



**Pennsylvania
DEPARTMENT OF STATE**

**STATE BUSINESS LICENSING BOARDS
DISCIPLINARY ACTIONS
August 2007**

Secretary of the Commonwealth Pedro A. Cortés and Basil L. Merenda, Commissioner of the Department's Bureau of Professional and Occupational Affairs, announced 50 disciplinary actions taken by the following State Business Licensing Boards: Accountancy; Architects; Auctioneer Examiners; Barber Examiners; Certified Real Estate Appraisers; Cosmetology; Funeral Directors; Landscape Architects; and Professional Engineers, Land Surveyors and Geologists.

Actions were taken against individuals or firms in the following counties: Allegheny (7 actions); Berks (2 actions); Blair (1 action); Bradford (1 action); Bucks (1 action); Butler (2 actions); Chester (1 action); Erie (1 action); Franklin (1 action); Huntington (1 action); Lackawanna (3 actions); Lancaster (1 action); Lebanon (1 action); Lehigh (6 actions); Luzerne (3 actions); Montgomery (1 action); Northampton (1 action); Philadelphia (5 actions); Snyder (1 action); Venango (1 action); Wayne (2 actions); and York (1 action). Six actions involved Pennsylvania licenses with out-of-state addresses.

BOARD OF ACCOUNTANCY

Allegheny County

William F. Buettner, Jr., certificate no. CA011575L, formerly of Pittsburgh, Allegheny County, had his certificate of certified public accountant retroactively suspended for a minimum of four years, beginning Aug. 2, 2004, and was also reprimanded and assessed a \$1,000 civil penalty, based on findings that the Securities and Exchange Commission had denied him the privilege of appearing or practicing before it as an accountant as a result of his consent to the entry of a final judgment in a civil injunction suit that permanently enjoined him from violating federal securities laws. Termination of the suspension after four years is conditioned on Buettner's payment of the civil penalty and his being granted reinstatement to appear or practice before the Securities and Exchange Commission. (07-16-07)

Blair County

Deborah Dover Hiller, certificate no. CA014745L, of Tyrone, Blair County, had her certificate of certified public accountant and current license to practice public accounting revoked, effective Aug. 15, 2007. She was assessed a \$1,000 civil penalty based on her guilty plea to a state misdemeanor charge of theft by failure to make required disposition of funds received. (07-16-07)

Bucks County

John Emeric Karpac, certificate no. CA010567R, of Langhorne, Bucks County, was assessed a \$1,000 civil penalty for practicing public accounting and holding himself out as a certified public accountant without a current license. (6/28/07)

Philadelphia County

Amy S. Frazier, certificate no. CA034106L, of Philadelphia, Philadelphia County, had her certificate of certified public accountant and license to practice public accounting retroactively suspended, from July 28, 2004, to July 28, 2006. She was also reprimanded and assessed a \$1,000 civil penalty based on findings that a federal court had enjoined her from appearing or practicing before the Securities and Exchange Commission as a result of her consent to the entry of a final judgment in a civil injunction suit alleging violations of federal securities laws. (07-16-07)

Out of State

Thomas P. Hauke, certificate no. CA039674L, of New York, N.Y., had his certificate of certified public accountant revoked for pleading guilty plea to a federal felony charge of conspiracy to commit securities fraud, having his license to practice as a certified public accountant in N.J. revoked, and practicing public accounting and holding himself out as certified public accountant in Pa. without a current license. (07-16-07)

Mark D. Kirstein, certificate no. CA027868L, of Chicago, Ill., had his certificate of certified public accountant retroactively suspended, from July 28, 2004, to July 28, 2006. He was also reprimanded and assessed a \$1,000 civil penalty based on findings that a federal court had enjoined him from appearing or practicing before the Securities and Exchange Commission as a result of his consent to the entry of a final judgment in a civil injunction suit alleging violations of federal securities laws. (07-16-07)

Mark Steven Lynch, certificate no. CA025455L, of Vienna, Va., had his certificate of certified public accountant retroactively suspended, from Jan. 17, 2001, to June 8, 2005, based on findings that the Securities and Exchange Commission had denied him the privilege of appearing or practicing before it as an accountant as a result of his consent to the entry of a final judgment in a civil injunction suit that permanently enjoined him from violating federal securities laws. Lynch is not permitted to reactivate his license to practice public accounting in Pennsylvania

until he is granted reinstatement to appear or practice before the SEC as an independent accountant. (07-06-07)

BOARD OF ARCHITECTS LICENSURE

No disciplinary actions taken.

BOARD OF AUCTIONEER EXAMINERS

Lebanon County

David L. Ebersole, license no. AU000246L, of Palmyra, Lebanon County, was assessed a \$1,000 civil penalty because Ebersole failed to account for or pay over monies within a reasonable amount of time. (08-13-07)

BOARD OF BARBER EXAMINERS

Erie County

Douglas A. Lewis, Sr., license no. BL049246L, of Erie, Erie County, was suspended for failing to pay a civil penalty imposed by the board. (07-27-07)

BOARD OF CERTIFIED REAL ESTATE APPRAISERS

Allegheny County

Barron J. Gatta, nos. RL001284L and BA001099L, of Pittsburgh, Allegheny County, had his petition for reinstatement of his suspended residential real estate appraiser and broker/appraiser certifications denied because of his failure to establish that he possesses the requisite good moral character for reinstatement. (07-20-07)

Huntingdon County

Opie G. Boyer, certificate no. RL003278L, of Huntingdon, Huntingdon County, had his residential real estate appraiser certification suspended for a minimum of 60 days, effective June 29, 2007. He was assessed a \$1,000 civil penalty and required to complete remedial education for performing a real estate appraisal that did not conform to the Uniform Standards of Professional Appraisal Practice. Termination of the suspension after 60 days is conditioned on Boyer's payment of the civil penalty and his completion of remedial coursework on the USPAP and the appraisal of manufactured housing. (6/15/07)

BOARD OF COSMETOLOGY

Allegheny County

Larita C. Turner, t/d/b/a Da'von Styles Hair Salon, license no. CB105607L, of Pittsburgh, Allegheny County, was suspended based on failure to pay the board-imposed civil penalty. (07-24-07)

Michelle R. Demaglio, license no. CL006981L of Verona, Allegheny County, was assessed a \$500 civil penalty because Demaglio practiced as a nail technician when her license was unregistered. (08-06-07)

HKP, Inc. t/d/b/a Esspa Collections, license no. CY106964 of Pittsburgh, Allegheny County, was assessed a \$1,000 civil penalty because Esspa Collections practiced cosmetology in a grossly incompetent or unethical manner through the possession of a metal razor scraper tool and two boxes of blades for the metal razor scraper tool. (08-06-07)

Toan T. Ho, t/d/b/a Nail R-T, license no. CY193178 of Pittsburgh, Allegheny County, was assessed a \$1,000 civil penalty because it practiced in a grossly incompetent or unethical manner by having used a razor tool and razor blades as were found during a routine inspection of the salon. (08-06-07)

Berks County

Thuy N. Dang, license no. CL014578L of Douglassville, Berks County, was assessed a \$500 civil penalty because Dang violated a board disciplinary order. (08-06-07)

Tan H. Nguyen, t/d/b/a Friendly Nails, license no. CY193386, of Reading, Berks County, was assessed a \$2,500 civil penalty because Nguyen practiced cosmetology in a grossly incompetent or unethical manner by having razor scraper tools in a drawer located at the far end of the pedicure station. (08-06-07)

Bradford County

Linh Le, t/d/b/a Lee Nails Salon, license no. CY-107960, of Sayre, Bradford County, was assessed a \$1,600 civil penalty because Le provided waxing services without a cosmetology or cosmetician license, practiced cosmetology in a grossly incompetent or unethical manner and did not immediately place soiled towels in a closed container for soiled linens. (08-06-07)

Chester County

Hoang Bao Le Do, license no. CL180286, of Exton, Chester County, was suspended based on failure to pay the board-imposed civil penalty. (07-24-07)

Franklin County

Stacie Lynne Hess, license no. CO231532L, of Chambersburg, Franklin County, was suspended based on failure to pay the board-imposed civil penalty. (07-24-07)

Lackawanna County

Hoang Nguyen, license no. 006904, of Scranton, Lackawanna County, had temporary nail technician license suspended for non-payment of a civil penalty levied by the board. (07-17-07)

Wendy L. Baldassari, license no. CB089741L of Clarks Summit, Lackawanna County, was assessed a \$1,100 civil penalty. Baldassari practiced cosmetology in a grossly incompetent or unethical manner; failed to display, at or near the salon's main entrance, a sign that was clearly visible indicating to the public that it was a cosmetology salon; and she failed to have the wet sterilizer filled and ready for use. (08-06-07)

Kimberly M. Cosklo, t/d/b/a Scissors, license no. CB-097922-L of Jermyn, Lackawanna County, was assessed a \$600 civil penalty because Cosklo violated a board-imposed disciplinary order. (08-06-07)

Lancaster County

Diane Delmotte and Patricia A. Spangler, t/d/b/a Pamper Me Please, of Ephrata, Lancaster County, were assessed a \$500 civil penalty. Delmotte and Spangler maintained an unlicensed cosmetology/esthetician shop by providing facials in an unlicensed salon. (08-06-07)

Lehigh County

Michelle A. Orzel, license no. CO219980L, of Allentown, Lehigh County, had her license suspended for non-payment of a civil penalty levied by the board. (07-17-07)

Duc T. Bui, license no. CY096976L of Allentown, Lehigh County, was assessed a \$3,100 civil penalty because Bui practiced cosmetology or nail technology in a grossly incompetent and unethical manner, practiced cosmetology without having the proper licensure, and did not maintain the salon in a safe, orderly or sanitary condition. (08-06-07)

Nhon Ha, license no. CY193200 and CL179098 of Whitehall, Lehigh County, was assessed a \$500 civil penalty because Ha practiced nail technology in a grossly incompetent or unethical manner. (08-06-07)

Barbara Spagnoletti and Maria C. Vitorino, license no. CB106916 of Allentown, Lehigh County, were assessed a \$1,000 civil penalty because they practiced in a grossly incompetent or unethical manner by allowing the use of razor scraping tools and practiced in a grossly incompetent or unethical manner by allowing the use of razor blades. (08-06-07)

Cuc T. Le, license no. CY103028L of Allentown, Lehigh County, was assessed a \$1,550 civil penalty because Le employed an unlicensed nail technician; had waxing materials present on the premises when Le, as a nail technology salon, was not permitted to perform waxing services; and that there may not have been appropriate floor space in the salon for the licensees performing services at the salon. (08-06-07)

Luzerne County

Danny Ho, t/d/b/a Happy Nails Plus, license no. CY193223 of Wilkes Barre, Luzerne County, was assessed a \$600 civil penalty because Ho practiced cosmetology in a grossly incompetent or unethical manner and failed to have the minimum equipment required for a nail technology salon. (08-06-07)

Michael A. Garubba, license no. CO219369L, of Luzerne County, was assessed a \$400 civil penalty because he violated a board disciplinary order. (08-06-07)

Alan Ho, t/d/b/a Nail Art, license no. CY105046L of Hazleton, Luzerne County, was assessed a \$1,000 civil penalty because Ho did not maintain the salon in a safe, orderly and sanitary manner and practiced cosmetology in a grossly incompetent and/or unethical manner. (08-06-07)

Montgomery County

Sang Hui Yu, t/d/b/a Cuticle Corner, license no. CY193626 of King of Prussia, Montgomery County, was assessed a \$3,600 civil penalty because Yu practiced cosmetology or manicuring in a grossly incompetent and unethical manner; and did not maintain the salon in a safe, orderly or sanitary condition. (08-06-07)

Northampton County

Huong T. Truong, license no. CY-105876-L and CL-018349-L of Easton, Northampton County, was assessed a \$1,500 civil penalty because Truong practiced cosmetology in a grossly incompetent or unethical manner and practiced cosmetology without having proper licensure. (08-06-07)

Philadelphia County

Felicia Wyche, license no. CT018629L, of Philadelphia, Philadelphia County, was suspended based on her failure to pay the board-imposed civil penalty. (07-27-07)

Jacqueline Stanley and Monica Stanley, t/d/b/a Hair Image Beauty Salon, license no. CB088891L of Philadelphia, Philadelphia County, were assessed a \$500 civil

penalty because they failed to file a biennial renewal application and fee by the renewal date and admitted to practicing on a lapsed salon license from Feb. 1, 2003, through March 14, 2007. (08-06-07)

Ming Sen Huang, Qua Liang Chen, Tjiauw Tong Kian & Stanley B. Lau, t/d/b/a, Violet Salon II, license no. CB115006 of Philadelphia, Philadelphia County, was assessed a \$2,600 civil penalty because they practiced cosmetology in a grossly incompetent or unethical manner, and they did not maintain the salon in a safe, orderly and sanitary condition. (08-06-07)

Snyder County

Phu Viet Tran and Nga Nguyen t/d/b/a Golden Nail, license no. CY104974L of Selingsgrove, Snyder County, were assessed a \$250 civil penalty. Tran and Nguyen did not have a complete first-aid kit available, did not maintain the salon in a safe, orderly, and sanitary condition and failed to maintain the salon's equipment in a sanitary condition. (08-06-07)

Venango County

2000 Nails, license no. CY106857 of Cranberry Township, Venango County, was assessed a \$2,500 civil penalty because it practiced cosmetology in a grossly incompetent or unethical manner. (08-06-07)

Wayne County

Danene M. Neal, license no. CB117382 of Beach Lake, Wayne County, was assessed a \$600 civil penalty because Neal had a razor scraper tool in a cabinet next to the manicure table in violation of the Act and failed to have clean towels kept in a closed cabinet. (08-06-07)

Laney Quach, license no. CY-193185 of Honesdale, Wayne County, was assessed a \$9,300 civil penalty. Quach practiced cosmetology or nail technology in a grossly incompetent and unethical manner; she employed unlicensed individuals, she did not store clean towels in a proper manner, she did not store soiled towels in a proper manner and she did not maintain the salon in a safe, orderly or sanitary condition. (08-06-07)

Out of State

Kieu Bich Nguyen, license no. CL007030R, of Gretna, La., had her license suspended for non-payment of a civil penalty levied by the board. (07-17-07)

Hien Thu Thi Pham, license no. CL178430, of Newark, Del., was suspended based on failure to pay the board-imposed civil penalty. (07-24-07)

STATE BOARD OF FUNERAL DIRECTORS

Philadelphia County

Affordable Cremation Service, Inc., unlicensed, of Philadelphia, Philadelphia County, was ordered to cease and desist from practicing funeral directing and assessed a \$1,000 civil penalty based on findings Affordable Cremation Service practiced funeral directing when not properly licensed. (08-02-07)

STATE BOARD OF LANDSCAPE ARCHITECTS

Lehigh County

Debra M. Lermite, license no. LA001545E of Macungie, Lehigh County, was assessed a \$500 civil penalty because Lermite practiced landscape architecture when she was not currently licensed and registered. (08-30-07)

STATE BOARD OF PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

Allegheny County

John C. Wood, license no. PE048754R of Pittsburgh, Allegheny County, was assessed a \$3,000 civil penalty because Wood practiced or implied he could practice professional engineering, and he sealed engineering documents when he held no valid, current license. (08-22-07)

Butler County

George R. Wright, license no. PE004725E and SU000475A, of Evans City, Butler County, was assessed a \$4,000 civil penalty and a public reprimand was placed on his permanent board record. Wright practiced professional engineering, represented himself to be an engineer, and sealed engineering documents, all during a period when he did not hold a current, valid license. (07-25-07)

William C. Smith, license no. PE038102E of Cranberry Township, Butler County, was assessed a \$2,250 civil penalty because Smith used the designation "P.E." when he held no current, valid license because he had failed to remit his biennial dues. Further, he signed and sealed an engineering document when he held no current, valid license because he had failed to remit his biennial dues. (08-22-07)

York County

Eduardo Gomes Pinto, license no. PE016142E of York, York County, was assessed a \$1,000 civil penalty because he used the title "P.E." or practiced professional engineering and applied his seal to documents when he held no current valid registration to practice. (07-25-07)

Out of State

Kenneth B. Shields, license no. SU022878E of Deposit, N.Y., was assessed a \$1,500 civil penalty. Also, his license is suspended for a minimum of 30 days or until he can provide evidence of his completion of the requirements set forth in his consent agreement. Shields failed to act as a faithful agent or trustee for his client. (08-22-07)

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A complete list of sanctions is available online at

www.state.pa.us

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