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IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST
HONG NGOC THI PHAM,
D/B/A FANCY NAILS,
RESPONDENTS.

FINAL DECISION AND ORDER

LS9812076BAC

Division of Enforcement Case No. 96 BAC 165

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

Hong Ngoc Thi Pham
Fancy Nails
6924 Green Bay Rd.
Kenosha, WI 53142

Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53708-8935

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. Hong Ngoc Thi Pham (DOB 07-26-66) 5315 45th St., Kenosha, WI 53144, is duly licensed as a manicurist in the state of Wisconsin (license #2175). This license was first granted on November 21, 1995.
2. Fancy Nails, 6924 Green Bay Rd., Kenosha, WI 53142, is duly licensed as a manicuring establishment in the state of Wisconsin (license #772). This license was first granted on September 13, 1996. Hong Ngoc Thi Pham is listed with the Department of Regulation and Licensing as the owner of Fancy Nails. As owner, Ms. Pham was and is at all times relevant to this action responsible for compliance with ch. 454, Stats. and Wisconsin Administrative Code chs. BC 2, 3 and 4.
3. On exact dates unknown, but at least on September 25, 1997, Tien Danh Ly was employed at Fancy Nails to provide manicuring services to the public. At no time relevant to this action did Ms. Ly hold a valid and current Wisconsin manicurist permit.
4. On exact dates unknown, but at least on September 25, 1997, Truong X. Tran was employed at Fancy Nails to provide manicuring services to the public. At no time relevant to this action did Ms. Tran hold a valid and current Wisconsin manicurist permit.
5. On exact dates unknown, but at least on September 25, 1997, Phuc Thanh Nguyen was employed at Fancy Nails to provide manicuring services to the public. At no time relevant to this action did Ms. Nguyen hold a valid and current Wisconsin manicurist license.
6. In resolution of this matter, Hong Ngoc Thi Pham, consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct referred to in ¶¶ 3-5, above, Hong Ngoc Thi Pham, d/b/a Fancy Nails, violated sec. 454.15(2)(i), Stats. and Wis. Admin. Code § BC 2.04(1).

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Hong Ngoc Thi Pham, d/b/a Fancy Nails shall pay to the Department of Regulation and Licensing a forfeiture of THREE HUNDRED dollars (\$300.00). Payment shall be submitted within 30 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
PO Box 8935
Madison, WI 53708-8935

IT IS FURTHER ORDERED that in the event Hong Ngoc Thi Pham fails to timely submit payment of the forfeiture as set forth above, the establishment license of Fancy Nails (#772) **SHALL BE SUSPENDED**, without further notice or hearing, until Respondents have complied with the terms of this Order.

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

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: John Fahey 12/7/98

A member of the Board Date

