

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:

LAM Q. LE AND XUAN NGO , D/B/A FANCY NAILS, RESPONDENT	FINAL DECISION AND ORDER LS00120412BAC
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Division of Enforcement Case No. 00BAC039

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

Lam Q. Le and Xuan Ngo, dba
Fancy Nails
D400 Wausau Center
Wausau, WI 54403

Barbering and Cosmetology Examining Board
PO Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
PO 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. Fancy Nails, D400 Wausau Center, Wausau, WI 54403, is duly licensed as a manicuring establishment in the state of Wisconsin (license #1737). This license was first granted on September 6, 2000.
2. Lam Q. Le and Xuan Ngo are listed with the Department of Regulation and Licensing as the owners of Fancy Nails. As owners, Mr. Le and Mr. Ngo were and are at all times relevant to this action responsible for compliance with ch. 454, Stats. and Wisconsin Administrative Code chs. BC 2 and 3.
3. On exact dates unknown but beginning on or about June 16, 2000 and continuing on through September 5, 2000, Respondent salon operated without a current manicurist establishment license.
4. On exact dates unknown, but at least on September 5, 2000, Respondent salon employed Trang Thuy Nguyen and Nhu Thuy Nguyen to provide manicuring services to the public. At no time relevant to this action did either Trang Thuy Nguyen or Nhu Thuy Nguyen hold a valid and current Wisconsin manicurist license.
5. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct referred to in ¶ 3 and 4, above, Lam Q. Le and Xuan Ngo, d/b/a Fancy Nails, violated secs. 454.04(1)(d), 454.08(1)(b) and 454.15(2)(i), Stats. and Wis. Admin. Code §§ BC 2.04, BC 2.06 and BC 3.01(1).

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that

1. Respondents shall pay to the Department of Regulation and Licensing a forfeiture of TWO THOUSAND dollars (\$2,000.00).
2. Payment shall be submitted in increments of \$200.00 per month for a period of ten months. Payments shall be due on the 15th day of each month, and the first payment shall be due on the 15th day of the month immediately following the effective 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.
3. **In the event Respondents fail to comply with the conditions set forth in ¶ 1 above, the establishment license of Fancy Nails (#1737) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.**
4. This Order shall become effective upon the date of its signing.

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Barbara Flaherty	12-4-00
A member of the Board	Date