

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

### **FINDINGS OF FACT**

1. **Tara R. Sheehy** ("Sheehy"), date of birth 04/02/59, is licensed in the State of Wisconsin as a Barbering and Cosmetology Manager having license # 81 16391. This license was first granted to her on 05/21/84.
2. **Dale E. Nelson** ("Nelson"), date of birth 06/19/66, is licensed in the State of Wisconsin as a Barbering and Cosmetology Manager having license # 81 26940. This license was first granted to him on 09/29/97.
3. **Head Games Salon** ("Salon"), is licensed in the State of Wisconsin as a Barbering and Cosmetology Establishment having license # 80 26391. This license was first granted on 05/12/97.
4. The Barbering and Cosmetology Establishment license # 80-26391 expired on July 1, 1999, and was not renewed until March 12, 2002.
5. At all times relevant to this action, Sheehy and Nelson were responsible for the daily operations of the establishment and for ensuring that the establishment was in compliance with Wis. Stats. chapter 454 and Admin. Code chapters BC 2, 3 and 4.
6. On or about April 18, 2002, an inspection of the Salon was performed by Department of Regulation and Licensing investigator Candace Bloedow. During the inspection investigator Bloedow found the following:
  - a. A list of cost of services was not posted nor a sign displayed stating that patrons have the right to be informed of the cost of services before the services are provided.
  - b. The disinfectant found on 2 manicuring workstations was cloudy/dirty indicating that it had not been recently changed.
  - c. Poisonous substances were not stored in a locked cabinet or closet.

### **CONCLUSIONS OF LAW**

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to sec. 454.15, Wis. Stats.
2. The Wisconsin Barbering and Cosmetology Examining Board is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.

3. Respondents **Tara R. Sheehy, Dale E. Nelson & Head Games Salon** have violated:
- a. Wisconsin Statutes sections 454.08(1)(b) sub. (a ) and 454.15(2)(i) and Wisconsin Administrative Code section BC 2.06 by providing manicurists services to clients while the establishment license was expired from July 1, 1999, through March 12, 2002.
  - b. Wisconsin Statutes section 454.15(2)(i) and Wisconsin Administrative Code section BC 4.10(1)(b) by failing to change disinfectant used for decontamination daily.
  - c. Wisconsin Statutes sec. 454.15(2)(i) and Wisconsin Administrative Code section BC 2.05(2) by not posting a list of cost for services or displaying a sign which states, "All establishment patrons have the right to be informed of the cost of services before the services are provided."
  - d. Wisconsin Administrative Code section BC 3.01(6) by not having poisonous substances stored in a locked cabinet or closet.

### **ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED, that Respondent **Head Games Salon** shall pay to the Department of Regulation and Licensing a forfeiture of ONE THOUSAND TWO HUNDRED dollars (\$1,200.00). Payment shall be submitted within sixty (60) days 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, Department of Regulation and Licensing , PO Box 8935, Madison, WI 53708-8935.**

IT IS FURTHER ORDERED, that in the event **Head Games Salon** fails to timely submit payment of the forfeiture as set forth above, the Barbering and Cosmetology Establishment license # 80 26391 SHALL BE **SUSPENDED**, without further notice or hearing, until respondent has complied with the terms of this Order.

IT IS FURTHER ORDERED, that file, 02 BAC 029 be, and hereby is, closed as to all respondents.

Dated this 7<sup>th</sup> day of October, 2002.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

Lee Martinez

A Member of the Board