

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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**STATE OF WISCONSIN**

**BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD**

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**IN THE MATTER OF DISCIPLINARY**

**PROCEEDINGS AGAINST :**

**BRIAN R. GREEN d/b/a FRESH**

**FINAL DECISION AND ORDER**

**LOOK SALON,**

**Respondent**

**LS0012044BAC**

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**Division of Enforcement Case No. 00 BAC 065**

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Brian R. Green

Fresh Look Salon

7518 West Fond du Lac Avenue

Milwaukee, WI 53218

Barbering and Cosmetology Examining Board

P.O. Box 8935

Madison, WI 53708-8935

Department of Regulation and Licensing

Division of Enforcement

P.O. Box 8935

Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

**FINDINGS OF FACT**

1. Brian R. Green, 7518 West Fond du Lac Avenue, Milwaukee, WI 53218, is listed with the Department of Regulation and Licensing as the owner of a duly licensed barbering and cosmetology establishment in the State of Wisconsin, known under the trade name, Fresh Look Salon.
2. Fresh Look Salon, 7518 West Fond du Lac Avenue, Milwaukee, WI 53218, Milwaukee, WI 53218, does not hold a barbering and cosmetology establishment in the State of Wisconsin. At no time relevant to this action did the Fresh Look Salon hold a valid and current Wisconsin Barbering and Cosmetology establishment license.
3. On August 23, 2000, the Department investigator conducted an on-site inspection of the Fresh Look Salon. The investigator observed one posted license belonging to Lesean Barnes. The license of Ms. Barnes was valid and current.

4. During the inspection, the investigator did not find a posted establishment license. Upon questioning by the investigator as to the establishment license, the owner, Brian R. Green, indicated that he had purchased the salon in February 2000 but had not applied for the establishment license.

5. As the owner of a barbering and cosmetology establishment, Brian R. Green, was at all times relevant to this action responsible for compliance with ch. 454, Stats. and Wisconsin Administrative Code, chs. BC 3.04(1).

### CONCLUSIONS OF LAW

By the conduct referred to in the paragraphs above, Brian R. Green, d/b/a Fresh Look Salon, has violated:

a) Wis. Stats. secs.454.08 (1) (b), which states that no person may practice barbering or cosmetology, unless that establishment is licensed to provide that practice;

b) Wis. Stats. Chapter BC 3.04, which requires before a person may open a new establishment or change ownership of an existing establishment, the person shall submit an establishment license application to the Board. Upon approval of the application and issuance of the license in the establishment, the establishment may open for business.

### ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Brian R. Green, d/b/a Fresh Look Salon shall pay to the Department of Regulation and Licensing a forfeiture of ELEVEN HUNDRED dollars (**\$1,100.00**). Payment shall be submitted within 12 months from the date of this Order. Payment shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing and sent to:

**Department Monitor, Division of Enforcement, Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935**

**IT IS FURTHER ORDERED** that in the event Brian R. Green fails to timely submit payment of the forfeiture as set forth above, the Department shall obtain an Administrative Injunction to prevent the unlicensed practice by Fresh Look Salon.

This Order shall become effective upon the date of its signing.

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Barbara Flaherty

12-4-00

A member of the Board

Date