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IN THE MATTER OF DISCIPLINARY

PROCEEDINGS AGAINST:

GAULIEN L. SMITH

FINAL DECISION AND ORDER

d/b/a GEE'S CLIPPERS,

RESPONDENT

LS0102054BAC

Division of Enforcement Case No. 99 BAC 088

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

Gaulien L. Smith

Gee's Clippers

4323 W. Fond Du Lac Avenue

Milwaukee, WI 53209

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. Gaulien L. Smith, 4323 W. Fond Du Lac Avenue, Milwaukee, WI 53209, is listed with the Department of Regulation and Licensing as the owner of a duly licensed barbering and cosmetology establishment in the State of Wisconsin, known under the trade name, Gee's Clippers.
2. Gee's Clippers, 4323 W. Fond Du Lac Avenue, Milwaukee, WI 53209, is licensed as a barbering and cosmetology establishment in the State of Wisconsin (license #80-24265). This license was first granted on June 2, 1995.
3. As the owner of a licensed establishment, Gaulien L. Smith, was at all times relevant to this action responsible for compliance with ch. 454, Stats. and Wisconsin Administrative Code, chs. BC 2, 3 and 4.
4. During the inspection on March 17, 2000, the investigator observed that there were ten individuals who were providing barbering and cosmetology services for clients at Gee's Clippers. Seven out of the ten individuals working at the establishment were booth renters and had current Wisconsin barbering and cosmetology licenses.
5. The investigator observed that two individuals, Richard J. Amstead and Jasmila Addison, who working at the establishment were unlicensed. Another individual, Latanya Gordon had an expired license. Ms. Gordon signed a stipulation for her practice on September 28, 2000.

CONCLUSIONS OF LAW

By the conduct referred to in the paragraphs above, Gaulien L. Smith, d/b/a Gee's Clippers, has violated secs.454.04 (1) (a) and BC 2.04 (1).

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Gaulien L. Smith, d/b/a Gee's Clippers shall pay to the Department of Regulation and Licensing a forfeiture of Three Thousand dollars (**\$3,000.00**). Payment shall be submitted in full on or before 12 months from the date of this order. Respondent may pay the forfeiture in equal monthly installments of \$250.00. 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, Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935**

IT IS FURTHER ORDERED that in the event Gaulien L. Smith fails to timely submit payment of the forfeiture as set forth above, the establishment license of Gee's Clippers (#80-24265) **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: Barbara Flaherty

2-5-01

A member of the Board

Date