781@yahoo.com
Subject: WVBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Angelina Macneill
Address: Po Box 207
West Liberty, WV 26074
Phone: 7402220992
E-mail: amac2781@yahoo.com

Individual or Business Named in the Complaint

Name:
Company: Scott College Of Cosmetology
Address: 1502 Market Street
Wheeling , WV 26003
Phone: 13042327798

List of Witnesses

amanda eddy 116 maryland ave apt 1 1 740 512 4092

Description of Complaint

for five consecutive days absence, but i did leave a message and I have a doctors excuse and the doctor said she would write a letter to who ever it needed to b sent to. I do have some health problems and i have not contacted the school since



Scott College of Cosmetology

1502 Market Street, Wheeling, West Virginia 26003

(304) 232-7798 (304) 232-7834 fax

State of West Virginia
Board of Barbers and Cosmetologists
Adam Higginbotham
1201 Dunbar Ave.
Dunbar, WV. 25064

July 22, 2010

Complaint # C2011-02

Dear Adam Higginbotham:

This letter is in response to the complaint filed by Angelina Macneil against Scott College of Cosmetology.

Angelina had been on probation for her several months for incomplete work, unsatisfactory attendance, lack of work when she did attend, etc. She had been given several notices and had been disciplined several times for said actions. The last time she was brought back to school she realized the severity of her situation and knew she needed to attend school and complete work. Both of which she failed to do. In addition she continued to fall further behind.

Angelina claims that she did leave a message and that she has a doctors excuse. We keep a phone log and we have double checked that log and there were no messages from Angelina or anyone leaving a message for Angelina. And as for a doctors slip if she did have one she never attempted to bring it to us.

Her last day of attendance was May 28th, 2010. Our policy clearly states that after 5 days of no contact the student can be terminated. We tried to contact Angelina several times without response from her. We actually should have terminated her on June 5th considering her history with us however we continued to try to contact Angelina until we terminated her on June 10, 2010.

We gave Angelina many, many opportunities to show some initiative and get her work caught up and attend school on a regular basis but she just continued to get further behind. Our decision to terminate is very well documented if you need confirmation.

Sincerely,

Joe Mamone
President



Joe Manchin III
Governor

Adam L. Higginbotham
Director

State of West Virginia
Board of Barbers and Cosmetologists
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Board Members

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Susan Poveromo
Jim Ryan
Rick Stache

Scott College of Cosmetology
Joe Mamone
1502 Market Street
Wheeling, WV 26003

August 10, 2010

COMPLAINT #: C2011-02

Dear Joe Mamone:

The Board has heard the above mentioned complaint number at the August 9th, 2010 board meeting. The Board voted to dismiss the complaint.

Should you have any further questions, please contact the Board office at 304-558-2924.

Sincerely,

Adam L. Higginbotham
Director



Joe Manchin III
Governor

Adam L. Higginbotham
Director

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Rick Stache

Chantelle Wandling
36557 Teays Valley Road
Hurricane, WV 25526

August 10, 2010

COMPLAINT #: C2011-03

Dear Chantelle Wandling:

The West Virginia State Board of Barbers and Cosmetologists has received the enclosed complaint.

Please respond to the complaint within the indicated timeframe below.

According to 3CSR9, you have 15 days to respond to this letter in writing.

Please mail your response to:

WVBBC
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director

Higginbotham, Adam L

C 2011-03

From: Adam.L.Higginbotham@wv.gov
Sent: Wednesday, July 14, 2010 3:43 PM
To: Higginbotham, Adam L; Western, Patrick L
Cc: josephspencer29@yahoo.com
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Joseph Spencer
Address: 5290-A CLAYBURN
Crosslanes, WV 25313
Phone: 3043804836
E-mail: josephspencer29@yahoo.com

Individual or Business Named in the Complaint

Name: Chantelle Wandling (Stutler)
Company: Headlines Hair Designs
Address: 3657 Teays Vally Rd.
Hurricane, WV 25526
Phone: 3047570008

List of Witnesses

Penny Mullins, Terry Spencer..

Description of Complaint

Chantell did in fact, take information she had been privy to from Terry Spencer and act on it separately, and with out request, outside of her business, by going to a friends place of bussiness and leaveing a note insenuating that she was haveing an extramarital relationship with Terry Spencers husband and that she should quit it..none of which is true !!.. So I gathered Terry and Ms.Mullins up on Friday, the 2nd of July. and we went to confront Chantell about it and explain to her that she will be sued for slanderous remarks, and that she was wrong in doing this thing.. she then proceded to return to Ms.Mullins place of work and file a complaint as if Ms.Mullins acted alone...I WILL RECOMMEND TO OTHERS THAT THEY NOT PATRONIZE THIS ESTABLISHMENT, BECAUSE

THERE RIGHTS AND PRIVELEDGES WILL BE COMPROMISED. THAT THIS ESTABLISHMENT DOES NOT BELIEVE IN ETHICS, OR RESPECT THE PRIVACY OF ITS PATRONS.. Thank you for your prompt responce and correcting this matter..That it would never happen to another unsuspecting customer.. this was a violation of Mrs Spencers rights to privacy, and was also a slanderous remark about both, Mr Spencer, and Ms Mullins, and will not be dropped until satisfaction for the wrong that has happened to Ms Mullins is rectified, Sincerely yours..Joseph Spencer...

Complaint: C2011-03

Recommendation: Not a Board issue.



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Governor

Adam L. Higginbotham
Director

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Board Members

Michael Belcher
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Sarah Hamrick
Paula Kurczak
Susan Poveromo
Jim Ryan
Rick Stache

Chantelle Wandling
36557 Teays Valley Road
Hurricane, WV 25526

August 10, 2010

COMPLAINT #: C2011-03

Dear Chantelle Wandling:

The West Virginia State Board of Barbers and Cosmetologists has received the enclosed complaint.

Please respond to the complaint within the indicated timeframe below.

According to 3CSR9, you have 15 days to respond to this letter in writing.

Please mail your response to:

WVBBC
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director

To whom it may concern:

I can assure you that everyone at Headlines acts with ethics including myself. I perform my job professionally, and Terry Spencer has been into Headlines since the complaint.

Sincerely,

Chantelle Wandling



Earl Ray Tomblin
Governor

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Director
Adam L. Higginbotham

Board Members

Michael Bekker Justina Gabben
Sarah Hamrick Susan Poverom
Jim Ryan Rick Stache

Chantelle Wandling
36557 Teays Valley Road
Hurricane, WV 25526

November 19, 2010

COMPLAINT #: C2011-03

Dear Chantelle Wandling:

The above referenced complaint filed against you has been dismissed by the Board. The Board waited to send this dismissal letter to you until you complied with the requirements of 3CSR9.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham".

Adam L. Higginbotham
Director

Higginbotham, Adam L

From: Adam.L.Higginbotham@wv.gov
Sent: Wednesday, July 14, 2010 5:22 PM
To: Higginbotham, Adam L; Western, Patrick L
Cc: all5boysmmn@yahoo.com
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Melissa Nickerson
Address: 3333 Oakwell Ct Apt 628
San Antonio, TX 78218
Phone: 281-216-1181
E-mail: all5boysmmn@yahoo.com

Individual or Business Named in the Complaint

Name:
Company: Hollywood Nails
Address: 4301 Robert C Byrd Dr
Beckley, WV 25801
Phone: 304-253-4466

List of Witnesses

SFC Rodney Bailey 3333 Oakwell Ct apt 628 San Antonio, TX 78218

Description of Complaint

A visit to the above location has prompted this complaint. My boyfriend and I were both going to receive a pedicure, after seeing the condition of the pedicure spas he decided not to receive the service, I unfortunately went ahead with the pedicure and a manicure. At this time there were two technicians and they were going to call in another to accommodate us. A gentleman did arrive about 30 minutes later. The pedicure tub was not cleaned prior to use, nor was it cleaned when the technician was finished. It had visible build up around the drainage and hoses. The vinyl on the chair was torn and dirty. The implements that were being used were in a small glass jar not completely submerged, and some of which were in the solutions upside down. The pedicure tub was not cleaned prior to use,

nor was it cleaned when the technician was finished. It had visible build up around the drainage and hoses. The vinyl on the chair was torn and dirty. The implements that were being used were in a small glass jar not completely submerged, and some of which were in the solutions upside down. There were spray cleaners on the floor but none were of the required grade to kill all bacteria. She used an implement with a razor, she did change the razor, however the implement was not in a disinfecting solution and she did not clean it prior to putting the razor in it. When getting my manicure, the lady used a bowl with cold water and did not do a complete manicure. There was no hand massage. Again the implements were not properly sanitized. I requested a french manicure and was charged an additional \$10.00 for this service, five for my toes and five for my finger nails. The next morning the whites on my fingernails began to chip and peel, by the end of the weekend I only had two nails with white tips. We were out of the area so I could not return to have this corrected prior to my function. We did return to the salon first thing Monday morning to request a refund. When we arrived there was a gentleman sleeping on the couch in the waiting area, our arrival startled him, this was the same man that they called to come in and do the additional work. We explained the problem with the nails and requested a refund of the manicure only. The gentleman refused telling us that they did not guarantee their work, and if I had washed my hands they could not guarantee the polish would stay on. After explaining to him that no polish should wash off with soap and water, he replied that if he gave everyone who was unhappy their money back who would pay for the rent, lights and labor? He wanted the other lady working there to repolish my nails but at this point I have no faith in their ability. When we asked for management the man told us that they were unavailable and would not provide us with a number to call. He also refused to give us his name and I could not locate his license on the wall. There were three technicians working on Friday the 9th, and only two licenses posted. I was not able to find any state board inspections certificates posted. Upon leaving the gentleman shouted that we were low class people and should return to Texas, he also chose to give us the middle finger as we were departing the store. Being from out of the area, I didn't feel I had many options and decided to receive the services, but it is clear that I should have left when I first realized the lack of cleanliness in this nail salon. Thank you for time, Melissa Nickerson



Joe Manchin III
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Board Members

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Hollywood Nails
VINH THANH NGUYEN
4301 Robert C. Byrd Blvd. C-22
Beckley, WV 25801

July 19, 2010

COMPLAINT #: C2011-04

COPY

Dear Vinh Thanh Nguyen:

The Board office has received the enclosed complaint concerning Hollywood Nails.

Some of the items within the complaint are:

- Unsanitary and unclean pedicure tub
- Implements not completely submerged
- Incorrect grade of disinfectant
- No individual licenses posted
- Not providing public with worker's information

According to 3CSR9, you are required to respond to this letter in writing within 15 days of receipt of this letter.

Please mail your response to:

WVBBC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director

DATE : 7/20/2010

To whom it may concern!
I just received the letter from you and I am concerned about the customer whose name is Melissa Nickerson.

Last week, Melissa came to Hollywood Nails and had her nails done. At first, she asked my wife, "How much does it cost for Manicure & Pedicure?" "Forty dollars," my wife said. When my wife finished her Man & Ped, and then she asked Melissa "what color do you want?" Melissa wants a french manicure. My wife told her that she needed to pay \$10.00 more for her man & ped because the french manicure costs five dollars each. My wife then told her that the french manicure would not stay on her real nails. But Melissa told her that she needs it to last for a few days only. Then she did agree to pay \$50.00.

Four days later, Melissa and her boyfriend came back to Hollywood Nails and asked me why we charged his wife \$50.00, when in Texas it costs only \$25.00, and that we have to refund the money to Melissa. I told him that, This is west Virginia, it's not Texas, so the price is different. That's why he wrote the letter of complaint about my business. The prices are all posted in two different locations in my shop, so she could see the prices, and my wife told her the cost, as well.

As far as the cleanliness, you are welcome to come and see for yourself. We keep everything clean and sterilized⁵⁷ appropriately.

SAR OVER

If she thought it looked so unclean, why would she have stayed and had the man ~~ped~~ ped? There are at least four other nail salons in this area, so she could have gone elsewhere for these services. She told my wife that her sister had received services here and was very pleased.

Mr. Bailey became angry and aggressive when I refused to refund the money. I reacted in a manner that I regret. Even though he was unkind, I should not have been.

Sincerely

Vinh

VINH NGUYEN.

Higginbotham, Adam L

From: Reed, Ralph J
Sent: Tuesday, July 27, 2010 7:20 PM
To: Higginbotham, Adam L; higginbotham.l.adam@wv.gov
Subject: Hollywood nails and annual leave 6-27-2010

Adam i investigated the complaint on hollywood nails on june 22,2010 and found three sanitary problems which i issued warnings for. the offences were a torn fabric on the pedicure chair, the carpeted floor was very dirty and the ceiling tiles had black mold on some of them. There are two signs on outside the store and one inside the store publicising the additional price of french tips at \$5.00. I could not verify the identity of the person that was called to service any one else.



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Hollywood Nails
 VINH THANH NGUYEN
 4301 Robert C. Byrd Blvd. C-22
 Beckley, WV 25801

November 19, 2010

COMPLAINT #: C2011-04

Dear Vinh Thanh Nguyen:

The Board has reviewed the complaint filed against you and the Board's inspector's report concerning a recent inspection of your salon.

On November 15th, 2010 the Board voted to require you to do the following by December 31st, 2010:

- Fix torn fabric on pedicure chair.
- Clean the carpeted floor in the salon.
- Have a mold inspector to review the suspect mold on the ceilings of your salon.

Please note that you have until December 31st, 2010 to correct the above issues or face further Board action.

Should you have any questions, please feel free to contact the Board office.

Sincerely,

Adam L. Higginbotham
 Director

Higginbotham, Adam L.

From: Adam.L.Higginbotham@wv.gov
Sent: Thursday, July 22, 2010 8:16 PM
To: Higginbotham, Adam L; Western, Patrick L
Cc: barberguy@hotmail.com
Subject: WVBBCC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Noah Vanblaricom
Address: 112 Hilltop Lane
Princeton, WV 24740
Phone: 304-487-6384
E-mail: barberguy@hotmail.com

Individual or Business Named in the Complaint

Name: Tammy Warner
Company: Curl Up And Dye
Address: 720 Mercer Street
Princeton , WV 24740
Phone: 304-425-5457

List of Witnesses

Crystal Howell, Tamala Smith, Tammy Warner business address 720 mercer street. These stylist work there

Description of Complaint

The shop in question is conducting business other than that of beauty. the stylist are not trained in or licensed to trim shape or cut beards or moustaches as they have no barber license. this business is still conducting trims and cuts on beards



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Board Members

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Paula Kurczak
Susan Poveromo
Jim Ryan
Rick Stache

Tammy Warner
Curl Up and Dye
720 Mercer Street
Princeton, WV 24740

August 5th, 2010

COMPLAINT #: C2011-05

Dear Tammy Warner and Curl Up and Dye Salon:

The Board office has received the enclosed complaint concerning shaving/trimming a beard without a barber license by Tammy Warner and the Curl Up and Dye Salon.

Please note that shaving/trimming is not part of the scope of practice by a licensed cosmetologist.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 15 days of receipt of this letter.

Please mail your response to:

WVBBC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director

To whom it may concern:

I received a complaint saying my salon was doing illegal beard shaving/trimming. We here at Curl Up N'Dye never use anything but clippers and trimmers. Noah Vanblairicom is an ex-employee of my shop and he knows first hand that we never use a straight razor on anyone. He worked here for 3 years and I have no idea why he made this complaint. He was the only one that ever used a straight razor and he saw us using our little trimmers and clippers and never said anything then. I was always told we could use clippers and trimmers. My other girls here are Crystal Howell, Tamala Smith, and Jasmine Day who just passed her state board and has been working under me.

Thank you,


Tammy Warner

Curl Up N' Dye

720 Mercer Street

Princeton WV 24740

304-425-5457

Complaint #C2011-05



Earl Ray Tomblin
Governor

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Board of Barbers and Cosmetologists
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Michael Belcher Justina Gabber
Sarah Hamrick Susan Poverom
Jim Ryan Rick Stache

Tammy Warner
Curl Up and Dye
720 Mercer Street
Princeton, WV 24740

November 19, 2010

COMPLAINT #: C2011-05

Dear Tammy Warner and Curl Up and Dye Salon:

The Board has heard the above mentioned complaint number at the November 15th, 2010 board meeting. The Board voted to dismiss the complaint.

Should you have any further questions, please contact the Board office at 304-558-2924.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham".

Adam L. Higginbotham
Director

Higginbotham, Adam L

From: Adam.L.Higginbotham@wv.gov
Sent: Monday, July 26, 2010 2:32 PM
To: Higginbotham, Adam L; Western, Patrick L
Subject: WVBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Angela Perry
Address: 1 Carriage Way
Hurricane , WV 25526
Phone: 304-941-7303
E-mail:

Individual or Business Named in the Complaint

Name: Cindy Rucker
Company: Cost Cutters
Address: 2700 Mountaineer Blvd
South Charleston , WV 25000
Phone: 304-746-7299

List of Witnesses

Description of Complaint

On June 2010 I was calling the Cost Cutters office located South Ridge in Walmart. The manager would pick up the phone would not even say the company name and put phone to the side. I could hear her talking to someone within the store, so I hung the phone up and called back at least 4 more times. At that point she would hang phone up not even answer it. On the 6 call to the store, she finally answered the phone rude of course. The manager told the employee you have a call that she has called a few times. Once I was able to talk about my hair, I then told the employee what happend about the phone calls. I decided I did not want my hair done in an unprofessional place. I think you should have a talk Cindy Rucker on how she needs to be professional when managing a business. Thank you!



Joe Manchin III
Governor

Adam L. Higginbotham
Director

State of West Virginia
Board of Barbers and Cosmetologists

1201 Dunbar Ave.
Dunbar, WV 25064
Telephone: 304-558-2924
Fax: 304-558-3450
www.wvbcc.org

Board Members

Michael Belcher
Justina Gabbert
Sarah Hamrick
Paula Kureczak
Susan Poveromo
Jim Ryan
Rick Stache

Cindy Rucker
618 Hunt Avenue
Charleston, WV 25302

August 5th, 2010

COMPLAINT #: C2011-06

Dear Cindy Rucker:

The Board office has received the enclosed complaint.

The Board office is requesting your response to this letter and the complaint so that it may be reviewed by the Board.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 15 days of receipt of this letter.

Please mail your response to:

WVBCC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director

From cindy rucker
sent august 17,2010
to allen higginbotham,patrick western
and board members
subject answer to complaint # C2011-07

dear directors and board members,

in answer to this complaint,the file cabinet that these records are kept has no lock on it. They are easily accessible.

As for the other matter,when I examined the hair,it looked like lint.i am very cautious about this infectious little critter.we tell our clients not to come back for 10 days after they have treated their hair with the proper product and then we can check and see if we can service them.

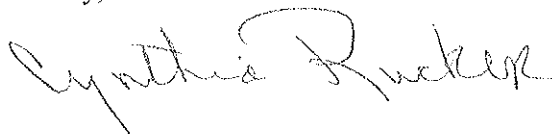
I thank you for your time and apologize that this could not have been solved without interfering with your busy workload.

In reference to complaint # C2011-06

I do not recall this incident,everybody has the privilege of answering the phone.we have caller id and if I recognize the number I answer with a personal greeting as do the others.

Again I apologize for not being able to take care of this issue in the salon.

Sincerely,



cindy rucker
former manager of cost cutters

To whom it may concern:

I have know Cynthia Rucker in a number of capacities for many years. Cynthia has been a trusted friend and neighbor for the past several years. In addition, she is also a wonderful person and hairdresser. She is a person that takes her work very seriously. Cynthia has been the manager of Cost Cutters for many years where she is responsible for a number of employees. She is organized, efficient, extremely competent and has an excellent rapport with people of all ages. She treats everyone fairly and honestly and doesn't not take her position lightly. She abides by all the rules set by her regulations given to her by her superiors. As long as I have known Cynthia, she treats all her employees with the utmost respect. She is respectful of everyone's responsibilities being a manager and co-worker. Her communication skills, both written and verbal, are excellent. In summary, I highly recommend Cynthia for any position or endeavor that she may seek to pursue. She would be a valuable asset for any organization.

If you have any question concerning Cynthia Rucker or this statement, please feel free to contact me.



Alisa Wolfe
Nurse, Reflexologist
(304) 342-4785

August 16, 2010

To Whom It May Concern:

I have known Cindy Rucker for about four years plus. She has not only cut my hair but also cuts my daughter's, grand kids', and various co-workers' hair. Cindy is a wonderful person and has a terrific personality. She is very people oriented and easy-going. She always has a smile and is friendly. I have had co-workers that I have referred to Cindy come back to me and comment on how friendly she was and that she did a terrific job.

She always seemed like a good manager and seemed to run the shop in an organized manner. The girls that worked for her seemed to respect Cindy.

I was in the shop normally once a week because Cindy waxed my eyebrows also. Cindy was always very professional in her position and her bubbly personality was very contagious.

Thank you for your time.

Tammie Staten
304-965-3267 (home)
304-204-3912 (work)

From: scagle27@aol.com (scagle27@aol.com)
To: ruckercindy@yahoo.com;
Date: Sat, August 14, 2010 6:31:55 PM
Cc:
Subject: this is what i wrote regis

I am a former Costcutter employee, from 2002-2010.

In my opinion, Walter and Beth Hall are terrible to work for. The salon in which I had been employed, was a very hostile working environment. During my employment with CC, they had 3 different managers, and had fired all of them. They took money from 1 particular manager's paycheck frequently as punishment for not getting certain things done. My last manager I worked for was wrongfully terminated by Beth and Walter, because of a hostile employee that Beth had told the manager to fire previously. This stylist had worked for CC several times before under another manager and had problems with the current manager when she worked as a stylist. I believe this stylist wanted her fired, she periodically made threats about the manager, and she always complained about other people. In my opinion she was hostile to work with, and Beth and Walter did nothing to protect the manager, nor to help her. They knew of this issue the manager had with this stylist, but never did anything. She threatened the manager in front of them and said nothing to the stylist. I believe they fire their managers after 3 or 4 years to avoid any bonus pay or other benefits. Now they are on their 4th manager, a 23 yr old who has no experience. Costcutters is very unprofessional due to the ownership, which is a married couple. They would often take away manager duties, like scheduling and product ordering, when Beth made schedules, we would not have them until the day of the beginning of the work week. The hostile stylist also said she had lice when in fact she did not, I checked her the previous day and it was lint in her hair. She set out to get the manager fired, and she succeeded. Costcutters should not be allowed to be operated in such a manner. Regis really needs to investigate them extensively.



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbs.org

Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabbert
Sarah Hamrick Susan Poveroni
Jim Ryan Rick Stache

Cindy Rucker
618 Hunt Avenue
Charleston, WV 25302

November 19, 2010

COMPLAINT #: C2011-06

Dear Cindy Rucker:

The Board has heard the above mentioned complaint number at the November 15th, 2010 board meeting. The Board voted to dismiss the complaint.

Should you have any further questions, please contact the Board office at 304-558-2924.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham".

Adam L. Higginbotham
Director

Higginbotham, Adam L

From: Adam.L.Higginbotham@wv.gov
Sent: Monday, July 26, 2010 11:28 PM
To: Higginbotham, Adam L; Western, Patrick L
Cc: aliciaac78@yahoo.com
Subject: WVBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Alicia Williams
Address: 327 Westmoreland Drive
Dunbar, WV 25064
Phone: 304-951-3104
E-mail: aliciaac78@yahoo.com

Individual or Business Named in the Complaint

Name: Cindy Rucker
Company: Cost Cutters
Address: 2700 Mountaineer Blvd.
Charleston, WV 25309
Phone: 304-746-7299

List of Witnesses

Heather Walls Cindy Rucker 822 Bulger Road Manager of Cost Cutters Alkol, WV 304-746-7299
304-545-7167

Description of Complaint

On 7/10/10 I was wrote up, Cindy left it lay out on the microwave in the back room and everyone whom worked that day read it, and bragged to my co-workers that she could have fired me. 7/18/2010 my shift was 11-6, I discovered that I had knits in my hair, my co-worker's that day were Heather Walls, and Cindy Rucker, Heather confirmed that I did have knits and I told Cindy that I needed to go home, she stated that I was not going anywhere, I really need my job otherwise I wouldve left, I was afraid I would get fired. I stayed at work, I pulled my hair back in a bun and put hairspray on it, and tried to avoid as many customers as I could. Heather treated my hair that evening. I was knit free.

Cindy is not professional and is very rude and hateful, it is a unpleasant enviroment when she is present, others are afraid to complain on her for fear of losing their job. I want to keep my license, I worked for them. I have tried to contact the owners, Walter and Beth hall, and have never recieved any response. I feel that something needs to be done about this situtation, its starting to cause a hostile work environment. Thank You



Joe Manchin III
Governor

Adam L. Higginbotham
Director

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Board of Barbers and Cosmetologists

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Fax: 304-558-3450
www.wvbbs.org

Board Members

Michael Belcher
Justina Gabbert
Sarah Hamrick
Paula Kurczak
Susan Poveromo
Jim Ryan
Rick Stache

Cindy Rucker
Cost Cutters
2700 Mountaineer Blvd.

August 5th, 2010

COMPLAINT #: C2011-07

Dear Cindy Rucker:

The Board office has received the enclosed complaint concerning an employee being required to work by management with a possible infestation of nits (louse eggs).

According to the complaint, the employee was not allowed to go home for the day by management after discovering that she may have lice or nits and continued to work out of fear of termination.

The Board office is requesting your response to this letter and the complaint so that it may be reviewed by the Board.

Please note: WV CODE 30-27-14.a reads:

"It is unlawful for a person to practice as a professional licensee, be a permittee or be a certified instructor while having an infectious, contagious, or communicable disease."

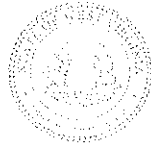
According to 3CSR9, you are required to respond to the complaint enclosed in writing within 15 days of receipt of this letter.

Please mail your response to:

WVBBC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director



Joe Manchin III
Governor

Adam L. Higginbotham
Director

State of West Virginia
Board of Barbers and Cosmetologists

1201 Dunbar Ave.
Dunbar, WV 25064
Telephone: 304-558-2924
Fax: 304-558-3450
www.wvbhc.org

Board Members

Michael Belcher
Justina Gabbert
Sarah Hamrick
Paula Kurezak
Susan Poveromo
Jim Ryan
Rick Stache

Cindy Rucker
618 Hunt Avenue
Charleston, WV 25302

August 5th, 2010

COMPLAINT #: C2011-07

Dear Cindy Rucker:

The Board office has received the enclosed complaint concerning an employee being required to work by management with a possible infestation of nits (louse eggs).

According to the complaint, the employee was not allowed to go home for the day by management after discovering that she may have lice or nits and continued to work out of fear of termination.

The Board office is requesting your response to this letter and the complaint so that it may be reviewed by the Board.

Please note: WV CODE 30-27-14.a reads:

"It is unlawful for a person to practice as a professional licensee, be a permittee or be a certified instructor while having an infectious, contagious, or communicable disease."

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 15 days of receipt of this letter.

Please mail your response to:

WVBBC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director



State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

Earl Ray Tomblin
Governor

p: 304.558.2924
f: 304.558.3450
www.wvbbs.org

Director
Adam L. Higginbotham

Board Members

Michael Belcher Justina Gabbert
Sarah Hamrick Susan Poveroni
Jim Ryan Rick Stache

Cindy Rucker
618 Hunt Avenue
Charleston, WV 25302

November 19, 2010

COMPLAINT #: C2011-07

Dear Cindy Rucker:

The Board has heard the above mentioned complaint number at the November 15th, 2010 board meeting. The Board voted to dismiss the complaint.

The Board did require me to stress the importance of the code reference below.

Please note: WV CODE 30-27-14.a reads:

“It is unlawful for a person to practice as a professional licensee, be a permittee or be a certified instructor while having an infectious, contagious, or communicable disease.”

Should you have any further questions, please contact the Board office at 304-558-2924.

Sincerely,

Adam L. Higginbotham
Director

Higginbotham, Adam L.

From: Adam.L.Higginbotham@wv.gov
Sent: Wednesday, July 28, 2010 9:54 AM
To: Higginbotham, Adam L; Western, Patrick L
Cc: atravis@mwconnections.com
Subject: WVBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Annette Travis
Address: 16 Ann Marie Dr
Morgantown, WV 26508
Phone: 517-937-8453
E-mail: atravis@mwconnections.com

Individual or Business Named in the Complaint

Name: Nicky Unknown
Company: Top Nails
Address: Mid-Atlantic Market
Morgantown, WV 26508
Phone: 304-000-0000

List of Witnesses

Description of Complaint

I do not know Nicky's last name however, I know she is currently working at a Fairmont nail salon while she is waiting for her husband's and her salon to be built at the Mid-Atlantic Plaza off of exit 7 on 1-68. SHE IS NOT LICENSED. She has provided the Fairmont business a fake license with her name listed as Barbara. Her husband Tyler is licensed and she believes she does not need to be. Her and her husband work together in a Fairmont salon at this time. Please check into this. When she did my nails at NV Nails at the Glenmark Center, I was not aware she was not licensed and I am not certain if they knew. The employee who saw the fake license is now working at NV Nails at the

Glenmark Center as she was fired from the Fairmont Salon and Tyler and Nicky were hired. I believe this lady's name is Tina, but not certain. Please look into this.



Joe Manchin III
Governor

Adam L. Higginbotham
Director

State of West Virginia
Board of Barbers and Cosmetologists

1201 Dunbar Ave.
Dunbar, WV 25064
Telephone: 304-558-2924
Fax: 304-558-3450
www.wvbcc.org

Board Members

Michael Belcher
Justina Gabbert
Sarah Hamrick
Paula Kurczak
Susan Poveromo
Jim Ryan
Rick Stache

August 5th, 2010

Top Nails
Hien Nguyen
6102 Mid-Atlantic Drive
Morgantown, WV 26508

COMPLAINT #: C2011-08

Dear Hien Nguyen:

The Board office has received the enclosed complaint concerning an unlicensed worker in the nail salon.

The Board office is requesting your response to this letter and the complaint so that it may be reviewed by the Board.

Please note that 3CSR7 Schedule of Fines can be found at www.wvbcc.org under the Statutes and Rules webpage. Allowing an individual to practice without a license is a fineable offense.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 15 days of receipt of this letter.

Please mail your response to:

WVBCC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

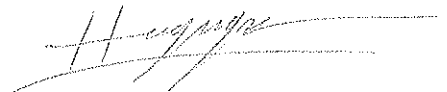
Adam L. Higginbotham
Director

August 19, 2010

To who it my concern.

My name is Hieu Nguyen. The owner of Top Nails in mid-Atlantic shopping plaza. I recently receive a letter of complaint from the Board office. I do not know who the complainer is and I don't know who Nicky is. I have no body in my shop that is not licea. Right now it just my wife and I work at the shop, I hope you will look into this matter for me as soon as possible.

Thank you



Salon and Tyler and Nicky were hired. I believe this lady's name is Tina, but not certain. Please look into this.

8-7-10

Attn: Adam

I sent you a E Mail about this investigation
on Sunday 8-8-10

This shop was not open for Business # Top Nails

Just Putting down ruff coat of Black Top &

Workers in getting Building ready to open.

Sign up over door 20% Nail. No Customers &

No sign all equipment clean & not being used.

3 license people there w/ ID & Current license

#

#



Ead Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbc.org

Director
Adam L. Higginbotham

Board Members

Michael Belcher Justina Gabber
Sarah Hamrick Susan Poveroni
Jim Ryan Rick Stache

Top Nails
Hien Nguyen
6102 Mid-Atlantic Drive
Morgantown, WV 26508

November 19, 2010

COMPLAINT #: C2011-08

Dear Hien Nguyen:

The Board has heard the above mentioned complaint number at the November 15th, 2010 board meeting. The Board voted to dismiss the complaint.

Should you have any further questions, please contact the Board office at 304-558-2924.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham".

Adam L. Higginbotham
Director

Higginbotham, Adam L.

From: Adam.L.Higginbotham@wv.gov
Sent: Sunday, August 01, 2010 12:33 PM
To: Higginbotham, Adam L; Western, Patrick L
Cc: smarteh2010@hotmail.com
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Elizabeth Smart
Address: 2410 Virginia Avenue
Hurricane, WV 25526
Phone: 8126143061
E-mail: smarteh2010@hotmail.com

Individual or Business Named in the Complaint

Name: Becky Crawford
Company: Affinity Salon
Address: 4144 State Route 34 # 5
Hurricane, WV 25526
Phone: 3047575227

List of Witnesses

Robert Summers Linda Greenlee

Description of Complaint

Wednesday, July 28, I went into Affinity Salon expecting a person with experience to color my hair. When I made the appointment the week before I had asked for someone who worked really well with color, my manager, Robert Summers, of Rite Aid, heard me specifically ask for this. The woman on the phone promised she would do a good job and we set an appointment, her name was Tara, I never did get her last name. I showed her a picture of how I would like for my hair to be. They ended up doing a treatment on my hair, which I was never asked if I would like nor did they tell me the risks about the treatment. Following that she did color and highlights. I spent 5 hours in the salon and paid \$130 for the whole thing. I never wanted blond highlights in my hair. When I left the salon, I had blond

highlights. The whole time, Tara was asking Becky if every step of the process was correct. I knew off the bat that I was in trouble. She later talked about how nervous she was about taking her boards. So not only was I lied to about someone who was experienced with color, but I was given the wrong highlights. The next day I found out after I washed it that they had fried my hair. I went back to the salon and asked what I could do, Becky set me up for a gloss treatment which she said was practically nothing in cost, which she isn't going to charge me. I asked for my money back and she refused. I am very unhappy with my hair, they have ruined and fried it. I've never had this problem to the point where my hair is practically dead. I would appreciate you looking into this and I would love to get my money back, that's the least they could do. Thank you, I appreciate the help.



Joe Manchin III
Governor

Adam L. Higginbotham
Director

State of West Virginia
Board of Barbers and Cosmetologists

1201 Dunbar Ave.
Dunbar, WV 25064
Telephone: 304-558-2924
Fax: 304-558-3450
www.wvbhc.org

Board Members

Michael Belcher
Justina Gabbert
Sarah Hamrick
Paula Kurczak
Susan Poveromo
Jim Ryan
Rick Stache

Becky Crawford
Affinity Salon
4144 State Route 34 #5
Hurricane, WV 25526

August 5th, 2010

COMPLAINT #: C2011-09

Dear Becky Crawford:

The Board office has received the enclosed complaint concerning an employee of Affinity Salon damaging a client's hair.

The Board office is requesting your response to this letter and the complaint so that it may be reviewed by the Board.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 15 days of receipt of this letter.

Please mail your response to:

WVBBC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director

Rebecca Crawford
4144 State Route 34 Unit 5
Hurricane, WV 25526
August 10, 2010

Adam L. Higginbotham
Director
Board of Barbers and Cosmetologists
1201 Dunbar Ave.
Dunbar, WV 25064

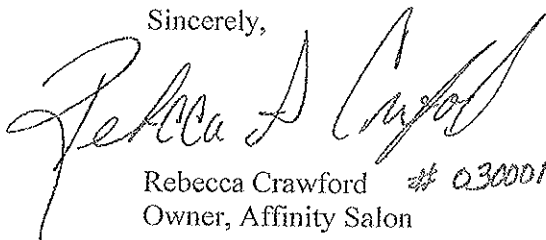
Dear Mr. Higginbotham:

I am a hairdresser/barber with 23 years of experience. I am licensed in three states (WV, OH, PA). I am a certified colorist, trained under Deborah McCann, Sam Villa, and Kris Sorbia at their own salons. My salon has a reputation that I would like to keep intact. If someone is going to file a complaint against my salon, they need to tell the whole story, not half. The stylist that was working on Elizabeth Smart was an experienced hairdresser. Her name is Tara Jordan. She had not taken her board exams at the time of the encounter with Miss Smart; however, she was working on a permit that was issued April 22, 2010. Everything that Tara did was under my supervision. But, no hairdresser is prepared for what the customer presented to us. Affinity Salon does have a policy; that being a full consultation is done with the client prior to the work done to determine the history of the client's hair and to analyze the present condition of the hair. When Tara was looking at Miss Smart's hair, she noticed that she had a Level 2 box color on her hair. She told us that she does her own hair. She did not tell us how many times she has colored her hair.

Miss Smart wanted Tara to lift her hair level from Level 2 to Level 5. She also wanted Sunkist highlights on top. So, all in all, she wanted her hair color lifted 2-3 shades lighter and highlighted. Any good, experienced hairdresser knows color does not lift color, especially boxed black hair color. So this is what we had to do: we used the mildest product we carry (Rush Illuminates), and left it on her for ten minutes. It took her 2 shades lighter. Then we stopped and noticed something was not told to us in the consultation. Her hair had 3 different demarcation lines, which means she has used the box color 3 different times. She did not tell us this during the consultation, and she may be considered a "kitchen beautician". So we stopped; we had reached a good level. Her hair was not damaged by us. The box color damaged her hair. In our salon, we use ISO. We chose her color (5N zero), and did not have to put a volume, which is unnecessary when we were only depositing, not lifting. This is not harsh to the hair. It could not have damaged or dried her hair out.

We then added just a few highlights on top (level 10). When her hair was finished, she loved it. We even had her step outside of the salon into the sunlight to get a better look using a hand mirror. A couple of days later, she came back to my salon to make a complaint. The color looked faded and dry. I told her I could do a gloss treatment. She called her mother to explain the situation. I got on the phone with the mother, and she proceeded to make demands and was very rude to me. No treatment was done at that time, but she was scheduled for a later date. I sent Miss Smart home with hot, deep conditioners at no charge. Please give me some suggestions on how to resolve this particular issue and feel free to contact me if more info is needed. The number at the salon is 304-757-5227.

Sincerely,



Rebecca Crawford # 030001
Owner, Affinity Salon

8/18/10
Received



State of West Virginia
 Board of Barbers and Cosmetologists
 1201 Dunbar Avenue
 Dunbar, WV 25064

Earl Ray Tomblin
 Governor

p: 304.558.2924
 f: 304.558.3450
 www.wvbbc.org

Director
 Adam L. Higginbotham

Board Members
 Michael Belcher Justina Gabber
 Sarah Hamrick Susan Poverom
 Jim Ryan Rick Stache

Becky Crawford
 Affinity Salon
 4144 State Route 34 #5
 Hurricane, WV 25526

November 19, 2010

COMPLAINT #: C2011-09

Dear Becky Crawford:

The Board has heard the above mentioned complaint number at the November 15th, 2010 board meeting. The Board voted to dismiss the complaint.

Should you have any further questions, please contact the Board office at 304-558-2924.

Sincerely,

Adam L. Higginbotham
 Director

Higginbotham, Adam L.

From: Adam.L.Higginbotham@wv.gov
Sent: Friday, August 13, 2010 2:19 PM
To: Higginbotham, Adam L; Western, Patrick L
Subject: WVBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: April Bennett
Address: 108 Eclipse Court Apt 2
Martinsburg , WV 25404
Phone: 304-268-1144
E-mail:

Individual or Business Named in the Complaint

Name: Melissa Trenary Grove
Company: Heavenly Touch Day Spa
Address: 881 Mid Atlantic Parkway
Martinsburg, WV 25404
Phone: 304-264-4772

List of Witnesses

Mandi Matchett - 382 Larkspur Lane Martinsburg WV 25403 (304)995-8701 Kaci Walther - Globe St
Martinsburg WV 25404 (304)279-5392 April Bennett -108 Eclipse Ct Apt 2 Martinsburg WV 25404
(304)268-1144 Taylor Bennett - 108 Eclipse Ct Apt 2 Martinsburg WV 25404 (age 9)

Description of Complaint

Melissa Trenary Grove (owner) gave facials to Mandi Matchett and April Bennett. She also did a back wax on a young man and did a side-by-side pedicure with Annie Smith (stylist). She also does body wraps and treatments which by spa regulations, she is not allowed to do. All of these done during business hours.



Joe Manchin III
Governor

Adam L. Higginbotham
Director

State of West Virginia
Board of Barbers and Cosmetologists

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Telephone: 304-558-2924
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www.wvbbs.org

Board Members

Michael Beicher
Justina Gabbert
Sarah Hamrick
Paula Kurczak
Susan Poveromo
Jim Ryan
Rick Stache

August 13th, 2010

Melissa Grove
Heavenly Touch Day Spa
881 Mid Atlantic Parkway
Martinsburg, WV 25404

COMPLAINT #: C2011-10

Dear Melissa Grove:

The Board office has received the enclosed complaint about you doing nails and facials.

The Board is fully aware that all licensed cosmetologists can perform services on the hair, face, skin, and nail within the rules and definitions of West Virginia Code, Chapter 30, Article 27.

This letter is only to inform you that a complaint has been filed against you and the Board requests your response.

The Board office is requesting your response to this letter and the complaint so that it may be reviewed by the Board.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 15 days of receipt of this letter.

Please mail your response to:

WVBBC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director

Higginbotham, Adam L

From: Melissa Trenary Grove [mtregro@gmail.com]
Sent: Monday, August 16, 2010 2:42 PM
To: Higginbotham, Adam L
Subject: Complaint #C2011-10 Heavenly Touch Day Spa

Dear Mr. Higginbotham,

I just received via mail the letter that you sent on August 13, 2010 regarding a complaint filed by April Bennett. Ms. Bennett left employment at Heavenly Touch Day Spa on Monday August 9, 2010. On Friday morning, she entered the facility and began destruction of property. The police had to be called. Deputy Peirson with the Berkeley County Sheriff's Department is handling the incident. Ms. Bennett also lists Mandi Matchett and Kaci Walther as witness to the complaint. Both of these stylists left their positions with Heavenly Touch and went to work for Ms. Bennett's mother at her establishment.

I am the owner of the facility. However, I am not a licensed cosmetologist. I do not perform services of any kind on our clientele. I realize that this is not allowed by WV state law. This is a blatant attempt by Ms. Bennett to harm my establishment because I refused to rehire her after she quit and stormed out of the facility on Monday cursing and yelling the entire way.

Please feel free to contact me regarding this complaint. You may reach me either via this email address or via phone at the spa #304.264.4772.

I look forward to hearing from you soon.

Regards,

Melissa Trenary Grove
Heavenly Touch Day Spa



State of West Virginia
 Board of Barbers and Cosmetologists
 1201 Dunbar Avenue
 Dunbar, WV 25064

p: 304.558.2924
 f: 304.558.3450
 www.wvbbs.org

Director
 Adam L. Higginbotham

Board Members

Michael Belcher	Justina Gabbert
Sarah Hamrick	Susan Poveromo
Jim Ryan	Rick Stache

Earl Ray Tomblin
Governor

Melissa Grove
 Heavenly Touch Day Spa
 881 Mid Atlantic Parkway
 Martinsburg, WV 25404

November 19, 2010

COMPLAINT #: C2011-10

Dear Melissa Grove:

The Board has heard the above mentioned complaint number at the November 15th, 2010 board meeting. The Board voted to dismiss the complaint.

However, just to ensure compliance, a Cease and Desist letter is enclosed with this notification.

Should you have any further questions, please contact the Board office at 304-558-2924.

Sincerely,

Adam L. Higginbotham
 Director



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November 19, 2010

Dear Melissa Grove:

The West Virginia Board of Barbers and Cosmetologists (hereinafter "Board") was created by the legislature to protect the public by regulating the practice of beauty culture in the State of West Virginia. W. Va. Code § 30-27-1 *et seq.* On August 13th, 2010 the Board received a formal complaint/information regarding:

- Unlicensed practice

After reviewing the received complaint/information it was determined that the issues mentioned above, if accurate, is in violation of West Virginia law.

As a result of you are hereby ordered to **CEASE AND DESIST** all business relating to the issues mentioned above within the State of West Virginia until such a time that you are properly licensed.

Failure to comply with this cease and desist order will result in further legal consequences. Please feel free to contact the Board's Executive Director at (304) 558-2924 with any questions.

Sincerely,

Adam L. Higginbotham M.B.A.
 Executive Director

