

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

**STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD**

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
: **FINAL DECISION AND ORDER**
:
TERRY L. BALLARD : **LS0509121BAC**
:
:
RESPONDENT :

Division of Enforcement Case File #: **03 BAC 046**

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Attn: Terry L. Ballard
Terry At Tangles
143 3rd Street
Baraboo, WI 53913

Attn: Lisa L. Turner
Tangles Hair Salon
143 3rd Street
Baraboo, WI 53913

Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53707-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition 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. Terry L. Ballard, date of birth 08/07/53, is licensed as a manicurist in the State of Wisconsin having license #085-001272. This license was first granted on 02/24/93.

2. Ms. Ballard's most recent address on file with the Department of Regulation and Licensing ("Department") is: 4186 State Road Hwy 23, Wisconsin Dells, WI 53965.

3. Ms. Ballard is the listed owner of Terry at Tangles, a licensed manicuring establishment in the State of

Wisconsin having license #071 002705. This license was first granted on 06/08/05.

4. Terry at Tangles most recent address on file with the Department is: 143 3rd Street, Baraboo, Wisconsin 53913.

5. As owner, Ms. Ballard was and is at all times relevant to this action responsible for compliance with Wisconsin Statutes, Chapter 454 and the Wisconsin Administrative Code for Barbering and Cosmetology Chapter 2.

6. On or about April 15, 2003 the Department received an anonymous complaint alleging that Tangles Hair Salon (#080 0032542) was operating under a new owner that had not notified the Department of a change in ownership.

7. On or about November 19, 2004, an inspection of Tangles Hair Salon was performed by an investigator with the Department. The inspection revealed that Ms. Ballard was operating Terry at Tangles under a verbal lease agreement within Tangles Hair Salon. The inspection revealed that Ms. Ballard did not have a written agreement with Ms. Turner. The inspection also revealed that Ms. Ballard had not applied for an establishment license for her manicuring station/salon.

8. On or about June 8, 2005, Ms. Ballard was granted a manicuring establishment license for Terry at Tangles. Department records also indicate that Ms. Ballard and Ms. Turner have entered into a written lease agreement for Terry at Tangles with Tangles Hair Salon.

9. In resolution of this matter, Terry L. Ballard consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15.

2. The Barbering and Cosmetology Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

3. Respondent Terry L. Ballard has violated:

Wis. Stat. § 454.08 (1)(b)(2) and Wis. Admin. Code §§ BC 2.04(1) and 3.02 (2) by operating a manicuring establishment within Tangles Hair Salon without having first obtained a written lease agreement and a manicuring establishment license.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED, that Respondent shall pay to the Department of Regulation and Licensing a forfeiture of **FIVE HUNDRED DOLLARS (\$500.00)**.

IT IS FURTHER ORDERED, that Respondent shall pay costs in this matter in the amount of **THREE HUNDRED DOLLARS (\$300.00)**.

IT IS FURTHER ORDERED, that a down payment of **TWO HUNDRED DOLLARS (\$200.00)** shall be submitted thirty (30) days from the date of this order and six more payments of **ONE HUNDRED DOLLARS (\$100.00)** will due every month from the previous payment until the full **EIGHT HUNDRED DOLLARS (\$800.00)** is paid. Payments shall be made **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
P.O. Box 8935**

Madison, WI 53708-8935
Telephone (608) 261-7904
Fax (608) 266-2264

IT IS FURTHER ORDERED, that in the event that Terry L. Ballard fails to timely submit payment of the forfeiture and costs as set forth above, Terry L. Ballard's manicurist license (#085 001272) and the establishment license for Terry at Tangles (#071 002705) **SHALL BE SUSPENDED**, without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said costs has been paid to the Department of Regulation and Licensing and their failure to pay the costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that file 03 BAC 046, be and hereby is, closed as to Terry L. Ballard.

Dated this 12th day of September, 2005.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Leon G. Lauer