

**STATE OF NEW HAMPSHIRE
BOARD OF BARBERING, COSMETOLOGY, AND ESTHETICS
CONCORD, NH 03301**

In the Matter of:
**Route 4 Barber Shop
Shop Lic. # 4265**

Docket No.: 24-BAR-025

**Erin McNall, Owner
Personal Lic. # 28863**

SETTLEMENT AGREEMENT

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public and the practice of Barbering, Cosmetology, and Esthetics, the New Hampshire Board of Barbering, Cosmetology, and Esthetics (“Board”) and Route 4 Barber Shop (“Shop”), a barber shop currently licensed by the Board, and Erin McNall, (“Licensee”), a barber currently licensed by the Board, (together as “Respondents”) do hereby stipulate and agree to resolve certain allegations of violations of rules and laws regulating the profession now pending before the Board according to the following terms and conditions:

1. Pursuant to NH RSA 313-A:21 and N.H. Code Admin. R Bar (“Bar”) 404.01, Board inspectors have jurisdiction to conduct inspections of shops, tanning salons, and schools.
2. Pursuant to NH RSA 310:12, NH RSA 313-A and Bar 404.04, the Board has the authority to issue disciplinary sanctions for violations of Board statutes and rules.
3. Pursuant to NH RSA 310:10, VIII, and Bar 217.02, the Board may, at any time, dispose of such allegations by settlement, and without commencing a disciplinary hearing.
4. The Board first granted Licensee a barber license # 28863 on August 18, 2014. Licensee’s master barber license expires on July 31, 2025.

5. The Board granted Route 4 Barber Shop at 683 A First NH Turnpike in Northwood, NH, shop license # 4265. This shop license expires July 31, 2025.
6. On or about November 29, 2023, a Board inspector conducted a routine inspection of Respondents which resulted in alleged violations totaling seven hundred and fifty (750) points. In response the Board issued a Notice of Adjudicative Hearing.
7. Respondents stipulate to the following facts:
 - A. On November 29, 2023, a Board inspector conducted a routine inspection of Shop at 683 A First NH Turnpike in Northwood, NH.
 - B. As a result of the inspection, the inspector found violations totaling 750 points related to licensure violations and the lack of an eye wash station.
8. The Board finds that Respondent committed the acts described above and concludes that, by engaging in such conduct, Respondent violated NH RSA 313-A:17
9. Respondents acknowledge that the allegations and facts set forth in paragraph 7 above constitute grounds for the Board to impose disciplinary sanctions against their license to operate as a Board licensee in the State of New Hampshire.
10. WHEREFORE, Respondents consent to the Board imposing the following discipline, pursuant to RSA 310:12.
 - A. Respondents are **REPRIMANDED**.
11. Respondents' breach of any terms or conditions of this *Settlement Agreement* shall constitute unprofessional conduct pursuant to RSA 313-A:22, II, and a separate and sufficient basis for further disciplinary action by the Board.

12. The Board may consider Respondents' compliance with the terms and conditions herein in any subsequent proceeding before the Board regarding Respondents' licenses.
13. The Board agrees that in return for Respondents executing this *Settlement Agreement* the Board will not proceed with the formal adjudicatory process based upon the facts described herein. However, the Board may consider this misconduct as evidence of a pattern of conduct in the event that similar misconduct is proven against Respondent in the future. Additionally, the Board may consider the fact that discipline was imposed by this Order as a factor in determining appropriate discipline should any further misconduct be proven against Respondents in the future.
14. This *Settlement Agreement* shall become a permanent part of Respondents' file, which is maintained by the Board as a public document.
15. Respondents voluntarily enter and sign this *Settlement Agreement* and states that no promises or representations have been made other than those terms and conditions expressly stated herein.
16. Respondents understand that Respondents' action in entering into this *Settlement Agreement* is a final act and not subject to reconsideration, judicial review, or appeal.
17. Respondent agrees to support the adoption of this agreement by the Board.
18. Respondent understands that this agreement is an adverse action against Respondent's license and will be reported to all relevant jurisdictions.
19. Respondents have had the opportunity to seek and obtain the advice of an attorney of Respondents' choosing in connection with the decision to enter into this *Settlement Agreement*.

20. Respondents are not under the influence of any drugs or alcohol and are otherwise of sound mind at the time of signing this *Settlement Agreement*.
21. Respondents understands that the Board must review and accept the terms of this *Settlement Agreement*. If the Board rejects any portion, the entire *Settlement Agreement* shall be null and void. Respondents specifically waives any claims that any disclosures made to, or by, the Board surrounding its review of this *Settlement Agreement* have prejudiced Respondents' right to a fair and impartial hearing in the future if this *Settlement Agreement* is not accepted by the Board.
22. Respondents certify that he/she has read this document titled *Settlement Agreement*. Respondents understands that he/she has the right to a formal adjudicatory hearing concerning this matter and that at said hearing he/she would possess the rights to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on his/her own behalf, to contest the allegations, to present oral argument, and to appeal to the courts. Further, Respondents fully understand the nature, qualities and dimensions of these rights. Respondents understand that by signing this *Settlement Agreement*, he/she waives these rights as they pertain to the misconduct described herein.
23. This *Settlement Agreement* shall take effect as an Order of the Board on the date it is signed by an authorized representative of the Board and shall become final after 30 days pursuant to Plc 205.04.

[Signatures on next page.]

*N.H. Board of Barbering, Cosmetology, and Esthetics
In the matter of Route 4 Barber Shop and Erin McNall
Settlement Agreement*

FOR RESPONDENT

Date: _____

Erin McNall (Owner)
Route 4 Barber Shop
Respondent

FOR THE BOARD/*

Accepted by the Board of Barbering Cosmetology and Esthetics on this _____ day of _____, 2024 ("Effective Date").

(Signature)

(Print or Type Name)
Authorized Representative of the
New Hampshire Board of Barbering,
Cosmetology, and Esthetics

/*Board members recused:

FOR RESPONDENT

Date: 7/10/24

Erin McNall
Erin McNall (Owner)
Route 4 Barber Shop
Respondent

FOR THE BOARD/*

Accepted by the Board of Barbering Cosmetology and Esthetics on this 15 day of July, 2024 ("Effective Date").

Jeanne Chappell
(Signature)

Jeanne Chappell
(Print or Type Name)
Authorized Representative of the
New Hampshire Board of Barbering,
Cosmetology, and Esthetics

/*Board members recused: