

STATE OF VERMONT
BOARD OF BARBERS AND COSMETOLOGISTS

IN RE:
SUSAN HOLTON
Lic. No. 010-0003187

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Docket No: CO 11-1201

STIPULATION AND CONSENT ORDER

The Respondent, Susan Holton, and the State of Vermont, by its Attorney General, William H. Sorrell, stipulate to the statements of Board Authority, Facts and Understandings set forth below and agree to the entry of the following Consent Order by the Vermont State Board of Barbers and Cosmetologists as a final order in this matter.

Board Authority

1. The Vermont Board of Barbers and Cosmetologists has jurisdiction to investigate and adjudicate allegations of unprofessional conduct by cosmetologists pursuant to 3 V.S.A. §129; 26 V.S.A. §276; and the Board of Barbers and Cosmetologists Rules (hereinafter "Rules
2. Fraudulent or deceptive procurement or use of a license is unprofessional conduct upon which the Board can base disciplinary action. 3 V.S.A. §129a(a)(1).

Facts

3. At all times relevant to these charges, the Respondent, Susan Holton was a licensed cosmetologist holding license number 010-0003187.
4. Respondent's license was originally issued on November 28, 1995 and currently expires on November 30, 2003.
5. Respondent failed to disclose the following convictions on her 1999 application to the Vermont Board of Barbers and Cosmetologists:
 - a. Driving While Intoxicated, first offense (State v. Holton, Docket No. 4305-8-98 Cncr)(dated 9/16/98).
6. Respondent stated "no" when asked on the application whether she had been convicted of a crime other than a minor traffic violation. Respondent signed her application on October 30, 1999.
7. The crime established above is not minor traffic violations.

Office of the
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GENERAL
109 State Street
Montpelier, VT
05609

Charges

8. The above acts, circumstances and/or omissions, in whole or in part, constitute unprofessional conduct and violate:
 - a 3 V.S.A. §129a(a)(1) (Fraudulent or deceptive procurement or use of a license).

Understandings

- A. The Respondent understands that the Board of Barbers and Cosmetologists must review and accept the terms of the Order set forth below and that if the Board rejects all or any portion of the Order, then this entire document shall be null and void.
- B. The Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
- C. The Respondent is not under the influence of any drugs or alcohol at the time this document is being signed.
- D. The Respondent agrees that she has had sufficient opportunity to consult with legal counsel before signing this document.
- E. The Respondent agrees to settle the charge against her on the terms set forth in this order and is voluntarily waiving her right to a contested hearing before the Board of Barbers and Cosmetologists.
- F. The Respondent agrees that the Order set forth immediately below may be entered by the Board of Barbers and Cosmetologists.

Consent Order

G. Based on the above stipulations, it is **ADJUDGED** as follows:

a The "Facts" listed above are true; and

(2) The Respondent has engaged in unprofessional conduct in that the Respondent has:

A. Been fraudulent or deceptive in her procurement of a license.

H. Based on the above stipulation and on the above Findings and Conclusions of this Board, it is **ORDERED** as follows:

i The Board hereby **REPRIMANDS Respondent's license.**

I. Notwithstanding any provision above, Respondent must meet all Board of Barbers and Cosmetologists requirements for license renewal and license reinstatement.

J. 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).

K. This Stipulation and Consent Order will remain part of the Respondent's licensing file and may be used in determining sanctions in future disciplinary matters.

AGREED TO:

BY: SUSAN HOLTON
RESPONDENT

Date: 12/29/02

Susan Holton
Susan Holton

AND BY: STATE OF VERMONT
WILLIAM H. SORRELL
ATTORNEY GENERAL

Date: 1/3/03

George C. Haegele IV
George C. Haegele IV
Assistant Attorney General

ACCEPTED AND SO ORDERED:

BOARD OF BARBERS AND
COSMETOLOGISTS

Date: 1-27-03

Marilyn Roy
Chairperson

Dated entered: 2/4/03

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