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IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
ABSOLUTE PERFECTION :
BEAUTY CAFE, :
LORRAINE K. PELLIE : LS0304071BAC
RESPONDENTS. :

Division of Enforcement Case No. 01 BAC 105

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

Absolute Perfection
Beauty Cafe,
Lorraine K. Pellie
N89W16895 Appleton Ave
Menomonee Falls, WI 53051

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. **Absolute Perfection Beauty Cafe**, is licensed in the State of Wisconsin as a Manicuring Establishment license # 71 1497. This license was first granted to it on 09/02/99. The most recent address on file with the Department of Regulation and Licensing for this establishment is N89W16895 Appleton Ave., Menomonee Falls, WI 53051.

2. **Lorraine K. Pellien** ("Pellien"), date of birth 05/29/62, is licensed in the State of Wisconsin as a Manicurist license # 85 2655. This license was first granted to her on 10/11/96. Pellien is listed with the Department of Regulation and Licensing as the owner of Absolute Perfection Beauty Cafe. As the owner, Pellien was at all times relevant to this action responsible for compliance with Wis. Stats. chapter 454 and Wis. Admin. Code chapter BC 2.

3. On or about June 13, 2002, the Department of Regulation and Licensing performed an inspection of Absolute Perfection Beauty Cafe. Pellien was observed performing manicuring services to a client. During the inspection the investigator also established that Melissa S. Sonnenburg was providing hair styling services to clients. The Absolute Perfection Beauty Cafe is not licensed as a barbering and cosmetology establishment.

4. On July 1, 2001, the Absolute Perfection Beauty Cafe's manicuring establishment license expired and was not renewed until July 11, 2002.

5. On July 1, 2001, Pellien's manicurist license expired and was not renewed until July 11, 2002.

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 **Absolute Perfection Beauty Cafe** has violated Wisconsin Statutes sections 454.04(1)(d), and 454.15(2)(i) and Wisconsin Administrative Code sections BC 2.04(1) and BC 2.06 by providing manicuring services to clients with an expired license from July 1, 2001, until July 11, 2002, and providing hair styling services to clients without a barbering and cosmetology establishment license.

4. Respondent **Lorraine K. Pellien** has violated Wisconsin Statutes sections 454.04(1)(d), 454.08(1)(b), and 454.15(2)(i) and Wisconsin Administrative Code sections BC 2.04(1) and BC 2.06(1) by providing services to clients with an expired license from July 1, 2001, until July 11, 2002.

ORDER

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

IT IS FURTHER ORDERED, that Respondent **Absolute Perfection Beauty Cafe**, and **Lorraine K. Pellien** shall pay to the Department of Regulation and Licensing a forfeiture of THREE THOUSAND dollars (\$3,000.00). 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 **Perfection Beauty Cafe**, and **Lorraine K. Pellien** fail to timely submit payment of the forfeiture as set forth above, the licenses of **Perfection Beauty Cafe**, and **Lorraine K. Pellien** SHALL BE SUSPENDED, without further notice or hearing, until respondents have complied with the terms of this Order.

IT IS FURTHER ORDERED, that file, 01 BAC 105 be, and hereby is, closed.

Dated this 7th day of April, 2003.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Leon Lauer