

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 :
 : FINAL DECISION AND ORDER
HOLLYWOOD NAILS, AND :
HAI PHAM, :
RESPONDENTS. : LS0306024BAC

Division of Enforcement Case No. 02 BAC 052

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

Hollywood Nails
Hai Pham
1000 E Riverview Expy
Wisconsin Rapids, WI 54494

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. **Hollywood Nails**, is licensed in the State of Wisconsin as a Manicuring Establishment license # 71 1734. This license was first granted to it on 08/30/00. The most recent address on file with the Department of Regulation and Licensing for this establishment is 1000 E Riverview Expy, Wisconsin Rapids, WI 54494.

2. **Hai Pham**, ("Pham") is listed with the Department of Regulation and Licensing as the owner of Hollywood Nails. As owner, Pham was at all times relevant to this action responsible for compliance with Wis. Stats. chapter 454 and Admin. Code chapter BC 2.

3. Pham is licensed in the State of Wisconsin as a Manicurist license # 85 4340. This license was first granted to him on 11/06/00. The most recent address on file with the Department of Regulation and Licensing for Pham is 1317 Pepper Ave., Wisconsin Rapids, WI 54494.

4. On July 31, 2002, an investigator from the Department of Regulation and Licensing performed an inspection at Hollywood Nails. During the inspection the investigator observed Cong Loi Vo (Vo) and Dang Minh Nguyen (Nguyen), employees of Hollywood Nails, providing services to clients. Vo and Nguyen stated that they had just recently started at the salon and the investigator verified that Vo and Nguyen did not have a current Wisconsin license.

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 **Hollywood Nails & Hai Pham** have violated:

a. Wisconsin Statutes section 454.04(1)(d), and Wisconsin Administrative Code section BC 2.04(1) by authorizing unlicensed employees to provide services to clients.

ORDER

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

IT IS FURTHER ORDERED, that Respondents **Hollywood Nails & Hai Pham** shall pay to the Department of Regulation and Licensing a forfeiture of TWO THOUSAND dollars (\$2,000.00). 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 **Hollywood Nails & Hai Pham** fail to timely submit payment of the forfeiture as set forth above, the Manicuring license of **Hai Pham** (# 71 1734) 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 052 are hereby closed.

Dated this 2nd day of June, 2003.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Leon Lauer