

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:

NGHIA V. DONG, d/b/a LEES NAILS,
RESPONDENT

FINAL DECISION AND ORDER
LS0112043BAC

Division of Enforcement Case No. 00 BAC 080

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

Nghia V. Dong

Lees Nails

4800 Golf Road

Eau Claire, WI 54701

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. Lees Nails, 4800 Golf Road, Eau Claire, WI 54701 is duly licensed as a manicuring establishment in the state of Wisconsin (license #1742). This license was first granted on September 12, 2000.
2. Nghia V. Dong, is listed in Department records as the owner of Lees Nails. As owner, Mr. Dong 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 on August 22, 2001, Hai Nguyen provided manicuring services at Lees Nails. At no time relevant to this action did Hai Nguyen hold a valid and current Wisconsin manicurist license.
4. On exact dates unknown, but at least on August 22, 2001, Dao Nguyen provided manicuring services at Lees Nails. At no time relevant to this action did Dao Nguyen hold a valid and current Wisconsin manicurist license.
5. On August 22, 2001, an inspection of Lees Nails revealed poisonous substances stored in public areas of Lees Nails and dirty manicuring implements located at some of the manicuring workstations.
6. In resolution of this matter, Mr. Dong consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

Nghia V. Dong, d/b/a Lees Nails, by the conduct referred to in ¶ 3, above, has violated secs. 454.04(1)(a) and 454.04(1)(d), Stats. and Wis. Admin. Code §§ BC 2.04(1), BC 3.01(6), BC4.01(1) and BC 4.01(2).

ORDER

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

1. Nghia V. Dong, d/b/a/ Lees Nails shall pay to the Department of Regulation and Licensing a forfeiture of TWO THOUSAND TWO HUNDRED dollars (\$2,200.00). *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, Post Office Box 8935, Madison, WI 53708.*

2. Payment shall be submitted by at least the following schedule:

Number	Due Date	Amount
No. 1	December 15, 2001	\$183.33
No. 2	January 15, 2002	\$183.33
No. 3	February 15, 2002	\$183.33
No. 4	March 15, 2002	\$183.33
No. 5	April 15, 2002	\$183.33
No. 6	May 15, 2002	\$183.33
No. 7	June 15, 2002	\$183.33
No. 8.	July 15, 2002	\$183.33
No. 9	August 15, 2002	\$183.33
No. 10	September 15, 2002	\$183.33
No. 11	October 15, 2002	\$183.33
No. 12	November 15, 2002	\$183.37

3. IT IS FURTHER ORDERED that in the event Nghia V. Dong fails to timely submit payment of the forfeiture as set forth above, the establishment license of Lees Nails (#1742) SHALL BE SUSPENDED, without further notice or hearing, until Nghia V. Dong has complied with the terms of this Order.

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

WISCONSIN BARBERING AND COSMETOLOGY BOARD

By: Barbara Flaherty

12-4-01

A member of the Board

Date