

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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- 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>.
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FILE COPY

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF

CATHY BANKS,
D/B/A CADILLAC,

Applicant

ORDER ADOPTING STIPULATION
97 BAC 003

On or about July 1, 1997, Cathy Banks, 3909 N 11th St., Milwaukee, WI 53206 filed an application for a barbering and cosmetology establishment license. The information received in the application process reflects that at least from February 1997 until at least July 1997, Ms. Banks was operating Cadillac, an unlicensed barbering and cosmetology establishment located at 7109 W Capitol Dr., Milwaukee, WI 53216, in violation of section 454.08(2)(a) of the Wisconsin statutes and Wisconsin Administrative Code §§ BC 3.01(1) and 3.03(5). The Board and Applicant have entered into a Stipulation by which the Board agreed to issue and applicant agreed to accept, a barbering and cosmetology establishment license subject to specified conditions. Based upon the stipulation and information of record herein, it is ORDERED as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that Cathy Banks, d/b/a Cadillac, is granted a barbering and cosmetology establishment license, subject to the following terms and conditions:

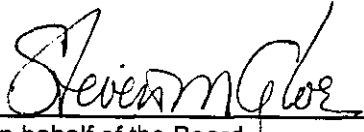
Cathy Banks shall pay to the Department of Regulation and Licensing a forfeiture of two hundred dollars (\$200.00). Upon receipt of the \$200.00 forfeiture, the Board shall issue applicant's establishment license.

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
PO Box 8935
Madison, WI 53708

STATE OF WISCONSIN
BARBERING AND COSMETOLOGY EXAMINING BOARD

By:


On behalf of the Board


Date

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF

CATHY BANKS,
D/B/A CADILLAC,

Applicant

STIPULATION
97 BAC 003

It is hereby stipulated between the above-referenced applicant and the State of Wisconsin Barbering and Cosmetology Examining Board as follows:

On or about July 1, 1997, the applicant filed an application for a barbering and cosmetology establishment license. The information received in the application process reflects a basis for disciplinary action by the Board. Based upon the information of record herein, the board agrees to issue and the applicant agrees to accept, an Order issuing an establishment license subject to the terms and conditions set forth in the attached Order Adopting Stipulation.

Dated this 15 day of Aug, 1997

Cathy Banks
Cathy Banks
d/b/a Cadillac
Applicant

Dated this 22nd day of August, 1997

STATE OF WISCONSIN
BARBERING AND COSMETOLOGY EXAMINING BOARD

By. Steven M. Glos
On behalf of the Board

TRANSACTION #449

	9300 FORFEITURE	200.00
TAX		.00
TOTAL		200.00
	WDR1 .00	
L1 03	09:31	21/AUG/97 M1 1-74 45

NOTICE OF APPEAL INFORMATION

Notice Of Rights For Rehearing Or Judicial Review, The Times Allowed For Each, And The Identification Of The Party To Be Named As Respondent.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708.

The Date of Mailing this Decision is:

AUGUST 26, 1997

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)

FILE COPY

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
SCOTT BARTLETT, :
AMY BARTLETT, : 96 BAC 147
d/b/a/ IMAGE RAZORS, :
RESPONDENTS. :

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

Scott Bartlett, Owner
Amy Congdon Bartlett, Manager
Image Razors
209 West Taft Street
Palmyra, WI 53156

Barbering and Cosmetology Examining Board
Bureau of Business and Design Professions
Post Office Box 8935
Madison, WI 53708-8935

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

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. Amy Congdon Bartlett (DOB 10/04/70), W522 Little Prairie Road, Palmyra, WI 53156, is duly licensed in the State of Wisconsin as a barbering and cosmetology manager, license # 26654. This manager license was granted on December 2, 1996.

2. Image Razors, 209 West Taft Street, Palmyra, WI 53156 is duly licensed in the State of Wisconsin as a barbering and cosmetology establishment, license # 26149. This establishment license was granted on January 7, 1997.

3. On exact dates unknown, but for a period of three months, ending on January 7, 1997, Mr. Bartlett operated the establishment referred to in ¶2, above, without an establishment license.

4. During the period of time referred to in ¶3, above, Mr. Bartlett was the sole owner of Image Razors. As owner, Mr. Bartlett was and is responsible for compliance with licensure laws and regulations concerning the operation of his establishment.

5. During the time period referred to in ¶3 above, Amy Congdon Bartlett was the unlicensed manager of the unlicensed establishment.

6. Initially, the department received a complaint against the respondent alleging that Amy Bartlett was operating the unlicensed establishment, in an unlicensed manager's capacity, which was personally observed by the complainant on October 10 and 11, 1996.

7. Investigator Jack Johnson personally visited the establishment on December 20, 1996 and found the establishment to be in existence but unlicensed. No one was practicing that day.

8. Respondent Amy Bartlett became licensed as a manager on December 2, 1996.

9. Investigator Johnson visited the salon again on January 2, 1997 and found respondent Amy Bartlett operating the unlicensed establishment and also found Ms Bartlett and an employee practicing in the establishment. Mr. Johnson issued an Order to Correct for operating an unlicensed establishment and failure to have the proper Blood Exposure Protocol posted.

10. The establishment became officially licensed on January 7, 1997.

11. In resolution of the captioned matter, Respondents Scott and Amy Bartlett consent to the following conclusions of law and order:

CONCLUSIONS OF LAW

Respondent Scott Bartlett, as owner, by the conduct referred to in ¶¶2 through 11, above, has violated § 454.08 (1) (b) Wis. Statutes, operated an unlicensed establishment, and aided and abetted the operation of the unlicensed establishment without the required licensed manager; and aided and abetted the violation of section BC 2.04 (1), Wis. Admin. Code, unauthorized practice; violated section BC 2.06, Wis. Admin. Code, responsibilities of owners and section BC 4.05 (2), Wis. Admin. Code, failed to post the required written protocol procedure to exposure to blood.

Respondent Amy Bartlett, as a licensed practitioner, violated, aided and abetted the above enumerated violations of Respondent Scott Bartlett and specifically violated §454.08, Wis. Statutes, operated an unlicensed establishment and violated section BC 2.08 (1) (a) (b), Wis. Admin. Code, responsibilities of licensees.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Respondents Scott and Amy Bartlett shall pay to the Department of Regulation and Licensing a forfeiture of THREE HUNDRED dollars (\$300.00) either jointly or severally. Payment shall be submitted no later than sixty (60) days from the date of this order.

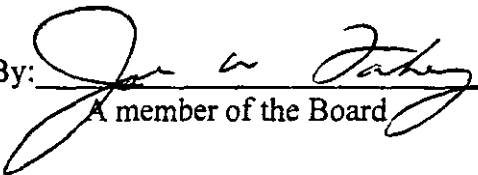
Payment shall be by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Wisconsin Department of Regulation and Licensing
Attn: Michelle Neverman, Department Monitor
P.O. Box 8935
Madison, WI 53708

IT IS FURTHER ORDERED that in the event Respondents Scott and Amy Bartlett fail to timely submit payment of the forfeiture as set forth above, the establishment license of Image Razors, 209 West Taft Street, Palmyra, WI 53156 SHALL BE SUSPENDED, without further notice or hearing, until the Bartletts have complied with the terms of this order.

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

WISCONSIN BARBERING AND COSMETOLOGY BOARD

By: 
A member of the Board

5/5/97
Date

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : STIPULATION
SCOTT BARTLETT, :
AMY BARTLETT, : 96 BAC 147
d/b/a/ IMAGE RAZORS :
RESPONDENTS. :

It is hereby stipulated between Scott and Amy Bartlett, personally on their own behalves and on behalf of Image Razors: and Henry E. Sanders, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Enforcement (96 BAC 147). Mr. and Mrs. Bartlett consent to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Mr. and Mrs. Bartlett understand that by the signing of this Stipulation they voluntarily and knowingly waives their rights, including: the right to a hearing on the allegations against them, 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 them; the right to call witnesses on their behalves and to compel their attendance by subpoena; the right to testify themselves; 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 them under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.
3. Mr. and Mrs. Bartlett are aware of their rights to seek legal representation and have been provided an opportunity to obtain legal advice prior to signing this Stipulation.
4. Mr. and Mrs. Bartlett agree 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. Respondents waive 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 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 to contend that the Board had not been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney for the Division of Enforcement and the member of the Barbering and Cosmetology Board assigned as advisor in this investigation may appear before the Board for the purposes of speaking in support of this agreement and answering questions that the Board may have in connection with their deliberations on the Stipulation.

7. The Division of Enforcement joins Mr. and Mrs. Bartlett in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Scott Bartlett
Scott Bartlett, Respondent

4-2-97
Date

Amy Bartlett
Amy Bartlett, Respondent

4-2-97
Date

Image Razors, Respondent
by _____

Date

Henry E. Sanders
Henry E. Sanders, Attorney
Division of Enforcement

4/7/97
Date

Department of Regulation & Licensing

State of Wisconsin

P.O. Box 8935, Madison, WI 53708-8935

(608)

TTY# (608) 267-2416, hearing or speech
TRS# 1-800-947-3529, impaired only

GUIDELINES FOR PAYMENT OF COSTS AND/OR FORFEITURES

On May 5, 1997, the Barbering and Cosmetology Examining Board
took disciplinary action against your license. Part of the discipline was an assessment of costs and/or a
forfeiture.

The amount of the costs assessed is: _____ Case #: _____

The amount of the forfeiture is: \$300.00 Case # 96BAC147

Please submit a check or a money order in the amount of \$300.00

The costs and/or forfeitures are due: July 4, 1997

NAME: Scott and Amy Bartlett, dba Image Razors LICENSE NUMBER: 26149

STREET ADDRESS: 209 West Taft Street

CITY: Palmyra STATE: WI ZIP CODE: 53156

Check whether the payment is for costs or for a forfeiture or both:

 COSTS X FORFEITURE

Check whether the payment is for an individual license or an establishment license:

 INDIVIDUAL X ESTABLISHMENT

If a payment plan has been established, the amount due monthly is:

Make checks payable to:

DEPARTMENT OF REGULATION AND LICENSING
1400 E. WASHINGTON AVE., ROOM 141
P.O. BOX 8935
MADISON, WI 53708-8935

#2145 (Rev. 9/96)

Ch. 440.22, Stats.

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STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

In the Matter of the Disciplinary Proceedings Against

Scott Bartlett,
Amy Bartlett,
d/b/a Image Razors,

AFFIDAVIT OF MAILING

Respondents.

STATE OF WISCONSIN)
)
COUNTY OF DANE)


I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.

2. On May 6, 1997, I served the Final Decision and Order dated May 5, 1997, and Guidelines for Payment of Costs and/or Forfeitures upon the Respondents Scott Bartlett and Amy Bartlett, d/b/a Image Razors, by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Respondents and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 201 374 214.

3. The address used for mailing the Decision is the address that appears in the records of the Department as the Respondents' last-known address and is:

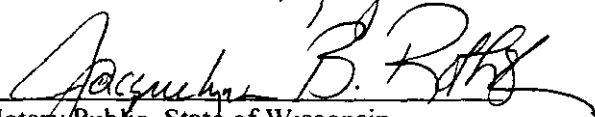
Scott Bartlett,
Amy Bartlett,
d/b/a Image Razors
209 W. Taft Street
Palmyra WI 53156



Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me

this 6th day of May 1997.



Notary Public, State of Wisconsin
My commission is permanent.

NOTICE OF APPEAL INFORMATION

Notice Of Rights For Rehearing Or Judicial Review. The Times Allowed For Each. And The Identification Of The Party To Be Named As Respondent.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708.

The Date of Mailing this Decision is:

May 6, 1997

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

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