

**STATE OF CONNECTICUT  
CONNECTICUT EXAMINING BOARD FOR BARBERS,  
HAIRDRESSERS AND COSMETICIANS**

Naim Isaku

Petition No. 2009-20091155

**MEMORANDUM OF DECISION  
*Procedural Background***

The Department of Public Health (“the Department”) presented the Connecticut Examining Board for Barbers, Hairdressers and Cosmeticians (“the Board”) with a Statement of Charges (“the Charges”) brought against Naim Isaku (“respondent”) dated September 7, 2010. The Charges allege violations of §20-252 of the General Statutes of Connecticut (“the Statutes”). Bd. Exh. 1.

On December 14, 2010, the Charges and the Notice of Hearing (“the Notice”) were sent to respondent by certified and first class mail to resident’s last address of record at 20 Anesa Avenue, Waterbury, Connecticut. On December 17, 2010, both the certified and first class correspondences were returned to the Department with the notations that the forwarding time had expired and respondent’s address was 77 Markham Place, #1, Meriden, Connecticut. Bd. Exh. 1.

On December 21, 2010, the Notice was sent to respondent by certified and first class mail to 77 Markham Place, #1, Meriden, Connecticut. Bd. Exh. 2. On December 23, 2010, the United States Postal Service confirmed that a notice of the certified mail was left at respondent’s address. Bd. Exh. 3. The first class correspondence was not returned to the Department.

Respondent did not file an Answer to the Charges. Tr. pp. 6-7.

On January 10, 2011, the Board held an administrative hearing. Respondent did not appear at the hearing and was not represented. Attorney Joelle Newton represented the Department.

At the hearing, the Department moved to deem the allegations admitted due to respondent’s failure to file an Answer. The Board granted the Motion. Tr. pp. 7-8.

The Board conducted the hearing in accordance with Chapter 54 (the Uniform Administrative Procedure Act) of the Statutes and §§ 19a-9-1, *et seq.* of the Regulations of Connecticut State Agencies (“the Regulations”). All Board members involved in this decision received copies of the entire record and attest that they have heard the case or read the record in its entirety. This decision is based entirely on the record. To the extent that the findings of fact actually represent conclusions of law, they should be so considered, and vice versa. *SAS Inst., Inc. v. S & H. Computer Systems, Inc.*, 605 F.Supp. 816 (M.D. Tenn 1985).

***Allegations***

1. In paragraph 1 of the Charges, the Department alleges that respondent has been issued license number 048480 by the Department to practice hairdressing. Respondent's hairdressing license lapsed due to non-renewal on July 31, 2006.
2. In paragraph 2 of the Charges, the Department alleges that from approximately July 31, 2006 through the present, respondent engaged in the practice of hairdressing without a Connecticut license.
3. In paragraph 3 of the Charges the Department alleges that the above conduct constitutes a violation of §20-252 of the Statutes.

***Findings of Fact***

1. The Department provided respondent with reasonable and adequate notice of the hearing. Bd. Exhs. 2, 3; Tr. pp. 5-6.
2. Respondent did not file an Answer to the allegations in the Charges. Tr. pp. 6-7.
3. All of the allegations as set forth in the Charges are deemed admitted and true. Tr. pp. 7-8.

***Discussion and Conclusions of Law***

The Department bears the burden of proof by a preponderance of the evidence in this matter. *Goldstar Medical Services, Inc., et al. v. Department of Social Services*, 288 Conn. 790 (2008); *Steadman v. Securities and Exchange Commission*, 450 U.S. 91, 101 S.Ct. 999, *reh'g denied*, 451 U.S. 933 (1981); *Swiller v. Commissioner of Public Health*, CV 950705601, Superior Court, J.D. Hartford/New Britain at Hartford, Memorandum filed October 10, 1995.

The Charges allege that respondent violated §20-252 of the Statutes which provides in pertinent part that, "No person shall engage in the occupation of a registered hairdresser and cosmetician without having a license from the department . . ."

Since respondent did not file an Answer, the allegations are deemed admitted. §19a-9-20 of the Regulations. Accordingly, respondent is found to have violated §20-252 of the Statutes by practicing as a hairdresser without being licensed to do so. Thus, there is sufficient basis upon which to issue the following order.

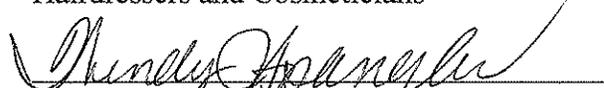
**Order**

Pursuant to the authority vested in it by §§19a-11, 19a-17 and 20-252 of the Statutes, the Board orders that respondent immediately cease and desist from practicing as a hairdresser unless and until respondent is properly licensed.

Connecticut Examining Board for Barbers,  
Hairdressers and Cosmeticians

APRIL 11, 2011

Date

  
Wendy J. Spangler, Chairperson

**CERTIFICATION**

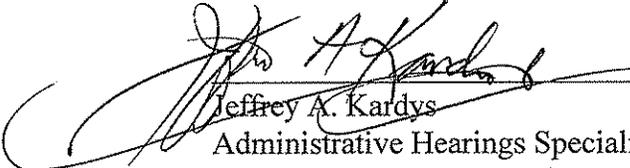
I hereby certify that, pursuant to Connecticut General Statutes § 4-180(c), a copy of the foregoing Memorandum of Decision was sent this 13<sup>th</sup> day of April 2011, by certified mail, return receipt requested and first class mail to:

Naim Isaku  
77 Markham Place, #1  
Meriden, CT 06450-5917

Certified Mail 91-7108-2133-3932-0556-3108

and via email to:

Matthew Antonetti, Principal Attorney  
Legal Office  
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410 Capitol Avenue, MS #12LEG  
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Jeffrey A. Kardys  
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