

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BARBERING AND
COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

HOA PHAM,

FINAL DECISION AND ORDER

d/b/a FANTASSY NAILS,

RESPONDENT

LS99020114BAC

Division of Enforcement Case No. 98 BAC 046

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

Hoa Pham

d/b/a Fantassy Nails

2614 E. Milwaukee St.

Janesville, WI 53545

Barbering and Cosmetology Examining Board

P. O. 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. Hoa Pham (DOB 12-25-56), 1641 Sheridan Ave., Beloit, WI 53511, is duly licensed as a manicurist in the state of Wisconsin (license # 1494). This license was first granted on January 25, 1994.

2. Fantassy Nails, 2614 E. Milwaukee St., Janesville, WI 53545 is duly licensed as a manicuring establishment in the state of Wisconsin (license #1124). This license was first granted on January 23, 1998. Hoa Pham is listed with the Department of Regulation and Licensing as the owner of Fantassy 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 from January 23, 1998 until at least July 12, 1998, Fantassy Nails did not have a sink separate from the public toilet facilities available to clean equipment.

4. On exact dates unknown, but at least on June 12, 1998, Fantassy Nails did not possess a disinfectant registered with the United States environmental protection agency as a tuberculocidal agent.
5. In resolution of this matter, Ms. Pham consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct referred to in ¶¶ 3-4, above, Hoa Pham, d/b/a Fantassy Nails, has violated sec. 454.15(2)(a) and (i), Stats. and Wis. Admin. Code §§ BC 3.04(4) and 4.10(1)(b).

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Hoa Pham, d/b/a Fantassy Nails, shall pay to the Department of Regulation and Licensing a forfeiture of TWO HUNDRED dollars (\$200.00). 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
P.O. Box 8935
Madison, WI 53708.

IT IS FURTHER ORDERED that in the event Hoa Pham, d/b/a Fantassy Nail fails to timely submit payment of the forfeiture as set forth above, the establishment license of Fantassy Nails (#1124), **SHALL BE SUSPENDED**, without further notice or hearing, until Ms. Pham has complied with the terms of this Order.

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

WISCONSIN BARBERING AND COSMETOLOGY BOARD

By: James Fahey_____February 1, 1999

A member of the Board