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IN THE MATTER OF THE DISCIPLINARY :

PROCEEDINGS AGAINST

CHINH KIEU TRAN AND GUNG DO,

D/B/A MAGICAL NAIL,

RESPONDENTS.

FINAL DECISION AND ORDER

LS9906084BAC

:

Division of Enforcement Case No. 98 BAC 061

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

Chinh Kieu Tran
Gung Do
Magical Nail
6414 N. 76th St.
Milwaukee, WI 53223

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. Magical Nail, 6414 N. 76th St., Milwaukee, WI 53223, is duly licensed as a barbering and cosmetology establishment in the state of Wisconsin (license #815). This license was first granted on Novemer 15, 1986. Chinh Kieu Tran and Gung Do are listed with the Department of Regulation and Licensing as the owners of Magical Nail. As owners, Ms. Tran and Ms. Do were and are 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 February 4, 1999, Magical Nail did not maintain equipment, tools and implements used by licensees in a clean, sanitary and safe condition.
3. In resolution of this matter, Ms. Tran and Ms. Do consent to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct referred to in ¶ 2, above, Chinh Kieu Tran and Gung Do, d/b/a Magical Nail, violated sec. 454.15(2)(i), Stats. and Wis. Admin. Code § BC 4.01(1).

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Chinh Kieu Tran and Gung Do, d/b/a Magical Nail shall pay to the Department of Regulation and Licensing a forfeiture of ONE HUNDRED dollars (\$100.00). 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 Respondents fail to timely submit payment of the forfeiture as set forth above, the establishment license of Magical Nail (#815) **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: Barbara Flaherty

A member of the Board

June 8, 1999

Date