

**BEFORE THE STATE OF NEW MEXICO
BOARD OF BARBERS AND COSMETOLOGISTS**

IN THE MATTER OF:)
)
KRISTIN BUCHMANN, Lic. No. 043382) **Case No. BC-2014-55**
)
)
Respondent.)

SETTLEMENT AGREEMENT AND WAIVER OF TIME LIMITS

WHEREAS, the State of New Mexico Board of Barbers and Cosmetologists (hereafter the "Board") has issued a Notice of Contemplated Action (hereafter "NCA") in this matter to Respondent, Kristin Buchmann; and

WHEREAS, the parties wish to resolve this matter without the time and expense of a formal hearing. **IT IS HEREBY AGREED AS FOLLOWS:**

1. **Jurisdiction.** The Board has jurisdiction over Respondent and the subject matter under the Barbers and Cosmetologist Act pursuant to NMSA 1978 Sections 61-17A-1 through 61-17A-25.
2. This Settlement Agreement ("Agreement") is subject to the approval of the Board. If the Board rejects this Agreement, this matter will be heard at a later time, date, and place to be set by the Board; any statements made by any party herein in negotiation or furtherance of the Agreement may not be used at a hearing before the Board unless otherwise admissible into evidence through a source independent of the settlement negotiations.

3. Respondent acknowledges that this Agreement is in response to the Complaint filed with Board on or about November 13, 2014.

4. Waiver of Time Limits. Respondent acknowledges that she signed a written waiver of all time limits at the hearing on September 16, 2016, and that this waiver was noted on the record. Respondent further memorializes the waiver in this Agreement. In order for the Board to have adequate time to consider this Agreement, Respondent has waived the right to have this matter heard and decided within the time frame set by the Uniform Licensing Act, NMSA 1978, §§ 61-1-1 through -31.

5. In order resolve this matter, the Respondent does not contest the Board's assertion of the allegations contained in the NCA including allegations of violating NMSA 1978 Section 61-17A-5 (License required). Respondent acknowledges that she is subject to disciplinary action pursuant to NMSA 1978, § 61-17A-21 and does not contest that she is subject to discipline for the actions described in the NCA.

7. Action: As a means of amicably resolving this matter, Respondent agrees to the following:

a. Respondent will not engage in any future conduct, which is contrary to, and/or in violation of the Barbers and Cosmetologists Act, NMSA 1978, § 61-17A-1, et seq., its implementing rules, §§ 16.34.1 through 16.34.16 NMAC, or the New Mexico Uniform Licensing Act, NMSA 1978, § 61-1-1, et seq.

b. Respondent shall pay a fifty dollar (\$50.00) fine to the Board within thirty (30) days of the date of the last signature on this Settlement Agreement.

c. Respondent acknowledges her ongoing responsibility to make sure her license is current and that all applicable fees have been received by the licensing office. She also acknowledges and understands her responsibility to respond promptly to any communications she received from the Board.

8. Respondents' execution of this Agreement is made knowingly, intentionally, and voluntarily.

9. Failure to comply with the terms and conditions of this Agreement shall be separate and independent grounds for disciplinary action by the Board.


Respondent understands and acknowledges that any violation(s) by Respondent of this Settlement Agreement will result in the filing of an Order to Show Cause as to why the Board should not find the Respondent in violation of the agreement and impose lawful sanctions including but not limited to the imposition of the remainder of the civil penalty, additional fines or penalties and/or take any other disciplinary action described in the Uniform Licensing Act.

10. This Agreement is a settlement of Board case number BC-14-55. The Board reserves the right to initiate proceedings for any subsequent violations of the Barbers and Cosmetologists Act or the Rules and Regulations of the Board adopted pursuant to that Act.



Kristin Buchmann

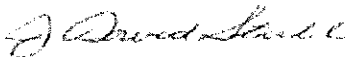
Date: 9.21.2016, 2016



Julie White / Administrative Prosecutor

Date: 9/22/16^{JW}, 2016

FOR THE NEW MEXICO BOARD OF BARBERS AND COSMETOLOGISTS:



Board Chair

Date: Dec 7, 2016

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IN THE MATTER OF:)
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KRISTIN BUCHMANN, Lic. No. 043382)
) Case No. BC-2014-55
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Respondent.)

ORDER

This matter having come before the Board of Barbers and Cosmetologists on Dec
7th, 2016, upon request of the parties for consideration of the foregoing Settlement
Agreement and with a quorum being present and a majority voting for the action
designated below, the Settlement Agreement is:

Accepted

Rejected

Amanda Griego
By:
New Mexico Board of Barbers & Cosmetologists

12-7-16
Date

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