

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

VIRGINIA M. WEISHAN,	FINAL DECISION AND ORDER
D/B/A EYE OF THE BEHOLDER,	LS99060811BAC
RESPONDENT.	

Division of Enforcement
97 BAC 023

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

*Virginia M. Weishan
Eye of the Beholder
3946 S. Howell Ave.
Milwaukee, WI 53207*

*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. Eye of the Beholder, 3946 S. Howell Ave., Milwaukee, WI 53207, is duly licensed as a barbering and cosmetology establishment in the state of Wisconsin (license #24559). This license was first granted on September 21, 1995. Virginia M. Weishan is listed with the Department of Regulation and Licensing as the owner of Eye of the Beholder. As owner, Ms. Weishan 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.
2. On exact dates unknown, but at least on September 21, 1995 and continuing on through at least July 15, 1997, Eye of the Beholder was operating without a full-time manager appointed to have direct authority over the operations of the establishment, nor was a change in manager of record reported to the Department.
3. In resolution of this matter, Ms. Weishan, d/b/a Eye of the Beholder, consent to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. By the conduct referred to in ¶ 2, above, Virginia M. Weishan, d/b/a Eye of the Beholder, violated sec. 454.15(2)(i), Stats. and Wis. Admin. Code §§ BC 2.06 and 3.01(2).

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Virginia M. Weishan, d/b/a Eye of the Beholder, shall pay to the Department of Regulation and Licensing a forfeiture of ONE THOUSAND dollars (\$1,000.00). Payment shall be submitted as follows:

- \$250.00 due on or before June 1, 1999;
- \$250.00 due on or before August 1, 1999;
- \$250.00 due on or before October 1, 1999; and
- \$250.00 due on or before December 1, 1999.

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 Virginia M. Weishan fails to timely submit payment of the forfeiture as set forth above, the establishment license of Eye of the Beholder (#24559) **SHALL BE SUSPENDED**, without further notice or hearing, until Respondent has 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>Barbara Flaherty</u>	<u>June 8, 1999</u>
A member of the Board	Date