

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
DISCIPLINARY PROCEEDINGS AGAINST

GARLAND L. HALL,

RESPONDENT.

FINAL DECISION AND ORDER
LS0906017BAC

Division of Enforcement Case File Number: 06 BAC 050

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

Garland L. Hall
3759 North 22nd Street
Milwaukee, Wisconsin 53206

Barbering and Cosmetology Examining Board
Post Office Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
Post Office 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 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. Garland L. Hall whose date of birth is February 25, 1927, is duly licensed as a barbering or cosmetology manager in the State of Wisconsin (License Number 81-20398). His license was first granted on August 13, 1968, and expired on April 1, 2009. From May 21, 1957, to June 1, 1983, Mr. Hall was also licensed in the State of Wisconsin as a barbering or cosmetology practitioner (License Number 82-56921). The last address Mr. Hall reported to the Department of Regulation and Licensing (hereinafter Department) is 3759 North 22nd Street located in Milwaukee, Wisconsin 53206.
2. Monks Barber Shop which is located at 4394 North 27th Street in Milwaukee, Wisconsin 53216, is duly licensed as a barbering and cosmetology establishment in the State of Wisconsin (License Number 80-18782). This license was first granted on March 3, 1982, and is current through June 30, 2007. From July 1, 1997, through May 5, 2006, that license was in expired status. William E. Campbell is identified in records of the Department as owner and manager of Monks Barber Shop.
3. On May 4, 2006, Investigator Douglas Austin from the Department inspected Monks Barber Shop. Mr. Austin could not find any licenses posted in the establishment. During the inspection, Mr. Austin discovered that the establishment license for Monks Barber Shop had expired on July 1, 1997, and had not been renewed.
4. Mr. Austin observed Garland Hall performing barbering or cosmetology services at the time of the inspection. Mr. Hall

informed Mr. Austin that he had rented his booth space from Mr. Campbell. Mr. Hall did not have an establishment license for his rented booth space and stated that he did not know that he needed to obtain one. Mr. Hall told Mr. Austin that he changed his Barbicide approximately every two to three months. Mr. Austin noted that Mr. Hall's hair washing basin was very dirty with matter in the sink.

5. Monks Barber Shop was granted a barbering or cosmetology establishment license on May 5, 2006, the day after Mr. Austin's inspection. In August 2006, Mr. Hall informed Mr. Austin that he had worked at Monks Barber Shop for about ten (10) years without a written lease agreement for the booth rental.
6. Mr. Hall has never applied for or been granted a barbering or cosmetology establishment license in the State of Wisconsin for the booth rental at Monks Barber Shop. It is unknown if a written lease agreement for the booth rental now exists between Mr. Hall and Mr. Campbell.
7. In resolution of this matter, Garland L. Hall consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to s. 454.15, Wis. Stats.
2. The Wisconsin Barbering and Cosmetology Examining Board is authorized to enter into the attached stipulation pursuant to s. 227.44 (5), Wis. Stats.
3. By the conduct referred to in the above Findings of Fact, Garland L. Hall has violated:
 - a. Section 454.06 (7), Wis. Stats.: The examining board shall furnish a certificate to each license, certifying the holder is licensed to practice barbering or cosmetology, aesthetics, electrology or manicuring or is a licensed manager. The licensee shall post the certificate in a conspicuous place in the licensed establishment.
 - b. Section 454.08 (1) (b), Wis. Stats.: Except as permitted by rule promulgated under par. (a), no person may practice barbering or cosmetology, aesthetics, electrology or manicuring in an establishment unless the establishment is licensed to provide that practice under sub. (2).
 - c. Section 454.15 (2) (i), Wis. Stats.: Any violation of Chapter 454 or of the Administrative Code promulgated under Chapter 454 is cause for discipline.
 - d. Section BC 2.04 (1), Wis. Admin. Code: Licensees may not assist or participate in the unauthorized or unlicensed practice of barbering and cosmetology, aesthetics, electrology or manicuring.
 - e. Section BC 2.04 (2), Wis. Admin. Code: Licensees shall report to the board unauthorized or unlicensed practice or other violations of ch. 454, Stats., and chs. BC 1 to 9.
 - f. Section BC 2.045 (1), Wis. Admin. Code: Licensees shall not provide personal care services outside of a licensed establishment except for person who are unable to leave their homes because of illness or disability or for persons who are in hospitals, nursing homes, correctional institutions or other institutions.
7. Section BC 2.08 (1) (a), Wis. Admin. Code: Licensees shall be responsible for compliance with sanitation and safety precautions contained in ch. BC 4.
8. Section BC 3.02 (2) (a), Wis. Admin. Code: An owner may lease a chair or booth to a licensed individual as follows.
 - a. A lease agreement shall be in writing.

9. Section BC 3.02 (2) (b), Wis. Admin. Code: An owner may lease a chair or booth to a licensed individual as follows.
 - b. The lessee of the chair or booth shall be responsible of ensuring that the lease chair or booth operates in compliance with ch. 454, Stats., and that the rules of the board, and the lessee shall hold a manager's and an establishment license.
10. Section BC 4.01 (1), Wis. Admin. Code: All areas of an establishment and the equipment, tools and implements for services shall be maintained in a clean, sanitary and safe condition.
11. Section BC 4.01 (5), Wis. Admin. Code: Shampoo bowls and basins shall be drained after each use and kept in a sanitary and safe condition.
12. Section BC 4.02 (5), Wis. Admin. Code: Disinfectant used for decontamination shall be changed daily and shall be kept in a covered container.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Garland L. Hall shall pay to the Department of Regulation and Licensing a forfeiture of THREE HUNDRED dollars (\$300.00).

All payments shall be submitted within 90 days 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
Post Office Box 8935
Madison, Wisconsin 53708-8935
608-261-7904

IT IS FURTHER ORDERED that in the event that Garland L. Hall fails to timely submit any payment of the forfeiture as set forth above, the barbering and cosmetology manager license of Garland L. Hall (license number 81-20398) **SHALL BE SUSPENDED**, without further notice or hearing until Garland L. Hall has complied with the terms of this Order.

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

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush
A member of the Board

6/1/09
Date