

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 DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF	:	FINAL DECISION AND
THE UNLICENSED PRACTICE BY	:	SPECIAL ORDER OF INJUNCTION
	:	WIS. STAT. § 440.21
PINAL J. PATEL,	:	
RESPONDENT.	:	LS08080611UNL

Division of Enforcement Case File Number: 07 UNL 120

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

Pinal J. Patel
301 South 92nd Street
Milwaukee, Wisconsin 53214

Department of Regulation and Licensing
Post Office Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935

PROCEDURAL HISTORY

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 Department of Regulation and Licensing. The Department of Regulation and Licensing has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department of Regulation and Licensing in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Pinal J. Patel currently resides at 301 South 92nd Street, Milwaukee, Wisconsin 53214.
2. Ms. Patel does not possess a barbering and cosmetology license in the state of Wisconsin.
2. On or about December 27, 2007, the Department of Regulation and Licensing received a complaint alleging that Pinal J. Patel was advertising and offering hair threading services—a form of hair removal—within the Boston Store at Brookfield Square Mall, 95 North Moorland Road, Brookfield, Wisconsin 53005 and at the Boston Store, 36 West Towne Mall, Madison, Wisconsin 53719.
3. The Department's investigation revealed that Ms. Patel was advertising and providing hair threading services at the Boston Store in Brookfield Square Mall in Brookfield, Wisconsin and at West Towne Mall in Madison Wisconsin in late 2007.

4. Neither Boston Store location has a barbering and cosmetology establishment license in the state of Wisconsin.
5. The Department's investigation revealed that neither Boston Store location is offering hair threading services any longer.
6. Hair threading falls within the definition of barbering and cosmetology under Wis. Stat. § 454.01(5)(d).
7. Under Wis. Stat. § 454.04(1)(a) and Wis. Stat. §§ 454.08(1)(b) and (2)(a), barbering and cosmetology may only be performed in the state of Wisconsin in a licensed barbering and cosmetology establishment by licensed barbering and cosmetology practitioners.
8. Pinal J. Patel understands that she needs a license to practice barbering or cosmetology in Wisconsin, and can only provide such services in a licensed establishment.
9. In resolution of this matter, Pinal J. Patel consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction over this matter pursuant to Wis. Stat. § 440.21(1) and (2).
2. The Wisconsin Department of Regulation and Licensing is authorized to enter into the attached stipulation pursuant to Wis. Stat. § 227.44(5).
3. Hair threading, a form of hair removal, falls within the definition of barbering and cosmetology under Wis. Stat. § 454.01(5) (d).
4. Under Wis. Stat. § 454.04(1) (a) and Wis. Stat. § 454.08(1) (b) and (2) (a), barbering and cosmetology may only be provided in Wisconsin in a licensed barbering and cosmetology establishment by a licensed barbering and cosmetology practitioner.
5. By providing hair removal services without having a barbering and cosmetology practitioner's license in a location that is not licensed as a barbering and cosmetology establishment, Pinal J. Patel has engaged in unlicensed practice in violation of Wis. Stat. §§ 454.04(1)(a) and 454.08(1)(b).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Pinal J. Patel is hereby ENJOINED and PROHIBITED from providing barbering or cosmetology services unless and until she obtains a current barbering and cosmetology practitioner's license in the state of Wisconsin.

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

WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

By: Celia M. Jackson, Secretary

8/6/08

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF :
THE UNLICENSED PRACTICE BY :
 :
 : STIPULATION
 PINAL J. PATEL, :
 RESPONDENT. : LS # _____ UNL

Division of Enforcement Case File Numbers: 07 UNL 120

It is hereby stipulated between Pinal J. Patel, Respondent, 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 pending investigation by the Division of Enforcement (07 UNL 120). Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal petition.

2. Respondent understands that by the signing of this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; 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 her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

3. Respondent has been provided an opportunity to obtain legal counsel prior to signing this stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Special Order of Injunction by the Department of Regulation and Licensing (hereafter "Department"). The parties to the Stipulation consent to the entry of the attached Final Decision and Special Order of Injunction without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the attached order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Department, 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 Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement may appear before the Department, without the presence of the Respondent or her attorney, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with the Department's deliberations on the Stipulation.

7. Respondent is informed that should the Department adopt this stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department policy.

8. The Division of Enforcement joins Pinal J. Patel in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.

Pinal J. Patel
Respondent
301 South 92nd Street
Milwaukee, Wisconsin 53214

Date

Lara M. Herman

Attorney

Division of Enforcement

Wisconsin Department of Regulation and Licensing

Post Office Box 8935

Madison, Wisconsin 53708-8935

Date

07UNL120, Injunction: No practice until licensed