
**BEFORE THE DIVISION OF PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSE OF
DAVID ANTHONY RUIZ
(UTAH LICENSE NO. 9333080-1115)
AS A BARBER
IN THE STATE OF UTAH,

RESPONDENT.

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, RECOMMENDATIONS,
AND ORDER**

CASE NO. DOPL 2026- *220*

This matter was brought before the Board of Cosmetology and Associated Professions ("Board") on May 11, 2026. After consulting with the Board, the Division of Professional Licensing ("Division") makes the following findings, conclusions, and order.

FINDINGS OF FACT

1. David Anthony Ruiz ("Respondent") was first issued a license to practice as a barber in the state of Utah on April 3, 2015, License No. 9333080-1115.
2. On April 6, 2026, the Division initiated an informal adjudicative proceeding by serving Respondent with a Notice of Agency Action.
3. The notice of agency action alleged that Respondent engaged in unprofessional conduct by engaging in conduct that resulted in a conviction for Attempted Forcible Sexual Abuse, in violation of Utah Code § 58-1-501(2)(a)(iii).
4. Respondent submitted a response to the Notice of Agency Action, along with supporting documentation. These items were delivered to the Board for their consideration in advance of the board meeting.
5. An informal adjudicative proceeding was held on May 11, 2026, during a regularly scheduled board meeting.
6. The Division was present and represented by Assistant Attorney General Steven Green. The Respondent appeared via teleconference and represented himself.

7. The Division submitted evidence regarding the violations alleged in the Notice of Agency Action. The Division's position was that Respondent's license should be revoked and that he should be prohibited from reapplying for licensure any sooner than five years from the date of the revocation.
8. Respondent also submitted evidence and gave statements to the Board. Respondent asked that the Board not revoke his license.
9. Based on the evidence and the Board's decision, the Division finds that the allegations in the Notice of Agency Action are true. Specifically:
 - a. On August 19, 2024, the Respondent was charged in the Fourth Judicial District Court with Forcible Sexual Abuse, a Second Degree Felony, Case No. 241402776 in Provo, Utah.
 - b. On or about August 19, 2024, the case was transferred to American Fork, Case No. 241100999.
 - c. On April 16, 2025, the Respondent pleaded guilty to Attempted Forcible Sexual Abuse, a Third Degree Felony, in Case No 241100999.
 - d. In a Statement in Support of Guilty Plea, Respondent admitted he, "attempted to touch the breast of a female individual [...] without consent and with intent to gratify his sexual desire."
 - e. On May 28, 2025, the Court sentenced the Respondent to 1 day in jail (credit for time served), a fine of \$553.00, 48 months' probation, and other conditions supervised through Adult Probation and Parole.

CONCLUSIONS OF LAW

10. The statutory definition of "unprofessional conduct" includes "engaging in conduct that results in conviction... with respect to a crime that, when considered with the functions and duties of the profession for which the license was issued... bears a substantial relationship to the licensee's... ability to safely or competently practice the profession." Utah Code § 58-1-501(2)(a)(iii) (cleaned up).
11. Respondent's conviction for Attempted Forcible Sexual Abuse rose from conduct involving an attempted nonconsensual sexual touching for the purpose of sexual gratification. This conduct reflects a serious violation of personal autonomy and

demonstrates a failure to maintain lawful and appropriate physical boundaries.

12. The practice of barbering requires direct, close physical contact with members of the public. Clients receiving barbering services are often in a vulnerable position, and they trust licensees to respect their personal boundaries.
13. As a result, a conviction of Attempted Forcible Sexual Abuse bears a substantial relationship to a barber's ability to safely or competently practice the profession.
14. By engaging in conduct that resulted in a conviction of Attempted Forcible Sexual Abuse, Respondent engaged in unprofessional conduct, in violation of Utah Code Ann. § 58-1-501(2)(a)(iii).

RECOMMENDED ORDER

After consideration of this case, the Board recommended, by unanimous vote, that Respondent's license to practice as a barber be revoked and that Respondent be prohibited from reapplying for licensure for three years. The Board further recommended that Respondent submit to a psychosexual and fitness for duty evaluation prior to any reapplication.

ORDER

After careful consideration of this matter, the Division accepts the Board's recommendation and incorporates it into the following order, which is effective immediately upon signature of the Division Director or designee:

1. Respondent's license to practice as a barber in the state of Utah is hereby revoked, together with all residual rights pertaining to that license.
2. Respondent may not reapply for licensure for any type of profession regulated by the Division of Professional Licensing until three years have elapsed from the date of this Order. The Division will consider any reapplication under the prevailing statutes, rules, and practices, and issuance of the license is not guaranteed.
3. Within three months preceding any reapplication for licensure, Respondent must undergo a psychosexual and fitness for duty evaluation by an evaluator preapproved by the Division. The results of the evaluation must be provided to the Division for their consideration of the application. The evaluation must contain a clear statement by the evaluator regarding whether Respondent is fit to resume practice as a barber. If the evaluation does not contain a clear statement or does not include the criteria specified by the Division, it will not be accepted.

4. All criminal sanctions must be resolved before applying for licensure.

Notice of Right to Request Agency Review

You may request agency review of this Order as permitted by Utah Code § 63G-4-301 and Utah Admin. Code R151-4-901. A request for agency review must be received in writing to the Executive Director of the Department of Commerce within 30 calendar days after the issuance of the Order. The request must state the grounds for review and the relief requested. Additional instructions for requesting agency review will be provided with this Order.

DATED this 27 day of May, 2026.

DIVISION OF PROFESSIONAL LICENSING



MARK B. STEINAGEL
DIVISION DIRECTOR
or
JANA JOHANSEN
ASSISTANT DIVISION DIRECTOR