

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	FINAL DECISION AND ORDER
:MUNG T. LU,	LS9902017BAC
D/B/A ROSE'S NAILS, D	
RESPONDENTS.	

Division of Enforcement Case No. 98 BAC 109

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

*Mung T. Lu
Rose's Nails
4860 S 74th St.
Greenfield, WI 53220*

*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. Mung T. Lu (DOB 10-10-60) 1650 S. Layton Blvd., Milwaukee, WI 53215, is duly licensed as a manicurist in the state of Wisconsin (license #2897). This license was first granted on April 21, 1997.
2. Rose's Nails, 4860 S. 74th St., Greenfield, WI 53220, is duly licensed as a manicuring establishment in the state of Wisconsin (license #515). This license was first granted on July 12, 1995. Mung T. Lu is listed with the Department of Regulation and Licensing as the owner of Rose's Nails. As owner, Ms. Lu 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 November 12, 1998, "Danny" Hung T. Ly was employed at Rose's Nails to provide manicuring services to the public. At no time relevant to this action did Mr. Ly hold a valid and current Wisconsin manicurist license.
4. On exact dates unknown, but at least on November 12, 1998, Rose's Nails did not disinfect or sterilize reusable manicure instruments prior to use on patrons.
5. On exact dates unknown, but at least on November 12, 1998, Rose's Nails did not possess a disinfectant registered as a tuberculocidal agent.
6. In resolution of this matter, Ms. Lu consent to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct referred to in ¶¶ 3-5, above, Mung T. Lu, d/b/a Rose's Nails, violated sec. 454.15(2)(i), Stats. and Wis. Admin. Code §§ BC 2.04(1), BC 2.06(1) and BC 4.10.

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Mung T. Lu, d/b/a Rose's Nails shall pay to the Department of Regulation and Licensing a forfeiture of THREE HUNDRED dollars (\$300.00). Payment shall be submitted within 60 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 Mung T. Lu fails to timely submit payment of the forfeiture as set forth above, the establishment license of Rose's Nails (#515) **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: <u>James Fahey</u>	<u>February 1, 1999</u>
A member of the Board	Date