

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

TIEN NGUYEN,	FINAL DECISION AND ORDER
D/B/A NAILS U LUV	LS0001191BAC
RESPONDENTS	

Division of Enforcement 99 BAC 050

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

*Tien Nguyen
Nails U Luv
242 Westgate Mall
Madison, WI 53719*

*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. Tien V. Nguyen (DOB 9-1-63), 3314 Prairie Rd., Madison, WI 53719, is duly licensed as a manicurist in the state of Wisconsin, with license #2768. This license was first granted on January 16, 1997.
2. Nails U Luv, 242 Westgate Mall, Madison, WI 53719, is duly licensed as a manicuring establishment in the state of Wisconsin (license #1510). This license was first granted on September 30, 1999. Tien Nguyen is listed with the Department of Regulation and Licensing as the owner of Nails U Luv. 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 from May 1999 until September 30, 1999, Nails U Luv was open and operating as a manicuring establishment. At no time relevant to this action was Nails U Luv licensed as a manicuring establishment.
4. On exact dates unknown, but at least on September 24, 1999, Nails U Luv did not dispose of those manicure

instruments that could not be cleaned and disinfected or sterilized following each use.

5. On exact dates unknown, but at least on September 24, 1999, Nails U Luv did not possess a supply of bandages.
6. On exact dates unknown, but at least on September 24, 1999, Nails U Luv had not changed the disinfectant used for decontamination.
7. In resolution of this matter, Mr. Nguyen consent to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct referred to in ¶¶ 3-6, above, Tien Nguyen, d/b/a Nails U Luv, violated secs. and 454.08, Stats. and §§ BC 4.02(1), BC 4.04(2), and BC 4.10(2).

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Tien Nguyen, d/b/a Nails U Luv shall pay to the Department of Regulation and Licensing a forfeiture of FOUR HUNDRED dollars (\$400.00). Payment shall be submitted within 45 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 Tien Nguyen fail to timely submit payment of the forfeiture as set forth above, the establishment license of Nails U Luv (#1510) **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

January 18, 2000

Date