

STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF BARBERS AND COSMETOLOGISTS

IN RE:)
IMAGERY SALON & SPA) Docket No: CO05-0906
License No. 012-0001910)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through State Prosecuting Attorney, Robert H. Backus, and Respondent, Imagery Salon, who stipulate and agree as follows:

Board Authority

1. The Vermont Board of Barbers and Cosmetologists has jurisdiction to investigate and adjudicate allegations of unprofessional conduct pursuant to 3 V.S.A. §129 and 129a; 26 V.S.A. Chapter 6; the Rules of the Board of Barbers and Cosmetologists (RBBC); and the Rules of the Office of Professional Regulation.

Statement of Facts

2. The Respondent, Imagery Salon and Spa (the Salon), is licensed as a Cosmetology Shop by the State of Vermont under license number 012-0001910. This license was originally issued on or about July 4, 2000 and is currently set to expire November 30, 2007.
3. At all relevant times, the Salon was owned by licensed cosmetologist Sara A. Fontoni and was located in Barre, Vermont.
4. The Secretary of State's records indicate that Ms. Fantoni's license lapsed on or about November 30, 2005. Ms. Fantoni did not renew her license until September 11, 2006.
5. Ms. Fantoni continued to work at the Salon during the time period in which her license was lapsed.
6. Additionally, the Secretary of State's records indicate that the Salon's license lapsed on or about November 30, 2005. The Salon's license was not renewed until September 11, 2006.

Charges

7. The acts, omissions and/or circumstances described above constitute grounds for discipline because Respondent violated:

- i) 26 V.S.A. § 272(a) (No person shall practice or attempt to practice barbering or

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Prosecuting Attorney
Office of
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9 Baldwin Street
Montpelier, VT
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- cosmetology or use in connection with the person's name any letters, words, title or insignia indicating or implying that the person is a barber or cosmetologist unless the person is licensed in accordance with this chapter);
- ii) RBBC Rule 9.2(b) (Shop owners and designated licensees are responsible for ensuring that any person practicing a profession governed by these rules in their shop has a valid license issued by the Board, and has in their possession at all times while working a current Vermont photo license or current Vermont state issued photo identification);
 - iii) 26 V.S.A. § 282(b) (The practices of barbering and cosmetology shall be permitted only in shops licensed by the board, except as provided in sections 273 and 281 of this title and the rules of the board);
 - iv) 3 V.S.A. § 129a(a)(3) (Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession).

Understandings

8. The parties understand that the terms of this Stipulation and Consent Order are contingent upon review and acceptance by the Board and that if the Board rejects any portion the entire Stipulation and Consent Order shall be null and void.
9. The Respondent has read and reviewed this document fully and agrees that it contains the entire agreement between the parties.
10. This Stipulation and Consent Order is entered into voluntarily by the Respondent after the opportunity to consult with legal counsel. The Respondent has not been coerced by anyone into signing this Stipulation and Consent Order.
11. The Respondent is voluntarily waiving its right to a contested hearing before the Board and waives any right to appeal from this Stipulation and Consent Order.
12. Respondent agrees that the State has sufficient evidence for the Board to find that Respondent has engaged in unprofessional conduct and that the Order set forth below may be entered by the Board.

WHEREFORE, the parties agree that the following constitutes a reasonable resolution given the above violations:

CONSENT ORDER

- A. Based upon the above stipulation, it is **ORDERED** and **ADJUDGED** as follows:

The Board of Barbers and Cosmetologists hereby **REPRIMANDS** the Respondent's license as a cosmetology shop.

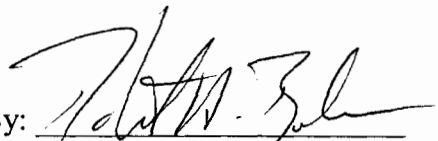
- B. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a).

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Dated: 5/17/07

By: 
Robert H. Backus
State Prosecuting Attorney

SARA A. FANTONI
RESPONDENT

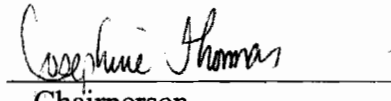
Dated: 5/17/07

By: 
Sara A. Fantoni

APPROVED AND SO ORDERED:

VERMONT BOARD OF BARBERS AND
CÔSMETOLOGISTS

Dated: May 21, 2007

By: 
Chairperson

Date of Entry: 5/21/07

co.fantoni.stip

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