

STATE OF MAINE  
BOARD OF BARBERING AND COSMETOLOGY

In re: ) CONSENT  
LAURA RODGER ) AGREEMENT  
Complaint No. 2008-COS-4771 )

INTRODUCTION

This document is a Consent Agreement ("Consent Agreement") concerning disciplinary action against the cosmetology license application of Laura Rodger. The parties to the Consent Agreement are: Laura Rodger ("Ms. Rodger "); the Maine Board of Barbering and Cosmetology ("Board"); and the State of Maine Office of Attorney General ("Attorney General"). The Consent Agreement is entered into pursuant to 10 M.R.S.A. §§ 8003(5-A) and (C).

STATEMENT OF FACTS

1. On June 10, 2008, the Board received a cosmetology license application from Ms. Rodger. The application contains a question asking if the applicant has ever been convicted of a crime other than a minor traffic violation, which Ms. Rodger answered in the negative.
2. Further investigation by the Board indicates that Ms. Rodger was convicted of operating under the influence on May 15, 2003 and driving to endanger on May 30, 2008.
3. On July 16, 2008, the Board Inspector observed Ms. Rodger's performing cosmetology services on members of the public at Doo, a cosmetology establishment located at 25 Government Street, Kittery, Maine. Ms. Rodger did not hold a valid license to practice cosmetology in the State of Maine at that time.
4. Pursuant to 10 M.R.S.A. § 8003(5-A)(A)(1), "[t]he practice of fraud or deceit in obtaining a license" is both a ground for refusal to renew a license and for discipline by the Board.

5. Pursuant to 32 M.R.S.A. § 14224(1), “[a] person may not practice cosmetology in this State unless that person has first obtained a license” from the Board.

6. Pursuant to 32 M.R.S.A. § 14237(2)(H), any violation of the Board’s laws or rules is both a ground for refusal to renew a license and for discipline by the Board.

7. The parties have agreed to enter into the Consent Agreement to resolve this matter.

COVENANTS

In order to resolve fully this matter without further legal proceedings, it is agreed to among the parties that:

1. Ms. Rodger admits that she did not disclose her criminal history and agrees to accept a FORMAL REPRIMAND from the Board as sanction for said violation;

2. Ms. Rodger admits that she violated 32 M.R.S.A. § 14224(1) and agrees to accept a FORMAL REPRIMAND from the Board as sanction for that violation;

3. Ms. Rodger also agrees to pay a fine of Five Hundred Dollars (\$500.00) as sanction for said violations. Said fine must be paid by **CERTIFIED CHECK OR MONEY ORDER** made payable to “Treasurer, State of Maine” and submitted at the time Ms. Rodger submits the signed Consent Agreement;

4. Ms. Rodger agrees to abide by all of the laws and rules of the State of Maine governing the provision of cosmetological services in the future;

5. The Board agrees that upon receipt of the signed Consent Agreement and the fine payment, it will issue a cosmetology license to Ms. Rodger contingent upon her meeting all other

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eligibility criteria;

OFFICE OF LICENSING AND REGISTRATION

General and the Board agree that no further agency or legal action will be taken against Ms. Rodger's cosmetology license based on the facts described herein, except in the event that Ms. Rodger does not comply fully with the terms of the Consent Agreement;

7. The Consent Agreement is not subject to appeal;

8. The Consent Agreement is not subject to amendment except by written agreement of all parties;

9. The Consent Agreement is a public document within the meaning of 1 M.R.S.A. § 402, et seq.;

10. Ms. Rodger understands that the execution of the Consent Agreement is completely voluntary and that she has the right to consult with an attorney before signing the Consent Agreement; and

11. Ms. Rodger understands that her signature indicates that she has read and understands the Consent Agreement and that she enters into it of her own free will.

Dated: 7/28/08

*L. Rodger*  
LAURA RODGER

Dated: 8/4/08

*Nancy Shibles*  
NANCY SHIBLES, Chair  
Board of Barbering & Cosmetology

Dated: 8/19/08

*Judith M. Peters*  
JUDITH M. PETERS  
Assistant Attorney General