

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 APPLICATION :
FOR A BARBER AND COSMETOLOGY : FINAL DECISION AND ORDER
ESTABLISHMENT LICENSE FOR :
 :
EXQUISITE THREADING, :
 APPLICANT : LS 0710233 BAC

Division of Enforcement Case No. 07 BAC 212

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

Exquisite Threading
Attn: Anwer Khan
SNC Group LLC
2424 Grant Blvd.
Milwaukee, WI 53210

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

Exquisite Threading was issued a limited license as a barbering and cosmetology establishment on September 20, 2007. Exquisite Threading requested a hearing on the denial of an unrestricted license. A hearing on the denial of Exquisite Threading's application for a full and unrestricted Barbering and Cosmetology Establishment license was held on December 7, 2007. At the close of the hearing, the administrative law judge adjourned the hearing indefinitely to allow the parties to negotiate a resolution of this matter. The parties in this matter have agreed 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. Exquisite Threading filed an application for a barbering and cosmetology establishment license with the Department of Regulation and Licensing on or about July 20, 2007 for the operation of a kiosk at Mayfair Mall in Wauwatosa, Wisconsin that would offer hair threading services.

2. With the application, the owner of Exquisite Threading, Anwer Khan, submitted some information to the board about how he intended to meet the sanitation standards required for barbering and cosmetology establishments. Specifically, he provided information that indicated the kiosk would have a self-contained water unit that contains a 5 gallon clean water tank and a 5 gallon dirty water tank.

3. On September 10, 2007, the Board reviewed the application of Exquisite Threading for a barbering and cosmetology establishment license.

4. On September 20, 2007, the Board issued a Final Decision and Order granting a barbering and cosmetology establishment license to Exquisite Threading subject to the following limitations:

a. Exquisite Threading may provide threading as a service, but may not provide any other barber and cosmetology service or any related services.

b. Only one employee may practice in the establishment at a time.

c. The kiosk must remain in the same location in the mall.

A copy of that Final Decision and Order is attached as **Exhibit 1** and incorporated herein by reference.

5. The September 20, 2007 Final Decision and Order granting Exquisite Threading a limited license also contained a statement in Findings of Fact 2 that stated: "One 5 clean water gallon tank [sic] is insufficient to supply clean water for more than one person."

6. On or about October 4, 2007, Mr. Khan, the owner of Exquisite Threading, sent a letter to the Department of Regulation and Licensing requesting a hearing on the Board's decision to deny Exquisite Threading an unlimited license. In his letter, Mr. Khan took issue with the Board's determination that one 5-gallon clean water tank would be insufficient to supply clean water for more than one person, and disagreed with the limitation that only one employee could provide threading services in the establishment at a time.

7. On October 23, 2007, a Notice of Hearing was sent to Mr. Khan informing him that a hearing was scheduled for December 7, 2007 to address the denial of an unlimited establishment license for Exquisite Threading.

8. A hearing was held on December 7, 2007 at the Department of Regulation and Licensing.

9. At that hearing, Mr. Khan testified and explained the procedures and protocols he expected to be followed by any persons performing hair threading at the kiosk, and explained in detail how the 5 gallon water tanks of clean water and dirty water would be replenished to provide a continuous supply of clean water for hand washing. Mr. Khan explained further that any person performing hair threading at the kiosk would be required to wash hands or apply hand sanitizer before each customer, would be wearing gloves to perform the threading service, and would not be putting any part of the thread used for hair removal in their mouths as is sometimes done in threading. Mr. Khan explained that the person or persons providing hair threading services would not be handling the cash register or handling the replenishment of the water tanks. Those tasks would be performed by a different employee—a sales associate/cashier.

10. Mr. Khan testified that he is requesting a modification of the limitations placed on Exquisite Threading's license to allow two licensed practitioners to provide hair threading services at the kiosk at any given time. Mr. Khan explained at the hearing that because there will be a continuous supply of clean water available from a water delivery service, and an employee separate from the person providing threading services whose job it is to make sure that the water tanks are constantly monitored to insure a ready supply of clean, fresh water, the limitation allowing only one person to provide hair threading services at a time is unnecessary.

11. Following the hearing, Mr. Khan provided the Department with Exquisite Threading's written job descriptions for the positions of Hair Threader, Sales Associate/Cashier, and Manager. Mr. Khan also provided the Department with Exquisite Threading's Water Replenishment Protocol. Those documents are attached as **Exhibit 2** and are incorporated herein by reference.

12. Exquisite Threading has not yet opened for business.

CONCLUSIONS OF LAW

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.08, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The limitation placed on Exquisite Threading's barbering and cosmetology establishment license in the September 20, 2007 Order that limits the establishment to only one employee practicing hair threading in the establishment at a time is **MODIFIED** to allow Exquisite Threading to have **TWO** employees providing hair threading services in the establishment at a time.

2. All other limitations placed on Exquisite Threading's license in the September 20, 2007 Order remain unchanged.

3. This Order is effective on the date of its signing.

Dated this 4 day of February, 2008.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M Bueh

Jim Doyle
Governor

WISCONSIN DEPARTMENT OF
REGULATION & LICENSING

1400 E Washington Ave
PO Box 8935
Madison WI 53708-8935

Celia M. Jackson
Secretary



Email: web@drl.state.wi.us
Voice: 608-266-2112
FAX: 608-267-0644
TTY: 608-267-2416

September 20, 2007

Anwer Khan
Exquisite Threading
SNC Group LLC
2424 Grant Blvd
Milwaukee, WI 53210

**RE: APPLICATION FOR BARBER AND COSMETOLOGY
ESTABLISHMENT LICENSE**

Dear Mr. Khan:

The Barber and Cosmetology Board reviewed your application file and has decided to grant you a limited establishment license. Your license will be subject to the terms and conditions specified in the attached Order.

PLEASE NOTE that as this Order constitutes a denial of your application for a full and unrestricted license, you may have a right to a hearing on the denial if you file a request for hearing in accordance with the provisions of Wis. Admin. Code § RL 1. You may request a hearing within 45 calendar days after the mailing of this notice of denial. Your request must be submitted in writing to the

Department of Regulation and Licensing
Division of Professional Credential Processing
1400 East Washington Avenue
PO Box 8935
Madison, WI 53708-8935

The request must contain your name and address, the type of credential for which you have applied, a specific description of the mistake in fact or law that you assert was made in the denial of your credential, and a concise statement of the essential facts which you intend to prove at the hearing. You will be notified in writing of the Department's decision. Under Wis. Admin. Code § RL 1.08, a request for a hearing is denied if a response to a request for a hearing is not issued by the Department within 45 days of its receipt of the request. Time periods for a petition for review begin to run 45 days after the Department has received a request for a hearing and has not responded.

If you have any questions concerning this matter, please contact Jan Bobholz at 608-261-4462.

Thank you for your cooperation.

Sincerely,

DEPARTMENT OF REGULATION AND LICENSING

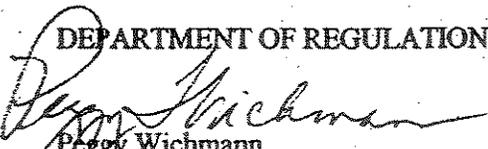

Peggy Wichmann
Legal Counsel

EXHIBIT 1

STATE OF WISCONSIN
BEFORE THE BARBER AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE APPLICATION :
FOR A BARBER AND COSMETOLOGY : FINAL DECISION AND ORDER
ESTABLISHMENT LICENSE FOR :
 :
 :
EXQUISITE THREADING, :
APPLICANT. :

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

Exquisite Threading
SNC Group LLC
2500 N Mayfair Rd
Wauwatosa, WI 53226

Department of Regulation and Licensing
1400 E Washington Ave
PO Box 8935
Madison, WI 53708-8935

On September 10, 2007, the Wisconsin Barber and Cosmetology Examining Board (Board) reviewed the application of Exquisite Threading for an establishment license.

FINDINGS OF FACT

1. Exquisite Threading plans to operate out of kiosk in Mayfair Mall in Wauwatosa, Wisconsin. The owners submitted information to the Board indicating how they plan to meet establishment sanitation standards.
2. The kiosk would have a self-contained water unit for sanitation purposes. Water would have to be replenished, and the dirty water gotten rid of, at a location in the mall away from the kiosk. The system described contains a 5 gallon clean water tank and a 5 gallon dirty water tank. One 5 clean water gallon tank is insufficient to supply clean water for more than one person.
3. The information submitted to the Board did not clearly communicate what size of establishment is intended.

CONCLUSIONS OF LAW

1. The Wisconsin Barber and Cosmetology Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 454.08.
2. The Board has an obligation to protect the health and safety of Wisconsin consumers pursuant to State v. Aldrich, 71 Wis. 2d 206, 209 (1976).

ORDER

THEREFORE, IT IS HEREBY ORDERED THAT, Exquisite Threading is Granted a Barber and Cosmetology Establishment License subject to the following Limitations:

1. Exquisite Threading may provide threading as a service, but may not provide any other barber and cosmetology service or any related services.
2. Only one employee may practice in the establishment at a time.
3. The kiosk must remain in the same location in the mall.

Dated this 20th day of September, 2007

Jeannie M. Bush (rw)

Jeannie M. Bush, Chair
Barber and Cosmetology Examining Board

Threading Job Description:

The Hair Threading employee's day-to-day responsibilities will include offering great service of threading to patrons for desired results as needed. It will also include providing a clean and professional image as dictated by company policies. The job will also include the following:

- Be expert in Hair Threading Technique
- Help customers is choosing the desired look of their eyebrows, upper lip, chin and other facial areas
- Use of only 100% cotton thread to remove undesired hair from eyebrows, chin and upper lip or any other facial areas
- To daily prepare pre-cut 100% cotton threads at desired length for threading needs before starting shift. The threads will be cut with hands that have been sanitized and covered with disposable gloves. The two ends that are cut will never touch the customers face as the thread will be knotted from the ends that are cut and only middle portion of the thread will be used to do threading and not the ends.
- To place all pre-cut thread in a sanitized container and only handle container while wearing disposable gloves. The container will be covered at all times
- Only use hands while doing threading instead of mouth and hand combination
- To wear disposable gloves at all times while performing threading
- To fully sanitize hands before each customer via running water and soap or sanitizer available on-site
- To never touch any part of customer skin without wearing disposable glove and hands fully sanitized before wearing gloves
- To wear aprons while at work at all times
- Must hold current Wisconsin Barbering and Cosmetology Practitioner's License or Temporary Permit

Sales Associate/Cashier Job Description:

This position will entails day-to-day duties of cash handling, sales associate and water replenishment protocol.

- Maintain excellent customer service between THREADERS and Customers
- Greet and provide customers with knowledge of Threading process and background
- Monitor customer wait time, service offered and experience
- Handle monetary transactions (Cash, Credit Cards and Checks)
- Customer Check-In and Check-Out
- Maintain Customer Database
- Maintain clean and professional environment at all times
- Monitor and Replenish 5 gallon water tanks as needed and maintain available inventory of 5 gallon water tanks on-site (This employee will replace filled 5 gallon dirty water tank with an empty 5 gallon water tank along with a clean filled 5 gallon water tank as needed from available storage area provided by the Mall. This will be the standard protocol for water replenishment)

Water Replenishment Protocol:

- 1- Replace empty 5 Gallon water tank under sink with filled new 5 Gallon clean water tank
- 2- Replace filled dirty 5 Gallon water tank under sink with replacement empty 5 Gallon water tank to accumulate dirty water
- 3- Store empty 5 Gallon water tank and filled dirty 5 Gallon water tank in storage area provided by Mall away from KIOSK location
- 4- Always have five (5) 5 Gallon filled clean water tanks and five (5) 5 Gallon empty water tanks for replacement on-site and readily available for replenishment
- 5- Bottled water delivery services provided by Hinckley Springs. Hinckley Springs can be reached at 1-800-492-8377 and account number is 3727192

Manager Job Description:

This position is responsible for operating the establishment according to Exquisite Threading systems and procedures and developing an environment where there is a true commitment and focus on providing the best service and quality in the Threading industry.

- Manages business operations and directs personal service functions of establishment
- Confers with employees to ensure quality services for patrons, specifically for Threading
- Makes appointments and assigns patrons to THREADERS
- To maintain uniform employee schedules
- Adjusts customer complaints and promotes new business by expressing personal interest in efficient service for patrons.
- Directs sanitary maintenance of shop in compliance with health regulations and requires cleanliness, neatness, and courtesy of employees
- Keeps accounts of receipts and expenditures and makes up payroll
- Supervise all THREADERS to make sure duties are followed according to job description and requirements
- Manager will comply with all requirements of Wisconsin Administrative Code BC 2.07
- Manager must hold a current Barbering and Cosmetology Manager's License issues by the Wisconsin Barbering and Cosmetology Board

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE APPLICATION :
FOR A BARBER AND COSMETOLOGY :
ESTABLISHMENT LICENSE FOR : STIPULATION
:
EXQUISITE THREADING, :
APPLICANT : LS 0710233 BAC

Division of Enforcement Case No. 07 BAC 212

It is hereby stipulated between Exquisite Threading and Lara M. Herman, attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a denial hearing on the limited license issued to Exquisite Threading.

2. Exquisite Threading understands that by the signing of this Stipulation it voluntarily and knowingly waives its rights, including: the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to it under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code, and any other provisions of state or federal law.

3. Exquisite Threading has been provided an opportunity to obtain legal advice prior to signing this stipulation.

4. Exquisite Threading agrees to the adoption of the attached Final Decision and Order by the Barbering and Cosmetology Examining Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Exquisite Threading waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Exquisite Threading or their attorney, for purposes of speaking in support of this agreement and

answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

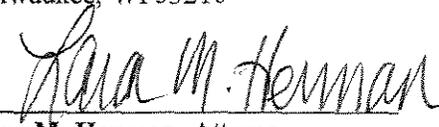
7. Exquisite Threading is informed that should the Board adopt this Stipulation, the Board's final decision and order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Enforcement joins Exquisite Threading in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.



Exquisite Threading, by Anwer Khan
Applicant
SNC Group LLC
2424 Grant Blvd.
Milwaukee, WI 53210

01/15/08
Date



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

1/15/08
Date