

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE ALLEGED :
UNLICENSED PRACTICE BY : FINAL DECISION AND
: SPECIAL ORDER OF
: INJUNCTION
: WIS. STAT. § 440.21
JESSE ROMO. :
RESPONDENT. : LS0603271UNL
:

[Division of Enforcement Case File #: 03 UNL 080]

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

Jesse Romo
380 Western Avenue
Fond du Lac, WI 54935

Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

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

The Department Secretary adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Jesse Romo (“Romo”) is not and was not at any time relevant to this action, licensed in the State of Wisconsin to practice Barbering and Cosmetology.
2. The last reported address on file with the Department of Regulation and Licensing (“Department”) for Romo is: 380 Western Avenue, Fond du Lac, Wisconsin, 54935.
3. On or about August 19, 2003, the Department received a complaint alleging that Romo was providing barbering service at his home.
4. On or about September 10, 2003, an investigator from the Department conducted an inspection of the basement level inside of Romo’s home. The investigator observed the following items in Romo’s basement:
 - a set up barbering chair with mirrors in front of and behind the chair;
 - a number of used white neck wraps located in a covered wastebasket that are placed around the neck of person receiving barbering and cosmetology services;

- clippings of brown and black hair located in the same wastebasket as the used white neck wraps;
- two pairs of barbering clippers along with other barbering implements; and
- two love seats and a few chairs neatly situated in the area.

5. The investigator spoke with Romo about the findings. Romo admitted to cutting hair for only family and friends. Romo stated that he does not charge for his services but does receive \$5.00 tips along with six-pack cans of soda.

6. Romo understands that in order for him to operate a barbering and cosmetology establishment, he must first obtain both a barbering and cosmetology establishment license and a licensed barbering and cosmetology manager.

7. Romo understands that in order for him to provide barbering and cosmetology services, he must first obtain a current barbering and cosmetology credential.

CONCLUSIONS OF LAW

1. The Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.21.

2. The Department of Regulation and Licensing is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

3. Respondent, Jesse Romo has violated:

- Wis. Stats. §§ 454.08 (1)(b) and 454.08 (6) by operating a barbering and cosmetology establishment without first obtaining both a barbering and cosmetology establishment license and a licensed barbering and cosmetology manager.
- Wis. Stat. § 454.04(1)(a) by providing barbering and cosmetology services without first obtaining a current barbering and cosmetology credential.

ORDER

NOW THEREFORE, IT IS ORDERED THAT Jesse Romo, is ENJOINED and PROHIBITED as follows:

1. JESSE ROMO SHALL NOT OPERATE OR OFFER TO OPERATE A BARBERING AND COSMETOLOGY ESTABLISHMENT, UNTIL HE OBTAINS A BARBERING AND COSMETOLOGY ESTABLISHMENT LICENSE AND A LICENSED MANAGER FOR SUCH AN ESTABLISHMENT.

2. JESSE ROMO SHALL NOT PRACTICE OR OFFER TO PRACTICE BARBERING AND COSMETOLOGY, UNTIL HE OBTAINS A CURRENT BARBERING AND COSMETOLOGY CREDENTIAL.

3. Violation of the order described in Paragraphs 1 and 2 above may result in a forfeiture of up to \$10,000 for each offense, and each day of a continued violation constitutes a separate offense. Violation of the order described in Paragraphs 1 and 2 above may also constitute a referral to the office of the local District Attorney or Attorney General for further action.

4. This order shall become effective on the date of its signing.

WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

By: Secretary Celia M. Jackson

Date 3/27/06

