

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : FINAL DECISION AND ORDER  
PATTI J. WELLNER :  
RESPONDENT. : LS03030315BAC

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## Division of Enforcement Case No. 01 BAC 094

The parties to this action for the purpose of Wis. Stats. sec. 227.53 are:

Patti J. Wellner  
1500 S. Felker Ave.  
Marshfield, WI 54449

Barbering and Cosmetology Examining Board  
P.O. Box 8935  
Madison, WI 53707-8935

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 disposition 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. **Patti J. Wellner** (“Wellner”), date of birth 06/18/65, is licensed in the State of Wisconsin as a Barbering and Cosmetology Manager license # 81 18932. This license was first granted to her on 12/05/88.

2. Wellner is listed with the Department of Regulation and Licensing as Licensee/Responsible Charge of the Barbering and Cosmetology establishment Smart Style, License # 80 29614. The most recent address on file with the Department of Regulation and Licensing for this establishment is 4331 S. 8<sup>th</sup> St., Wisconsin Rapids, WI 54494.

3. At all times relevant to this action, Wellner was 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 and BC 4.

4. On July 31, 2002, Department of Regulation and Licensing investigator Michelle Krisher performed an inspection of Smart Style. During the inspection investigator Krisher found the following:

a. Disinfectant was cloudy and contained hair.

b. hair clippings were found in drawers with clean combs, clean clipper blades and perm rods being used on a client.

### 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. Respondent **Patti J. Wellner** has violated:

a. Wisconsin Statutes section 454.15(2)(i) and Wisconsin Administrative Code sections BC 4.01(1) and BC 4.02 (1) by failing to maintain the salon in a clean, sanitary and safe condition.

### ORDER

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

IT IS FURTHER ORDERED, that Respondent **Patti J. Wellner** shall pay to the Department of Regulation and Licensing a forfeiture of ONE HUNDRED dollars (\$100.00). Payment shall be submitted within thirty (30) 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 **Patti J. Wellner** fails to timely submit payment of the forfeiture as set forth above, the Manicurist's license of **Patti J. Wellner** SHALL BE SUSPENDED, without further notice or hearing, until respondent has complied with the terms of this Order.

IT IS FURTHER ORDERED, that file, 01 BAC 094 be, and hereby is, closed as to respondent Patti J. Wellner.

Dated this 3<sup>rd</sup> day of March, 2003.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Barbara Flaherty