

**BEFORE THE BARBERING AND COSMETOLOGY ARTS AND SCIENCES BOARD
OF THE STATE OF IOWA**

IN THE MATTER OF

**Lenin Gomez
License No. 100373**

**5229 Amesbury Drive
Davenport, IA 52807**

RESPONDENT

CASE NO.: 23-0232

DIAL NO.: 25DBBC0004

**NOTICE OF HEARING AND
STATEMENT OF CHARGES**

COMES NOW the Iowa Barbering and Cosmetology Arts and Sciences Board (“Board”) and files this Notice of Hearing and Statement of Charges against Lenin Gomez (“Respondent”), pursuant to Iowa Code sections 17A.12(2), 17A.18(3), and 272C.3(1)“e”, and 481 Iowa Administrative Code rule 506.5.

A. TIME, PLACE AND NATURE OF HEARING

1. **Hearing.** A contested case hearing shall be held on April 7, 2025, before the Board. The hearing shall begin at 8:00 a.m. and shall be located in the conference room at the office of the Administrative Hearings Division, 6200 Park Avenue, Ste. 100, East Entrance, Des Moines, Iowa 50321.

2. **Answer.** Within twenty (20) days of the date you are served this Notice of Hearing and Statement of Charges you may file an Answer. In that Answer, you should also state whether you will request a continuance of the date and time of the hearing.

3. **Filing of Pleadings.** Pleadings shall be filed with the Board at the following address: Iowa Barbering and Cosmetology Arts and Sciences Board, 6200 Park Avenue, Ste. 100, Des Moines, Iowa 50321, by email to mary.collins@dia.iowa.gov, or electronically using the Administrative Electronic Document Management System (adminhearings.iowa.gov/efile/).

4. **Presiding Officer.** The Board shall serve as presiding officer at the contested case hearing, but the Board hereby delegates to an Administrative Law Judge from the Department of Inspections, Appeals and Licensing, the authority to make initial rulings on prehearing matters, and requests the administrative law judge be present to assist and advise the Board at hearing.

5. **Prehearing Conference.** Any party may request a prehearing conference to discuss evidentiary issues related to the hearing in accordance with 481 Iowa Administrative Code rule 506.17.

6. **Hearing Procedures.** The procedural rules governing the conduct of the hearing are found at 481 Iowa Administrative Code rule 506.19. At the hearing, you may appear personally or be represented by legal counsel at your own expense. You will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf on issues of material fact, cross-examine witnesses present at the hearing, and examine and respond to any documents introduced at hearing. If you need to request an alternative time or date for hearing, you must comply with the requirements of 481 Iowa Administrative Code rule 506.18. The hearing may be open to the public or closed to the public at the discretion of the Respondent.

7. **Prosecution.** The Office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address: David Merchan, Hoover State Office Building 2nd Floor, Des Moines, Iowa 50319.

8. **Communications.** You may not contact Board members in any manner, including by phone, letter, facsimile, in person or e-mail, about this Notice of Hearing and Statement of Charges. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board and serve

upon all parties in the case. You may contact Mary Collins, Board Executive, Iowa Barbering and Cosmetology Arts and Sciences Board, at mary.collins@dia.iowa.gov or 515-381-7028, or Assistant Attorney General David Merchan at 515-281-6661 or by email at David.merchan@ag.iowa.gov.

B. LEGAL AUTHORITY AND JURISDICTION

9. **Iowa License.** Respondent was issued Iowa barbering license 100373 on February 5, 2021. Respondent's Iowa barbering license is active and will next expire on June 30, 2026.
10. **Jurisdiction.** The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A, 157, 272C and 481 Iowa Administrative Code rule 945.
11. **Legal Authority.** If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code sections 17A.12(2), 17A.18(3), and 272C.3(1)"e" and 481 Iowa Administrative Code rules 504 and 945.
12. **Default.** The Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code Section 17A.12(3) and 481 Iowa Administrative Code rule 506.21.

C. STATEMENT OF CHARGES

COUNT I

13. Respondent is charged under Iowa Code section 272C.10 and 645 Iowa Administrative Code 25.2(1) (2023) with fraud in procuring a license.

D. STATEMENT OF THE MATTERS ASSERTED

14. **Practice Setting.** Respondent is an Iowa licensed barber who practiced in Davenport, Iowa, during the time period relevant to these allegations. Respondent currently lives in the State of Iowa.

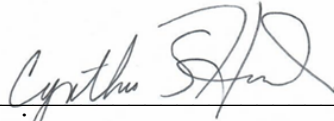
15. **Allegations.** A short and plain Statement of the Matters Asserted (Statement) was reviewed and approved by the Board at the time this Notice of Hearing and Statement of Charges was filed. The Statement shall be furnished to Respondent as an attachment to this Notice of Hearing and Statement of Charges. However, the Statement is not a public record pursuant to Iowa Code section 272C.6(4)(a).

E. SETTLEMENT

16. This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 481 Iowa Administrative Code rule 506.33. If you are interested in pursuing settlement of this matter, please contact the Assistant Attorney General identified above.

F. PROBABLE CAUSE FINDING

17. On February 17, 2025, the Iowa Board of Barbering and Cosmetology Arts and Sciences found probable cause to file this Notice of Hearing and Statement of Charges.



Chairperson
Iowa Board of Barbering and
Cosmetology Arts and Sciences

Copies to:
Assistant Attorney General David Merchan
Department of Inspections, Appeals, and Licensing, assigned Administrative Law Judge

PLEASE NOTE: If you require the assistance of auxiliary aids or services to participate in this matter because of a disability, immediately call 515-281-0233. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942).