

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:

KENNETH J. OLSEN d/b/a OLY’S BARBER SHOP	FINAL DECISION AND ORDER
RESPONDENT	LS0106043BAC

Division of Enforcement Case No. 00 BAC 060

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

Kenneth J. Olsen
Oly’s Barber Shop
RRI Box 310
Bayfield, WI 54814

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. Kenneth J. Olsen, RR1, Box 31, Bayfield, WI 54814, is listed with the Department of Regulation and Licensing as the owner of a licensed barbering and cosmetology establishment in the State of Wisconsin, known under the trade name, Oly’s Barber Shop.
2. Oly’s Barber Shop is licensed as a barbering and cosmetology establishment in Bayfield, Wisconsin (license #80-22355). This license was first granted on October 7, 1992.
3. Kenneth J. Olsen was at all times relevant to this action the licensed manager for Oly’s Barber Shop, having license (#81-24921), issued on August 24, 1992.
4. As the owner-manager of a licensed establishment, Olsen was responsible for compliance with ch. 454, Stats. and Wisconsin Administrative Code, chs. BC 2, 3 and 4.

5. As of June 30, 1997, the establishment license for Oly’s Barber Shop had expired. The establishment license was not renewed until August 9, 2000. The establishment remained open for business after this license had expired.
6. As of June 30, 1997, the manager’s license of Kenneth J. Olsen was expired. Olsen did not renew his manager’s license until August 9, 2000. Olsen continued to provide barbering services after his license was expired.
7. Olsen admitted that he had practiced without valid and current licenses. His explanation for his actions was that he did not receive the renewal forms. Olsen explained that at one time he had a problem with someone removing mail from his mailbox. Olsen and some of his neighbors found their mail lying on a nearby walking trail. Olsen indicated that he had a former bookkeeper who may have overlooked the renewal forms.

CONCLUSIONS OF LAW

By the conduct referred to in the paragraphs above, Kenneth J. Olsen, d/b/a Oly’s Barber Shop, has violated secs. 454.04(1)(b) and Wis. Admin. Code §§ BC 2.04(1).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Kenneth J. Olsen d/b/a Oly’s Barber Shop shall pay to the Department of Regulation and Licensing a forfeiture of ONE THOUSAND DOLLARS (\$1000.00). Payment shall be submitted within one year 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 Kenneth J. Olsen fails to timely submit payment of the forfeiture as set forth above, the establishment license of Oly’s Barber Shop (#80-22355) and the manager’s license of Kenneth J. Olsen (#81-24921) **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

6-4-01

A member of the Board

Date