

FIRST AMENDED COMPLAINT



BEFORE THE STATE OF NEVADA BARBER'S HEALTH & SANITATION BOARD

STATE BOARD OF NEVADA BARBER'S HEALTH & SANITATION BOARD,

Case No. C-2022-0001

Petitioner,

FIRST AMENDED COMPLAINT AND NOTICE OF HEARING

vs.

ROYAL BYRON (Personal Barber License No. 428, Instructor License No. 044, Owner/Operator of Nevada's First Barber School, License No. 020, Owner/Operator of The Art of Barbers School, License No. 021)

Respondent.

Joe Foley, Vice President for the State Board of Nevada Barber's Health, and Sanitation Board ("Board"), submits this Amended complaint for disciplinary action against ROYAL BYRON, Personal Barber License No. 428, Instructor License No. 044, Owner/Operator of Nevada's First Barber School, License No. 020, Owner/Operator of The Art of Barbers School, License No. 021 ("Respondent"). The hearing will be held pursuant to Chapter 233B, Chapter 643 of the Nevada Revised Statutes ("NRS") and Chapter 643 of the Nevada Administrative Code ("NAC"). The purpose of the hearing is to consider the allegations stated below and to determine if the Respondent should be subject to an administrative penalty as set forth in NRS 643.185 and/or NRS 643.1717 and/or NAC 643.521 and/or NAC 643.780 and/or NRS.622.400, and the discipline to be imposed, if violations of law are proven.

I. JURISDICTION

1. Respondent was at all relevant times mentioned in this Complaint licensed by the Board to practice as a barber, to practice as an instructor, to own/operate the barber school "Nevada's First Barber School" and to own/operate the barber school,

1 “The Art of Barbers School”.

2 2. As a licensed barber, Respondent did engage in the business and practice  
3 of barbering and is therefore subject to the jurisdiction of the Board and the provisions  
4 of NRS Chapter 643 and NAC Chapter 643.

5 3. As a licensed barber school owner, Respondent did engage in the business  
6 and practice in instruction of applicants approved by the Board to enroll in barber  
7 school and is therefore subject to the jurisdiction of the Board and the provisions of  
8 NRS Chapter 643 and NAC Chapter 643.

9 4. Pursuant to NRS Chapter 643, the Board is vested with the sole discretion  
10 to discipline barbering establishments and licensees of barbering.

## 11 **II. FACTUAL ALLEGATIONS**

12 5. Respondent (“ROYAL BYRON”) was at the relevant times mentioned in this  
13 Complaint and Notice of Hearing, licensed by the Board as a personal barber, instructor,  
14 and owner/operator of “Nevada’s First Barber School” and “The Art of Barber’s School  
15 and subject to the jurisdiction of the Board and the provision of NRS Chapter 643 and  
16 NAC Chapter 643.

17 6. On or about June 22, 1993, Respondent received a license to practice as a  
18 personal barber. On or about December 2, 2000, Respondent received a license to  
19 practice as an instructor. Moreover, at all times material to this Complaint and Notice  
20 of Hearing, Respondent maintained licensure as a personal barber (license set to expire  
21 on April 1, 2024), instructor (license set to expire on April 3, 2023) and owner/operator  
22 of “Nevada’s First Barber School” and “The Art of Barber’s School” (licenses set to  
23 expire April 1, 2023).

24 7. On or about August 6, 2021, Respondent implemented a rule requiring  
25 students enrolled in either “Nevada’s First Barber School” or “The Art of Barber’s  
26 School” to seek out patrons and/or members of the public and solicit barbering services.  
27 (“Exhibit A”; “Exhibit D”; “Exhibit E”) Also, Respondent required students to drive  
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1 their vehicles to seek, solicit, and transport homeless members of the public in their  
2 vehicles to either of Respondent's schools for barbering services, in an effort to receive  
3 hours. ("Exhibit A"; "Exhibit D"; "Exhibit E"). Moreover, any student's refusal to seek  
4 patrons and/or members of the public resulted in immediate disciplinary action  
5 including forfeiture of earned hours, suspension and/or expulsion. ("Exhibit A";  
6 "Exhibit D"; "Exhibit E") At no time material to this Complaint and Notice was  
7 Respondent authorized to implement the aforementioned disciplinary action by the  
8 Board.

9 8. On or about August 6, 2021, Respondent implemented a rule requiring  
10 students enrolled in either "Nevada's First Barber School" or "The Art of Barber's  
11 School" to reuse unlaundered stained towels previously contaminated from prior use  
12 on a patron/member of the public. ("Exhibit A"- "Exhibit E") Also, students were  
13 required to reuse disinfectant customarily known as "barbicide" on patrons/member of  
14 the public. While customary in barbering to dispose of disinfectant and/or any  
15 equivalent daily, Respondent required students to routinely use the same disinfectant  
16 on many patrons/members of the public for several months. Moreover, any student's  
17 refusal to reuse the disinfectant subjected the student(s) to immediate disciplinary  
18 action including forfeiture of earned hours, suspension and/or expulsion. ("Exhibit A"-  
19 "Exhibit E") At no time material to this Complaint and Notice was Respondent  
20 authorized to implement the aforementioned disciplinary action by the Board.

21 9. On or about August 6, 2021, Respondent implemented a rule requiring  
22 students enrolled in either "Nevada's First Barber School" or "The Art of Barber's  
23 School" to bring their own soap/detergent to service patrons/members of the public. At  
24 all times material to the Complaint/Notice of Hearing soap, detergent or functioning  
25 lather soap dispensers were never provided by the Respondent to students at either  
26 school. ("Exhibit A"- "Exhibit E") Moreover, any students' failure to bring their own  
27 soap/detergent subjected the student(s) to immediate disciplinary action including  
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1 forfeiture of earned hours, suspension and/or expulsion. (“Exhibit A”- “Exhibit E”)  
2 Additionally, any student’s attempt to bring their own lathering agent subjected the  
3 student(s) to immediate disciplinary action including forfeiture of earned hours,  
4 suspension and/or expulsion. (“Exhibit D”). At no time material to the Complaint and  
5 Notice was the Respondent authorized to implement the aforementioned disciplinary  
6 action by the Board.

7 10. On or about August 6, 2021, Respondent implemented a protocol notifying  
8 students enrolled in either “Nevada’s First Barber School” or “The Art of Barber’s  
9 School” of forfeiture of hours, suspensions, expulsions, and reinstatement following  
10 expulsions via email. (“Exhibit A”- “Exhibit E”). At all times material to this Complaint  
11 and Notice, any students permitted to be reinstated in either of Respondent’s schools  
12 were required to pay a reinstatement fee of \$500. (“Exhibit A”- “Exhibit E”).  
13 Additionally, at all times material to this Complaint and Notice, students previously  
14 suspended over a period of two (2) days or expelled were never notified of their right to  
15 an appeal. (“Exhibit A”; “Exhibit C”; “Exhibit D”; “Exhibit E”). Moreover, with the  
16 exception of one student (regarding expulsion only), at all times material to this  
17 Complaint and Notice, the Board was never made aware of any suspensions, expulsions  
18 and/or reinstatement following expulsions via email. (“Exhibit A”; “Exhibit C”- “Exhibit  
19 E”). Furthermore, at no time material to the Complaint and Notice of Hearing was the  
20 Board ever made aware of the Respondents’ unauthorized protocol regarding forfeiture  
21 of student hours. (“Exhibit A”- “Exhibit E”).

22 11. On or about June 8, 2022, the Board began receiving petitions/complaints  
23 alleging numerous violations committed by the Respondent and his agents/employees  
24 in his capacity as personal barber, instructor, and owner/operator of two barber schools.  
25 (“Exhibit A”- “Exhibit E”).

26 12. During June 8, 2022- July 6, 2022, the Board received additional  
27 petitions/complaints alleging similar violations to petitions/complaints received on  
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1 June 8<sup>th</sup>, 2022. (“Exhibit A”- “Exhibit E”). On July 6, 2022, the undersigned board  
2 member was assigned to investigate the allegations.

3 13. On July 16, 2022, Royal Byron was served a copy of the Complaint and  
4 Exhibits “A”- “E”. (Exhibit F). On July 18, 2022, in an apparent retaliatory response to  
5 complaints provided by current/former students, Mr. Byron immediately emailed those  
6 students who filed petitions/complaints notifying them that they are now “withdrawn”  
7 from the “Nevada First Barber School” or “The Art of Barbers School.” (“Exhibit G;  
8 First Supplement to Exhibit B; First Supplement to Exhibit C; First Supplement to  
9 Exhibit D; First Supplement to Exhibit E).

10 14. Additionally, the emails list “conflict of interest” as the reason for the  
11 students’ “withdrawal”. (“Exhibit G; First Supplement to Exhibit B; First Supplement  
12 to Exhibit C; First Supplement to Exhibit D; First Supplement to Exhibit E”) However,  
13 at no time material to this First Amended Complaint and Notice did Mr. Byron verify  
14 this “conflict of interest” finding with the Board before issuing immediate disciplinary  
15 action. At no time material to this First Amended Complaint did Mr. Byron attempt to  
16 exercise alternative options regarding the placements of those students who filed  
17 complaints/petitions until this matter was resolved. Also, at no time material to this  
18 First Amended Complaint and Notice was Mr. Byron otherwise authorized by the  
19 Board to issue immediate disciplinary action.

20 15. Furthermore, the language of the “withdrawal” letters submitted to each  
21 student/former student who filed a petition/complaint appear to be vague and  
22 ambiguous as the reason for “withdrawal”. Despite this, all letters were forwarded to  
23 the Board without additional clarification (“Exhibit G; First Supplement to Exhibit B;  
24 First Supplement to Exhibit C; First Supplement to Exhibit D; First Supplement to  
25 Exhibit E).

26 16. Moreover, in an enforcement of Mr. Byron’s order, Mr. Ray Lewis escorted  
27 those students who filed complaints/petitions off the “Art of Barbers school” premises  
28

1 and with his signature forwarded the withdrawal package to the Board on Mr. Byron's  
2 behalf. Additionally, in an enforcement of Mr. Byron's order, Mr. Henry Dollar escorted  
3 students who filed complaints/petitions off the "Nevada First Barber School" premises  
4 and forwarded the withdrawal package to the Board on Mr. Byron's behalf.

### 5 III. VIOLATIONS

#### 6 First Claim for Relief

7 17. Paragraphs 1-16 are incorporated here by reference.

8  
9 18. Respondent is subject to discipline before the Board pursuant to NRS  
10 643.200(b) and NRS 643.200(f) for (1) failing to properly launder towels and/or  
11 instruct his students to launder towels that are used on patrons/members of the  
12 public and (2) failing to properly immerse and/or instruct his students to properly  
13 immerse all barbering utensils used on patrons/members of the public in either boiling  
14 water, a solution of 2 percent carbolic acid, or its equivalent after daily use.  
15

#### 16 Second Claim for Relief

17 19. Paragraphs 1-16 are incorporated here by reference.

18  
19 20. Respondent is subject to discipline before the Board pursuant to NAC  
20 643.355(1)-(2) and NAC 643.355(4) for (1) failing to properly clean and/or instruct his  
21 students to properly clean implements/utensils used on patrons/members of the public;  
22 (2) failing to use soap or detergent on implements/utensils after daily use on  
23 patrons/members of the public; (3) failing to provide students soap or detergent to  
24 students for implements/utensils used on patrons/members of the public; (4)  
25 instructing students to "sanitize" utensils with only water before and after daily use  
26 on patrons/members of the public; (5) reusing and/or requiring students to reuse  
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1 contaminated disinfectant after greater than one day on a patron/member of the public  
2 not in accordance with instructions on the manufacturer's label and (6) reusing and/or  
3 requiring students to reuse implements/utensils previously placed in disinfectant but  
4 not sanitized with boiling water, solution of 2 percent carbolic acid, or its equivalent.  
5

6 Third Claim for Relief

7 21. Paragraphs 1-16 are incorporated here by reference.

8  
9 22. Respondent is subject to discipline before the Board pursuant to NAC  
10 643.570 for failing to comply with the requirements of NAC 643.355 when Respondent  
11 (1) failed to properly clean and/or instruct his students to properly clean  
12 implements/utensils used on patrons/members of the public; (2) failed to use soap or  
13 detergent on implements/utensils before use on patrons/members of the public; (3)  
14 failed to provide students soap or detergent to students for implements/utensils used  
15 on patrons/members of the public; (4) instructed students to "sanitize" utensils with  
16 only water before and after use on patrons/members of the public; (5) reused and/or  
17 required students to reuse contaminated disinfectant after use on a patron/member of  
18 the public not in accordance with instructions on the manufacturer's label and (6)  
19 reused and/or required students to reuse implements/utensils previously placed in  
20 disinfectant greater than one day but not sanitized with boiling water, solution of 2  
21 percent carbolic acid, or its equivalent.  
22  
23

24 Fourth Claim for Relief

25  
26 23. Paragraphs 1-16 are incorporated here by reference.  
27  
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1 reasons for the action, and/or written notice of the date in which the student may  
2 reenter either barber school.

3  
4 Seventh Claim for Relief

5 29. Paragraphs 1-16 are incorporated here by reference.

6 30. Respondent is subject to discipline before the Board pursuant to NAC  
7 643.680(2) when Respondent adopted and enforced rules outside the scope of NRS 643  
8 and/or NAC 643 that governed the conduct of students enrolled in either of  
9 Respondent's schools without Board approval and (2) when Respondent enforced rules  
10 either outside the scope of NRS 643 and/or NAC 643 or within the scope NRS 643 and/or  
11 NAC 643, but enforced said rules in an arbitrary and capricious manner without Board  
12 approval.  
13  
14

15 Eighth Claim for Relief

16 31. Paragraphs 1-16 are incorporated here by reference.

17 32. Respondent is subject to discipline before the Board pursuant to NAC  
18 643.177(e) for failing to comply with the provisions of NRS 643.200(b), and/or NRS  
19 643.200(f), and/or NAC 643.355(1)-(2), and/or NAC 643.355(4), and/or NAC 643.620(1),  
20 and/or NAC 643.710(1)(a)(b), and/or NAC 643.690(1)(2)(a) and/or NAC 643.680(2) in  
21 Respondent's ownership and operation of the "Nevada's First Barber School" and/or the  
22 "Art of Barbers School".  
23  
24

25 Ninth Claim for Relief

26 33. Paragraphs 1-16 are incorporated here by reference.  
27  
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1 34. Respondent is subject to discipline before the Board pursuant to NAC  
2 643.1716 for (1) failing to comply with the requirements of NRS 643.200(b), and/or NRS  
3 643.200(f) pertaining to the relaundering of towels used on patrons/members of the  
4 public and sanitation of implements/utensils used on patrons/members of the public  
5 as a licensed barber, and/or licensed instructor and/or licensed barber school owner, (2)  
6 failing to comply with the regulations adopted by the board, including NAC 643.355(1)-  
7 (2), and/or NAC 643.355(4), and/or NAC 643.620(1), and/or NAC 643.710(1)(a)(b),  
8 and/or NAC 643.690(1)(2)(a) and/or NAC 643.680(2) as a licensed barber, and/or  
9 licensed instructor and/or licensed barber school owner.  
10

11 Tenth Claim for Relief

12 35. Paragraphs 1-16 are incorporated here by reference.

13 36. Respondent is subject to discipline before the Board pursuant to NRS  
14 643.185(1)(a) and NRS 643.185(1)(c) for (1) violating NRS 643.200(b), and/or NRS  
15 643.200(f), and/or NAC 643.355(1)-(2), and/or NAC 643.355(4), and/or NAC 643.620(1),  
16 and/or NAC 643.710(1)(a)(b), and/or NAC 643.690(1)(2)(a) and/or NAC 643.680(2) as a  
17 licensed barber, licensed instructor, and/or licensed barber school owner.  
18  
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21 **IV. DISCIPLINE AUTHORIZED**

22 **37. NRS 643.185 provides the grounds for disciplinary action,**  
23 **authorized disciplinary action, and provides as follows:**

- 24 1. The following are grounds for disciplinary action by the Board:
- 25 (a) Violation by any person licensed pursuant to the provisions of this  
26 chapter of any provision of this chapter or the regulations adopted by the  
27 Board.
  - 28 (b) Conviction of a felony relating to the practice of barbers.
  - (c) Malpractice or incompetency.
  - (d) Continued practice by a person knowingly having an infectious or

1 contagious disease.

2 (e) Advertising, practicing, or attempting to practice under another's name  
or trade name.

3 (f) Having an alcohol or other substance use disorder.

4 2. If the Board determines that a violation of this section has occurred it may:

5 (a) Refuse to issue or renew a license;

6 (b) Revoke or suspend a license; and

(c) Impose a fine of not more than \$1,000.

7 **38. NRS 643.1717 provides grounds for suspension, revocation, and**  
8 **other disciplinary action against licensees previously authorized to**  
9 **operate a barbershop, and provides as follows:**

10 1. The Board may immediately suspend a license to operate a barbershop for  
11 violation of any of the applicable provisions of this chapter or regulations adopted by  
12 the Board until the violation is cured.

13 2. Except for immediate suspensions authorized pursuant to subsection 1, the  
14 Board may suspend or revoke a license to operate a barbershop for a violation of the  
15 provisions of this chapter or any regulation adopted by the Board only in a manner  
16 consistent with the provisions of chapter 622A of NRS.

17 3. When a license to operate a barbershop has been suspended or revoked for  
18 a violation of the provisions of this chapter or the sanitary requirements of the Board,  
19 the Board shall post a notice on the shop stating the fact of suspension or revocation  
20 and the reason therefor.

21  
22 **39. NAC 643.521 provides the schedule of fines and provides as**  
23 **follows:**

24 1. Any barber school licensed pursuant to chapter 643 of NRS and found to be in  
25 violation of:

26 (a) Any provision of NRS 643.177 may be fined:

27 (1) For the first offense in any licensing period, an amount not to exceed \$100;

(2) For the second offense in any licensing period, an amount not to exceed  
\$250; and

28 (3) For the third offense in any licensing period, an amount not to exceed

1 \$500.

2 (b) Any provision of NAC 643.530 to 643.650, inclusive, may be fined:

3 (1) For the first offense in any licensing period, an amount not to exceed \$75;

4 (2) For the second offense in any licensing period, an amount not to exceed \$150; and

5 (3) For the third offense in any licensing period, an amount not to exceed \$300.

6 2. Each violation discovered upon inspection constitutes a separate count for the purposes of imposing the fines set forth in this section.

7 **40. NAC 643.780 states the penalties which the Board is authorized**

8 **to impose, and provides as follows:**

9 1. Any barber licensed pursuant to chapter 643 of NRS and found to be in violation  
10 of any provision of NRS 643.140 may be fined:

11 (a) For the first offense in any licensing period, an amount not to exceed \$80; and

12 (b) For the second offense in any licensing period, an amount not to exceed \$160.

13 For the third offense, the barber will be brought before the Board for the revocation of his or her license.

14 2. Any person licensed pursuant to chapter 643 of NRS and found to be in violation of any provision of NRS 643.150 may be fined:

15 (a) For the first offense in any licensing period, an amount not to exceed \$30;

16 (b) For the second offense in any licensing period, an amount not to exceed \$100; and

17 (c) For the third offense in any licensing period, an amount not to exceed \$500.

18 3. Any barber licensed pursuant to chapter 643 of NRS and found to be in violation of any provision of paragraph (e) of subsection 1 of NRS 643.185 may be fined:

19 (a) For the first offense in any licensing period, an amount not to exceed \$250;

20 (b) For the second offense in any licensing period, an amount not to exceed \$500; and

21 (c) For the third offense in any licensing period, an amount not to exceed \$1,000.

22 4. Any person licensed pursuant to chapter 643 of NRS and found to be in violation of any provision of NRS 643.190 may be fined:

23 (a) For the first offense in any licensing period, an amount not to exceed \$250;

24 (b) For the second offense in any licensing period, an amount not to exceed \$500; and

25 (c) For the third offense in any licensing period, an amount not to exceed \$1,000.

26 5. Any barber licensed pursuant to chapter 643 of NRS and found to be in violation of any provision of NRS 643.200 may be fined:

27 (a) For the first offense in any licensing period, an amount not to exceed \$100;

28 (b) For the second offense in any licensing period, an amount not to exceed \$250; and

(c) For the third offense in any licensing period, an amount not to exceed \$500.

6. Any barber licensed pursuant to chapter 643 of NRS and found to be in violation of any provision of NAC 643.320 to 643.415, inclusive, may be fined:

(a) For the first offense in any licensing period, an amount not to exceed \$75;

(b) For the second offense in any licensing period, an amount not to exceed \$150; and

(c) For the third offense in any licensing period, an amount not to exceed \$300.

1 7. Each violation discovered upon inspection constitutes a separate count for the  
2 purposes of imposing the fines set forth in this section.

3 **V. RELIEF SOUGHT**

4 41. Based upon the allegations contained herein, the Investigating Board  
5 Member prays for relief as follows:

6 a. That the Board takes action against Respondent's personal barber  
7 license pursuant to NRS 643.185(1)(2)(b) by revoking the Respondent's  
8 license for no less than one (1) year. It is further requested that only upon  
9 completion of the one (1) year revocation period and upon the filing of a  
10 formal petition by Respondent to the Board, will the Board then consider  
11 for possible action the reinstatement of Respondent's personal barber  
12 license.

13 b. That the Board takes action against Respondent's instructor license  
14 pursuant to NRS 643.185(1)(2)(b) by revoking the Respondent's license  
15 for no less than one (1) year. It is further requested that only upon  
16 completion of the one (1) year revocation period and upon the filing of a  
17 formal petition by Respondent the Board, will the Board then consider  
18 for possible action the reinstatement of Respondent's instructor license.

19 c. That the Board takes action against Respondent's license to operate  
20 "Nevada's First Barber School" and Respondent's license to operate "The  
21 Art of Barbers School" pursuant to NRS 643.185(1)(2)(b) by revoking each  
22 license for no less than one (1) year. It is further requested that only upon  
23 completion of the one (1) year revocation period and upon the filing of a  
24 formal petition by Respondent to the Board, will the Board then consider  
25 for possible action the reinstatement of Respondent's license to operate  
26 "Nevada's First Barber School" and Respondent's license to operate "The  
27 Art of Barbers School".

28 d. That pursuant to NRS 643.185(1)(2)(c) the Board impose an

1 administrative fine up to \$1,000.00 for each violation of NRS 643 and for  
2 each violation of NAC 643 for a total administrative fine of \$10,000.00.

3 e. That pursuant to NRS Chapter 622, the Board imposes the costs of the  
4 proceeding upon Respondent, including investigative costs and attorneys'  
5 fees, if the Board otherwise imposes discipline on Respondent.

6 f. Further, the Investigating Board Member requests that the Board take  
7 such disciplinary action as it deems proper and just under the  
8 circumstances.

9 **VI. NOTICE OF HEARING**

10 **PLEASE TAKE NOTICE** that a disciplinary hearing has been set to consider  
11 the Administrative Complaint against the above-named Respondent in accordance  
12 with Chapters 233B and 643 of the Nevada Revised Statutes and Chapter 643 of the  
13 Nevada Administrative Code.

14 **THE HEARING WILL TAKE PLACE on August 15, 2022, commencing**  
15 **at 9:00 a.m., or as soon thereafter as the Board is able to hear the matter, at**  
16 **Comfort Inn & Suites, located at 475 Marks Street, Henderson, Nevada**  
17 **89014; Room: Sierra Mojave Meeting Room.**

18 **Your hearing may be continued until later in the day or postponed to**  
19 **an alternative date should unforeseen circumstances occur. It is your**  
20 **responsibility to be present when your case is called. If you are not present**  
21 **when your hearing is called, a default may be entered against you and the**  
22 **Board may decide the case as if all allegations in the complaint were true.**  
23 **If you have any questions, please call Antinette Maestas, Secretary/**  
24 **Treasurer at 702-456-4769.**

25 **YOUR RIGHTS AT THE HEARING:** except as mentioned below, the  
26 hearing is an open meeting under Nevada's Open Meeting Law and may be  
27 attended by the public. After the evidence and arguments, the Board may  
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1 conduct a closed meeting to discuss your alleged misconduct or  
2 professional competence. A verbatim record will be made by a certified  
3 court reporter. You are entitled to a copy of the transcript of the open and  
4 closed portions of the meeting, although you must pay for the transcription.

5 As the Respondent, you are specifically informed that you have the  
6 right to appear and be heard in your defense, either personally or through  
7 your counsel of choice. At the hearing, the Board has the burden of proving  
8 the allegations in the complaint and will call witnesses and present  
9 evidence against you. You have the right to respond and to present relevant  
10 evidence and argument on all issues involved. You have the right to call and  
11 examine witnesses, introduce exhibits, and cross-examine opposing  
12 witnesses on any matter relevant to the issues involved.

13 You have the right to request that the Board issue subpoenas to  
14 compel witnesses to testify and/or evidence to be offered on your behalf. In  
15 making the request, you may be required to demonstrate the relevance of  
16 the witnesses' testimony and/or evidence.

17 Other important rights you have are listed in NRS 643.010 through  
18 643.240 NRS Chapter 233B, and NAC 643.005 through 643.780. The purpose  
19 of the hearing is to determine if the Respondent has violated NRS 643 and/or  
20 NAC 643 and if the allegations contained herein are substantially proven by  
21 the evidence presented and to further determine what administrative  
22 penalty, if any, is to be assessed against the Respondent, pursuant to NRS  
23 643.185 and/or NRS 643.1717 and/or NAC 643.521 and/or NAC 643.780 and/or  
24 NRS.622.400.

25 DATED this 20th day of July, 2022

26  
27 By: /s/Joe Foley  
28 Joe Foley  
Investigating Board Member

**CERTIFICATE OF SERVICE**

I certify that I am an employee of the State Board of Nevada Barber's Health & Sanitation Board, and that on July 21, 2022, I submitted for personal service via Process Server, a true and correct copy of the foregoing FIRST AMENDED COMPLAINT AND NOTICE OF HEARING, addressed to the following:

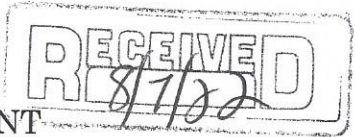
ROYAL BYRON  
Nevada's First Barber School  
1401 N. Decatur Boulevard, Suite 8 & 9  
Las Vegas, Nevada 89169

ROYAL BYRON  
The Art of Barbers School  
3528 Maryland Parkway Suite: 3610  
Las Vegas, Nevada 89169



An Employee of the  
State Board of Nevada Barber's Health & Sanitation Board





SECOND AMENDED COMPLAINT

BEFORE THE STATE OF NEVADA BARBER'S HEALTH & SANITATION BOARD

STATE BOARD OF NEVADA BARBER'S HEALTH & SANITATION BOARD,

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Respondent.

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I. JURISDICTION

1. Respondent was at all relevant times mentioned in this Complaint licensed by the Board to practice as a barber, to practice as an instructor, to own/operate the barber school "Nevada's First Barber School" and to own/operate the barber school,

1 “The Art of Barbers School”.

2 2. As a licensed barber, Respondent did engage in the business and practice  
3 of barbering and is therefore subject to the jurisdiction of the Board and the provisions  
4 of NRS Chapter 643 and NAC Chapter 643.

5 3. As a licensed barber school owner, Respondent did engage in the business  
6 and practice in instruction of applicants approved by the Board to enroll in barber  
7 school and is therefore subject to the jurisdiction of the Board and the provisions of  
8 NRS Chapter 643 and NAC Chapter 643.

9 4. Pursuant to NRS Chapter 643, the Board is vested with the sole discretion  
10 to discipline barbering establishments and licensees of barbering.

## 11 **II. FACTUAL ALLEGATIONS**

12 5. Respondent (“ROYAL BYRON”) was at the relevant times mentioned in this  
13 Complaint and Notice of Hearing, licensed by the Board as a personal barber, instructor,  
14 and owner/operator of “Nevada’s First Barber School” and “The Art of Barber’s School  
15 and subject to the jurisdiction of the Board and the provision of NRS Chapter 643 and  
16 NAC Chapter 643.

17 6. On or about June 22, 1993, Respondent received a license to practice as a  
18 personal barber. On or about December 2, 2000, Respondent received a license to  
19 practice as an instructor. Moreover, at all times material to this Complaint and Notice  
20 of Hearing, Respondent maintained licensure as a personal barber (license set to expire  
21 on April 1, 2024), instructor (license set to expire on April 3, 2023) and owner/operator  
22 of “Nevada’s First Barber School” and “The Art of Barber’s School” (licenses set to  
23 expire April 1, 2023).

24 7. On or about August 6, 2021, Respondent implemented a rule requiring  
25 students enrolled in either “Nevada’s First Barber School” or “The Art of Barber’s  
26 School” to seek out patrons and/or members of the public and solicit barbering services.  
27 (“Exhibit A”; “Exhibit D”; “Exhibit E”) Also, Respondent required students to drive  
28

1 their vehicles to seek, solicit, and transport homeless members of the public in their  
2 vehicles to either of Respondent's schools for barbering services, in an effort to receive  
3 hours. ("Exhibit A"; "Exhibit D"; "Exhibit E"). Moreover, any student's refusal to seek  
4 patrons and/or members of the public resulted in immediate disciplinary action  
5 including forfeiture of earned hours, suspension and/or expulsion. ("Exhibit A";  
6 "Exhibit D"; "Exhibit E") At no time material to this Complaint and Notice was  
7 Respondent authorized to implement the aforementioned disciplinary action by the  
8 Board.

9 8. On or about August 6, 2021, Respondent implemented a rule requiring  
10 students enrolled in either "Nevada's First Barber School" or "The Art of Barber's  
11 School" to reuse unlaundered stained towels previously contaminated from prior use  
12 on a patron/member of the public. ("Exhibit A"- "Exhibit E") Also, students were  
13 required to reuse disinfectant customarily known as "barbicide" on patrons/member of  
14 the public. While customary in barbering to dispose of disinfectant and/or any  
15 equivalent daily, Respondent required students to routinely use the same disinfectant  
16 on many patrons/members of the public for several months. Moreover, any student's  
17 refusal to reuse the disinfectant subjected the student(s) to immediate disciplinary  
18 action including forfeiture of earned hours, suspension and/or expulsion. ("Exhibit A"-  
19 "Exhibit E") At no time material to this Complaint and Notice was Respondent  
20 authorized to implement the aforementioned disciplinary action by the Board.

21 9. On or about August 6, 2021, Respondent implemented a rule requiring  
22 students enrolled in either "Nevada's First Barber School" or "The Art of Barber's  
23 School" to bring their own soap/detergent to service patrons/members of the public. At  
24 all times material to the Complaint/Notice of Hearing soap, detergent or functioning  
25 lather soap dispensers were never provided by the Respondent to students at either  
26 school. ("Exhibit A"- "Exhibit E") Moreover, any students' failure to bring their own  
27 soap/detergent subjected the student(s) to immediate disciplinary action including  
28

1 forfeiture of earned hours, suspension and/or expulsion. (“Exhibit A”- “Exhibit E”)  
2 Additionally, any student’s attempt to bring their own lathering agent subjected the  
3 student(s) to immediate disciplinary action including forfeiture of earned hours,  
4 suspension and/or expulsion. (“Exhibit D”). At no time material to the Complaint and  
5 Notice was the Respondent authorized to implement the aforementioned disciplinary  
6 action by the Board.

7 10. On or about August 6, 2021, Respondent implemented a protocol notifying  
8 students enrolled in either “Nevada’s First Barber School” or “The Art of Barber’s  
9 School” of forfeiture of hours, suspensions, expulsions, and reinstatement following  
10 expulsions via email. (“Exhibit A”- “Exhibit E”). At all times material to this Complaint  
11 and Notice, any students permitted to be reinstated in either of Respondent’s schools  
12 were required to pay a reinstatement fee of \$500. (“Exhibit A”- “Exhibit E”).  
13 Additionally, at all times material to this Complaint and Notice, students previously  
14 suspended over a period of two (2) days or expelled were never notified of their right to  
15 an appeal. (“Exhibit A”; “Exhibit C”; “Exhibit D”; “Exhibit E”). Moreover, with the  
16 exception of one student (regarding expulsion only), at all times material to this  
17 Complaint and Notice, the Board was never made aware of any suspensions, expulsions  
18 and/or reinstatement following expulsions via email. (“Exhibit A”; “Exhibit C”- “Exhibit  
19 E”). Furthermore, at no time material to the Complaint and Notice of Hearing was the  
20 Board ever made aware of the Respondents’ unauthorized protocol regarding forfeiture  
21 of student hours. (“Exhibit A”- “Exhibit E”).

22 11. On or about June 8, 2022, the Board began receiving petitions/complaints  
23 alleging numerous violations committed by the Respondent and his agents/employees  
24 in his capacity as personal barber, instructor, and owner/operator of two barber schools.  
25 (“Exhibit A”- “Exhibit E”).

26 12. During June 8, 2022- July 6, 2022, the Board received additional  
27 petitions/complaints alleging similar violations to petitions/complaints received on  
28

1 June 8<sup>th</sup>, 2022. (“Exhibit A”- “Exhibit E”). On July 6, 2022, the undersigned board  
2 member was assigned to investigate the allegations.

3 13. On July 16, 2022, Royal Byron was served a copy of the Complaint and  
4 Exhibits “A”- “E”. (Exhibit F). On July 18, 2022, in an apparent retaliatory response to  
5 complaints provided by current/former students, Mr. Byron immediately emailed those  
6 students who filed petitions/complaints notifying them that they are now “withdrawn”  
7 from the “Nevada First Barber School” or “The Art of Barbers School.” (“Exhibit G;  
8 First Supplement to Exhibit B; First Supplement to Exhibit C; First Supplement to  
9 Exhibit D; First Supplement to Exhibit E).

10 14. Additionally, the emails list “conflict of interest” as the reason for the  
11 students’ “withdrawal”. (“Exhibit G; First Supplement to Exhibit B; First Supplement  
12 to Exhibit C; First Supplement to Exhibit D; First Supplement to Exhibit E”) However,  
13 at no time material to the First Amended Complaint and Notice did Mr. Byron verify  
14 this “conflict of interest” finding with the Board before issuing immediate disciplinary  
15 action. At no time material to this Complaint and Notice did Mr. Byron attempt to  
16 exercise alternative options regarding the placements of those students who filed  
17 complaints/petitions until this matter was resolved. Also, at no time material to this  
18 Complaint and Notice was Mr. Byron otherwise authorized by the Board to issue  
19 immediate disciplinary action.

20 15. Furthermore, the language of the “withdrawal” letters submitted to each  
21 student/former student who filed a petition/complaint appear to be vague and  
22 ambiguous as the reason for “withdrawal”. Despite this, all letters were forwarded to  
23 the Board without additional clarification (“Exhibit G; First Supplement to Exhibit B;  
24 First Supplement to Exhibit C; First Supplement to Exhibit D; First Supplement to  
25 Exhibit E).

26 16. Moreover, in an enforcement of Mr. Byron’s order, Mr. Ray Lewis escorted  
27 those students who filed complaints/petitions off the “Art of Barbers school” premises  
28

1 and with his signature forwarded the withdrawal package to the Board on Mr. Byron's  
2 behalf. Additionally, in an enforcement of Mr. Byron's order, Mr. Henry Dollar escorted  
3 students who filed complaints/petitions off the "Nevada First Barber School" premises  
4 and forwarded the withdrawal package to the Board on Mr. Byron's behalf.

### 5 III. VIOLATIONS

#### 6 First Claim for Relief

7 17. Paragraphs 1-16 are incorporated here by reference.

8  
9 18. Respondent is subject to discipline before the Board pursuant to NRS  
10 643.200(b) and NRS 643.200(f) for (1) failing to properly relaunder towels and/or  
11 instruct his students to relaunder towels that are used on patrons/members of the  
12 public and (2) failing to properly immerse and/or instruct his students to properly  
13 immerse all barbering utensils used on patrons/members of the public in either boiling  
14 water, a solution of 2 percent carbolic acid, or its equivalent after daily use.  
15

#### 16 Second Claim for Relief

17 19. Paragraphs 1-16 are incorporated here by reference.

18  
19 20. Respondent is subject to discipline before the Board pursuant to NAC  
20 643.355(1)-(2) and NAC 643.355(4) for (1) failing to properly clean and/or instruct his  
21 students to properly clean implements/utensils used on patrons/members of the public;  
22 (2) failing to use soap or detergent on implements/utensils after daily use on  
23 patrons/members of the public; (3) failing to provide students soap or detergent to  
24 students for implements/utensils used on patrons/members of the public; (4)  
25 instructing students to "sanitize" utensils with only water before and after daily use  
26 on patrons/members of the public; (5) reusing and/or requiring students to reuse  
27  
28

1 contaminated disinfectant after greater than one day on a patron/member of the public  
2 not in accordance with instructions on the manufacturer's label and (6) reusing and/or  
3 requiring students to reuse implements/utensils previously placed in disinfectant but  
4 not sanitized with boiling water, solution of 2 percent carbolic acid, or its equivalent.  
5

6 Third Claim for Relief

7 21. Paragraphs 1-16 are incorporated here by reference.

8 22. Respondent is subject to discipline before the Board pursuant to NAC  
9 643.570 for failing to comply with the requirements of NAC 643.355 when Respondent  
10 (1) failed to properly clean and/or instruct his students to properly clean  
11 implements/utensils used on patrons/members of the public; (2) failed to use soap or  
12 detergent on implements/utensils before use on patrons/members of the public; (3)  
13 failed to provide students soap or detergent to students for implements/utensils used  
14 on patrons/members of the public; (4) instructed students to "sanitize" utensils with  
15 only water before and after use on patrons/members of the public; (5) reused and/or  
16 required students to reuse contaminated disinfectant after use on a patron/member of  
17 the public not in accordance with instructions on the manufacturer's label and (6)  
18 reused and/or required students to reuse implements/utensils previously placed in  
19 disinfectant greater than one day but not sanitized with boiling water, solution of 2  
20 percent carbolic acid, or its equivalent.  
21  
22  
23

24 Fourth Claim for Relief

25 23. Paragraphs 1-16 are incorporated here by reference.  
26  
27  
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1 reasons for the action, and/or written notice of the date in which the student may  
2 reenter either barber school.

3  
4 Seventh Claim for Relief

5 29. Paragraphs 1-16 are incorporated here by reference.

6 30. Respondent is subject to discipline before the Board pursuant to NAC  
7 643.680(2) when Respondent adopted and enforced rules outside the scope of NRS 643  
8 and/or NAC 643 that governed the conduct of students enrolled in either of  
9 Respondent's schools without Board approval and (2) when Respondent enforced rules  
10 either outside the scope of NRS 643 and/or NAC 643 or within the scope NRS 643 and/or  
11 NAC 643, but enforced said rules in an arbitrary and capricious manner without Board  
12 approval.  
13  
14

15 Eighth Claim for Relief

16 31. Paragraphs 1-16 are incorporated here by reference.

17 32. Respondent is subject to discipline before the Board pursuant to NRS  
18 643.177(1)(e) for failing to comply with the provisions of NRS 643.200(b), and/or NRS  
19 643.200(f), and/or NAC 643.355(1)-(2), and/or NAC 643.355(4), and/or NAC 643.620(1),  
20 and/or NAC 643.710(1)(a)(b), and/or NAC 643.690(1)(2)(a) and/or NAC 643.680(2) in  
21 Respondent's ownership and operation of the "Nevada's First Barber School" and/or the  
22 "Art of Barbers School".  
23  
24

25 Ninth Claim for Relief

26 33. Paragraphs 1-16 are incorporated here by reference.  
27  
28

1 34. Respondent is subject to discipline before the Board pursuant to NRS  
2 643.1716 for (1) failing to comply with the requirements of NRS 643.200(b), and/or NRS  
3 643.200(f) pertaining to the relaundering of towels used on patrons/members of the  
4 public and sanitation of implements/utensils used on patrons/members of the public  
5 as a licensed barber, and/or licensed instructor and/or licensed barber school owner, (2)  
6 failing to comply with the regulations adopted by the board, including NAC 643.355(1)-  
7 (2), and/or NAC 643.355(4), and/or NAC 643.620(1), and/or NAC 643.710(1)(a)(b),  
8 and/or NAC 643.690(1)(2)(a) and/or NAC 643.680(2) as a licensed barber, and/or  
9 licensed instructor and/or licensed barber school owner.  
10

11  
12 Tenth Claim for Relief

13 35. Paragraphs 1-16 are incorporated here by reference.  
14

15 36. Respondent is subject to discipline before the Board pursuant to NRS  
16 643.185(1)(a) and NRS 643.185(1)(c) for (1) violating NRS 643.200(b), and/or NRS  
17 643.200(f), and/or NAC 643.355(1)-(2), and/or NAC 643.355(4), and/or NAC 643.620(1),  
18 and/or NAC 643.710(1)(a)(b), and/or NAC 643.690(1)(2)(a) and/or NAC 643.680(2) as a  
19 licensed barber, licensed instructor, and/or licensed barber school owner.  
20

21 **IV. DISCIPLINE AUTHORIZED**

22 **37. NRS 643.185 provides the grounds for disciplinary action,**  
23 **authorized disciplinary action, and provides as follows:**

- 24 1. The following are grounds for disciplinary action by the Board:  
25 (a) Violation by any person licensed pursuant to the provisions of this  
26 chapter of any provision of this chapter or the regulations adopted by the  
27 Board.  
28 (b) Conviction of a felony relating to the practice of barbers.  
(c) Malpractice or incompetency.  
(d) Continued practice by a person knowingly having an infectious or

1 contagious disease.

2 (e) Advertising, practicing, or attempting to practice under another's name  
3 or trade name.

4 (f) Having an alcohol or other substance use disorder.

5 2. If the Board determines that a violation of this section has occurred it may:

6 (a) Refuse to issue or renew a license;

7 (b) Revoke or suspend a license; and

8 (c) Impose a fine of not more than \$1,000.

9 **38. NRS 643.1717 provides grounds for suspension, revocation, and  
10 other disciplinary action against licensees previously authorized to  
11 operate a barbershop, and provides as follows:**

12 1. The Board may immediately suspend a license to operate a barbershop for  
13 violation of any of the applicable provisions of this chapter or regulations adopted by  
14 the Board until the violation is cured.

15 2. Except for immediate suspensions authorized pursuant to subsection 1, the  
16 Board may suspend or revoke a license to operate a barbershop for a violation of the  
17 provisions of this chapter or any regulation adopted by the Board only in a manner  
18 consistent with the provisions of chapter 622A of NRS.

19 3. When a license to operate a barbershop has been suspended or revoked for  
20 a violation of the provisions of this chapter or the sanitary requirements of the Board,  
21 the Board shall post a notice on the shop stating the fact of suspension or revocation  
22 and the reason therefor.

23 **39. NAC 643.521 provides the schedule of fines and provides as  
24 follows:**

25 1. Any barber school licensed pursuant to chapter 643 of NRS and found to be in  
26 violation of:

27 (a) Any provision of NRS 643.177 may be fined:

28 (1) For the first offense in any licensing period, an amount not to exceed \$100;

(2) For the second offense in any licensing period, an amount not to exceed  
\$250; and

(3) For the third offense in any licensing period, an amount not to exceed

1           \$500.

2       (b) Any provision of NAC 643.530 to 643.650, inclusive, may be fined:

3           (1) For the first offense in any licensing period, an amount not to exceed \$75;

4           (2) For the second offense in any licensing period, an amount not to exceed \$150; and

5           (3) For the third offense in any licensing period, an amount not to exceed \$300.

6       2. Each violation discovered upon inspection constitutes a separate count for the purposes of imposing the fines set forth in this section.

7           **40. NAC 643.780 states the penalties which the Board is authorized**  
8           **to impose, and provides as follows:**

9           1. Any barber licensed pursuant to chapter 643 of NRS and found to be in violation  
10 of any provision of NRS 643.140 may be fined:

11           (a) For the first offense in any licensing period, an amount not to exceed \$80; and

12           (b) For the second offense in any licensing period, an amount not to exceed \$160.

13 For the third offense, the barber will be brought before the Board for the revocation of his or her license.

14           2. Any person licensed pursuant to chapter 643 of NRS and found to be in violation of any provision of NRS 643.150 may be fined:

15           (a) For the first offense in any licensing period, an amount not to exceed \$30;

16           (b) For the second offense in any licensing period, an amount not to exceed \$100; and

17           (c) For the third offense in any licensing period, an amount not to exceed \$500.

18           3. Any barber licensed pursuant to chapter 643 of NRS and found to be in violation of any provision of paragraph (e) of subsection 1 of NRS 643.185 may be fined:

19           (a) For the first offense in any licensing period, an amount not to exceed \$250;

20           (b) For the second offense in any licensing period, an amount not to exceed \$500; and

21           (c) For the third offense in any licensing period, an amount not to exceed \$1,000.

22           4. Any person licensed pursuant to chapter 643 of NRS and found to be in violation of any provision of NRS 643.190 may be fined:

23           (a) For the first offense in any licensing period, an amount not to exceed \$250;

24           (b) For the second offense in any licensing period, an amount not to exceed \$500; and

25           (c) For the third offense in any licensing period, an amount not to exceed \$1,000.

26           5. Any barber licensed pursuant to chapter 643 of NRS and found to be in violation of any provision of NRS 643.200 may be fined:

27           (a) For the first offense in any licensing period, an amount not to exceed \$100;

28           (b) For the second offense in any licensing period, an amount not to exceed \$250; and

          (c) For the third offense in any licensing period, an amount not to exceed \$500.

          6. Any barber licensed pursuant to chapter 643 of NRS and found to be in violation of any provision of NAC 643.320 to 643.415, inclusive, may be fined:

          (a) For the first offense in any licensing period, an amount not to exceed \$75;

          (b) For the second offense in any licensing period, an amount not to exceed \$150; and

          (c) For the third offense in any licensing period, an amount not to exceed \$300.

1 7. Each violation discovered upon inspection constitutes a separate count for the  
2 purposes of imposing the fines set forth in this section.

3 **V. RELIEF SOUGHT**

4 41. Based upon the allegations contained herein, the Investigating Board  
5 Member prays for relief as follows:

6 a. That the Board takes action against Respondent's personal barber  
7 license pursuant to NRS 643.185(1)(2)(b) by revoking the Respondent's  
8 license for no less than one (1) year. It is further requested that only upon  
9 completion of the one (1) year revocation period **and** upon the filing of a  
10 formal petition by Respondent to the Board, will the Board then consider  
11 for possible action the reinstatement of Respondent's personal barber  
12 license.

13 b. That the Board takes action against Respondent's instructor license  
14 pursuant to NRS 643.185(1)(2)(b) by revoking the Respondent's license  
15 for no less than one (1) year. It is further requested that only upon  
16 completion of the one (1) year revocation period **and** upon the filing of a  
17 formal petition by Respondent the Board, will the Board then consider  
18 for possible action the reinstatement of Respondent's instructor license.

19 c. That the Board takes action against Respondent's license to operate  
20 "Nevada's First Barber School" and Respondent's license to operate "The  
21 Art of Barbers School" pursuant to NRS 643.185(1)(2)(b) by revoking **each**  
22 license for no less than one (1) year. It is further requested that only upon  
23 completion of the one (1) year revocation period **and** upon the filing of a  
24 formal petition by Respondent to the Board, will the Board then consider  
25 for possible action the reinstatement of Respondent's license to operate  
26 "Nevada's First Barber School" and Respondent's license to operate "The  
27 Art of Barbers School".

28 d. That pursuant to NRS 643.185(1)(2)(c) the Board impose an

1 administrative fine up to \$1,000.00 for each violation of NRS 643 and for  
2 each violation of NAC 643 for a total administrative fine of \$10,000.00.

3 e. That pursuant to NRS Chapter 622, the Board imposes the costs of the  
4 proceeding upon Respondent, including investigative costs and attorneys'  
5 fees, if the Board otherwise imposes discipline on Respondent.

6 f. Further, the Investigating Board Member requests that the Board take  
7 such disciplinary action as it deems proper and just under the  
8 circumstances.

9 **VI. NOTICE OF HEARING**

10 **PLEASE TAKE NOTICE** that a disciplinary hearing has been set to consider  
11 the Administrative Complaint against the above-named Respondent in accordance  
12 with Chapters 233B and 643 of the Nevada Revised Statutes and Chapter 643 of the  
13 Nevada Administrative Code.

14 **THE HEARING WILL TAKE PLACE on August 15, 2022, commencing**  
15 **at 9:00 a.m., or as soon thereafter as the Board is able to hear the matter, at**  
16 **Comfort Inn & Suites, located at 475 Marks Street, Henderson, Nevada**  
17 **89014; Room: Sierra Mojave Meeting Room.**

18 **Your hearing may be continued until later in the day or postponed to**  
19 **an alternative date should unforeseen circumstances occur. It is your**  
20 **responsibility to be present when your case is called. If you are not present**  
21 **when your hearing is called, a default may be entered against you and the**  
22 **Board may decide the case as if all allegations in the complaint were true.**  
23 **If you have any questions, please call Antinette Maestas, Secretary/**  
24 **Treasurer at 702-456-4769.**

25 **YOUR RIGHTS AT THE HEARING:** except as mentioned below, the  
26 **hearing is an open meeting under Nevada's Open Meeting Law and may be**  
27 **attended by the public. After the evidence and arguments, the Board may**  
28

1 conduct a closed meeting to discuss your alleged misconduct or  
2 professional competence. A verbatim record will be made by a certified  
3 court reporter. You are entitled to a copy of the transcript of the open and  
4 closed portions of the meeting, although you must pay for the transcription.

5 As the Respondent, you are specifically informed that you have the  
6 right to appear and be heard in your defense, either personally or through  
7 your counsel of choice. At the hearing, the Board has the burden of proving  
8 the allegations in the complaint and will call witnesses and present  
9 evidence against you. You have the right to respond and to present relevant  
10 evidence and argument on all issues involved. You have the right to call and  
11 examine witnesses, introduce exhibits, and cross-examine opposing  
12 witnesses on any matter relevant to the issues involved.

13 You have the right to request that the Board issue subpoenas to  
14 compel witnesses to testify and/or evidence to be offered on your behalf. In  
15 making the request, you may be required to demonstrate the relevance of  
16 the witnesses' testimony and/or evidence.

17 Other important rights you have are listed in NRS 643.010 through  
18 643.240 NRS Chapter 233B, and NAC 643.005 through 643.780. The purpose  
19 of the hearing is to determine if the Respondent has violated NRS 643 and/or  
20 NAC 643 and if the allegations contained herein are substantially proven by  
21 the evidence presented and to further determine what administrative  
22 penalty, if any, is to be assessed against the Respondent, pursuant to NRS  
23 643.185 and/or NRS 643.1717 and/or NAC 643.521 and/or NAC 643.780 and/or  
24 NRS.622.400.

25 DATED this 7th day of August 2022

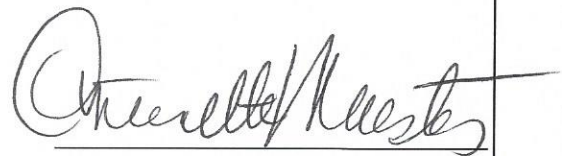
26  
27 By: /s/Joe Foley  
28 Joe Foley  
Investigating Board Member

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**CERTIFICATE OF SERVICE**

I certify that I am an employee of the State Board of Nevada Barber's Health & Sanitation Board, and that on August 8, 2022, I submitted for email and Certified Mail a true and correct copy of the foregoing SECOND -AMENDED COMPLAINT AND NOTICE OF HEARING, addressed to the following:

CARL E.G. ARNOLD  
1428 South Jones Blvd  
Las Vegas, Nevada 89146  
Email: [carl@cegalawgroup.com](mailto:carl@cegalawgroup.com)  
Attorney for Respondent, Royal Byron



An Employee of the  
State Board of Nevada Barber's Health & Sanitation Board