

LOUISIANA BOARD OF MASSAGE THERAPY

IN THE MATTER OF:

**YY RAINBOW SPA, INC., Application for
Establishment License at:
4528 Bennington Avenue
Baton Rouge, LA 70808**

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

Pursuant to La. R.S. 37:3555(B)(1) and applicable provisions of the Louisiana Administrative Procedure Act, an administrative hearing was held before the Louisiana Board of Massage Therapy (“Board”) on March 11, 2024, relative to the Notice of Intent to Deny Application for Massage Establishment License to Xiang Xing Lin for the operation of YY RAINBOW, INC., at 4528 Bennington Ave, Baton Rouge, LA 70808. The Applicant requested the administrative hearing to be conducted in executive Session.

Present were: Toshii Cooper; Donna M. Green; Memry Hodum; Kathryn Lea Love, Chair; Karla Swacker; and Rosemary H. Wilkinson, Board Members;

Sheri M. Morris, Counsel for the Board;

James Raines, Complaint Counsel;

Mandarin Chinese Language Interpreter, Liu Ting Chen;

Xiang Xing Lin, owner, and Qin Xin, manager, for YY Rainbow, Inc. (“Applicant”) represented by Monique Fields, Attorney.

FINDINGS OF FACT

1. On or about December 4, 2023, Xiang Xing Lin submitted an Application for Massage Establishment License with Verifying Affidavit for YY RAINBOW, INC. to be located at 4528 Bennington Ave in Baton Rouge with phone number (225)288-3314, (Board Exhibit 1).
2. Records filed with the Louisiana Secretary of State on October 18, 2023, show Xiang Xing Lin is the registered agent and president of YY RAINBOW, INC., (Board Exhibit 1).
3. Advertisements with the address on the Application were on websites advertising sexually oriented services including, CaliGirlxguide, Hot.com, ECCIE, WorldEscortsPage, MyEscortNetwork, PinkRubs, RubsGuide, RubMaps, BackPageGals, WorldEscortHub, CallEscort, BodyRuugPage, OnDate, SkiptheGames, SumoSearch, and XescortHub. The ads on the websites advertising sexually-oriented businesses with the address on the Application included women in lingerie represented to be massage therapists, (Board Exhibit 2).

4. On June 1, 2023, the Board issued a Cease and Desist Notice ordering Applicant to stop any and all engagement in the practice of massage therapy without a current massage establishment license, (Board Exhibit 2).
5. On or about January 9, 2024, the Board sent a Notice of Intent to Deny establishment application for YY Rainbow, Inc., and Notice of Hearing to Applicant via email and U.S. regular and Certified Mail No. 9589 0710 5270 0133 4389 13 and advised the administrative hearing would be held on March 11, 2024, (Board Exhibit 3).
6. Board's staff testified:
 - A. The establishment license for the location on the application expired on March 31, 2019.
 - B. When the establishment was inspected on June 1, 2023, the inspector was denied access to the second door. The pictures from the inspection report were received in office today.
 - C. The establishment was open, there were no customers in the establishment but there a lot of vehicles in the parking lot.
 - D. When the inspector called the phone number of the establishment and requested to speak with the owner, she was asked if she wanted to schedule a massage appointment.
 - E. The establishment was opened but the door was locked in the back.
7. Xiang Xing Lin testified under oath with the assistance of the Language Interpreter:
 - A. He rarely visits the establishment. An advertisement company came to him with a business opportunity by placing ads online to promote his business.
 - B. He paid the advertising company \$300 a month to promote the establishment but had no idea about the type of ads until he was informed by the Board.
 - C. He had customers mention the ads to him but thought the customers were joking.
 - D. He cancelled the service with the advertising company.
 - E. He closed the establishment for about two weeks in early February of 2024 while he tried to sort out the paperwork.
 - F. He does not provide massages. He goes to the business to clean and help employees. He does not know the names of the employees.
 - G. He does not own any other massage establishments and he is in business with his wife.
 - H. Mr. Xin is the manager of the establishment.

CONCLUSION OF LAW

La. R.S. 37:3558(D) prohibits licensure of a sexually oriented businesses as a massage establishment.

ORDER

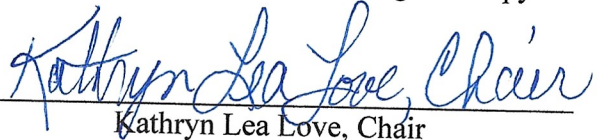
Considering the applicable law, testimony and evidence;

IT IS ORDERED, ADJUDGED and DECREED that the Application for Massage Establishment License of YY RAINBOW, INC. submitted by Xiang Xing Lin is hereby DENIED; and

IT IS FURTHER ORDED, ADJUDGED and DECREED that Xiang Xing Lin and YY RAINBOW, INC., are ineligible for licensure by the Louisiana Board of Massage Therapy until such time as the Applicant demonstrates compliance with all applicable laws.

Signed this 18 day of September 2024.

For the Louisiana Board of Massage Therapy


Kathryn Lea Love, Chair

Please notify via Certified U.S. Mail and Regular Mail:

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