

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
HUNG N. NGUYEN,	LS99040511BAC
D/B/A CALIFORNIA NAILS	
RESPONDENTS	

Division of Enforcement Case No. 98 BAC 095

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

*Hung N. Nguyen
California Nails
4405 N. 60th St
Milwaukee, WI 53218*

*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. Hung N. Nguyen (DOB 11-15-55) 4405 N. 60th St., Milwaukee, WI 53218, is duly licensed as a manicurist in the state of Wisconsin (license #2633). This license was first granted on September 16, 1996.
2. California Nails, 4405 N. 60th St., Milwaukee, WI 53218, is duly licensed as a manicuring establishment in the state of Wisconsin (license #800). This license was first granted on October 25, 1996. Hung N. Nguyen is listed with the Department of Regulation and Licensing as the owner of California Nails. As owner, Mr. Nguyen 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 13, 1998, California Nails did not disinfect or sterilize reusable manicure instruments prior to use.
4. On exact dates unknown, but at least on November 13, 1998, Jimmy Chay Nguyen was employed at California Nails to provide manicuring services to the public. At no time relevant to this action did Jimmy Chay Nguyen hold a valid and current Wisconsin manicurist license.
5. On exact dates unknown, but at least on November 13, 1998, Dao Thi Nguyen was employed at California Nails to provide manicuring services to the public. At no time relevant to this action did Dao Thi Nguyen hold a valid and current Wisconsin manicurist license.
6. In resolution of this matter, Mr. Nguyen consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct referred to in ¶¶ 3-5, above, Hung N. Nguyen, d/b/a California Nails, violated sec. 454.15(2)(i), Stats. and Wis. Admin. Code §§ BC 2.04 and 4.10.

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Hung N. Nguyen, d/b/a California Nails shall pay to the Department of Regulation and Licensing a forfeiture of THREE HUNDRED dollars (\$300.00). Payment shall be submitted as follows:

\$100.00 due on or before February 15, 1999;

\$100.00 due on or before March 15, 1999; and

\$100.00 due on or before April 15, 1999.

Payments 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 Respondents fail to timely submit payment of the forfeiture as set forth above, the establishment license of California Nails (#800) **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

A member of the Board

April 5, 1999

Date

