

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY

PROCEEDINGS AGAINST:

AVERY MEEKS and ANTHONY L.

FINAL DECISION AND ORDER

OLIPHANT, SR., d/b/a EXODUS

SALON

RESPONDENTS

LS0106042BAC

Division of Enforcement Case No. 99 BAC 082

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

Avery Meeks

Exodus Hair Salon

6929 W. Hampton Avenue

Milwaukee, WI 53218

Anthony L. Oliphant, Sr.

Exodus Hair Salon

6929 W. Hampton Avenue

Milwaukee, WI 53218

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. Avery Meeks and Anthony L. Oliphant, Sr., 6929 W. Hampton Avenue, Milwaukee, WI 53218, are listed with

the Department of Regulation and Licensing as the owners of a barbering and cosmetology establishment in the State of Wisconsin, known under the trade name, Exodus Hair Salon.

2. Exodus Hair Salon, 6929 W. Hampton Avenue, Milwaukee, WI 53218, was formerly licensed as a barbering and cosmetology establishment in the State of Wisconsin (license #80-73902. This license was first granted on August 13,1997. The establishment license expired on June 30, 1999 and the salon was closed. On March 16, 2000, the establishment license was renewed and the establishment was reopened. The establishment license is now current and active through June 30, 2001.

3. As owners of a licensed establishment, Meeks and Oliphant were 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. On exact dates unknown, but beginning on at least March 17, 2000, Robert D. Hopkins, was employed as the manager for Exodus Hair Salon. Hopkins was granted a manager's license on March 27, 1992. Hopkin's manager's license expired on June 30, 1999 and has been not renewed since the expiration.

5. At the time relevant to this action, Hopkins did not have a current barbering and cosmetology manager's license in Wisconsin.

6. The Department had received a previous complaint involving Hopkins in 1996, when he was working as the manager of the Abracadabra Studio in Milwaukee, Wisconsin. The Department determined that unlicensed persons were working in the establishment and Hopkins was offered a stipulation for the unlicensed practice violations, but he did not respond. On February 1, 1999, the Board closed the case (# 95 BAC 148).

7. On March 17, 2000, the Department of Regulation and Licensing conducted an on-site inspection of the establishment and observed an unlicensed person, identified as Felicia Williams, providing barbering and cosmetology services.

8. At the time relevant to this action, Williams did not have a Wisconsin Barbering and Cosmetology Practitioner's license in Wisconsin.

CONCLUSIONS OF LAW

By the conduct referred to in the paragraphs above, Avery Meeks and Anthony L. Oliphant, Sr., d/b/a Exodus Hair Salon, have violated secs. 454.04(1)(a) and Wis. Admin. Code §§ BC 2.04(1) and §§ BC 3.02 (1) and §§ BC 3.02 (1) (a).

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Avery Meeks and Anthony L. Oliphant, Sr., d/b/a Exodus Hair Salon shall pay to the Department of Regulation and Licensing a forfeiture of **TWO THOUSAND** dollars (\$2,000.00). Payment shall be submitted within **six (6) months** 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 the Respondents in the event that Respondents fail to submit payment of the forfeiture as set forth above, the establishment **SHALL BE SUSPENDED**, without further notice or hearing. The Department will seek an administrative injunction against the establishment and its owners to prohibit any further unlicensed activities.

This Order shall become effective upon the date of its signing.

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Barbara Flaherty

6-4-01

A member of the Board

Date

