

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
HUU VAN NGUYEN, OWNER : AND ORDER
D/B/A HUDSON NAILS, : LS0306028BAC
RESPONDENT :

Division of Enforcement Case No. 02BAC081

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

Huu Van Nguyen
Hudson Nails
2121 Coulee Road
Hudson, WI 54016

Barbering and Cosmetology Examining Board
PO Box 8935
Madison, WI 53708-8935

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 in this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and finds it acceptable.

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

FINDINGS OF FACT

1. Huu Van Nguyen, owner and practitioner (practitioner license #854176 granted on 05/31/00), of Hudson Nails, located at 2121 Coulee Road, Hudson, WI 54016, which is currently licensed as a barber and cosmetology establishment in the State of Wisconsin (establishment license #711825 granted on 02/23/01). Huu Van Nguyen D/B/A Hudson Nails, employed three unlicensed practitioners ("Kim", "Johnny" and "B", a niece that ran out the back door of the establishment).
2. Sanitation violations were observed upon inspection, but have since been corrected at the salon. No forfeitures will be issued as compliance has been gained. (Dirty, unsanitized instruments were not disposed of as required and employees did not wash their hands between clients).
3. According to the Department of Regulation and Licensing records, Huu Van Nguyen, 8361 9th Street N., Oakdale, MN 55128, is listed owner of Hudson Nails and is duly licensed in the State of Wisconsin as a barber and cosmetologist (practitioner license #854176 granted on 05/31/00). As owner, Huu Van Nguyen was and is at all times relevant to this action responsible for compliance with Wisconsin Statute, Chapter 454 and the Wisconsin Administrative Code for Barbering and Cosmetology Chapters BC 2, 3 and 4.
4. Huu Van Nguyen D/B/A Hudson Nails, employed three unlicensed practitioners ("Kim", "Johnny", and "B") who provided Barbering and Cosmetology services to the public without valid or current Wisconsin Barbering and Cosmetology licenses.
5. In resolution of this matter, Huu Van Nguyen, D/B/A Hudson Nails consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

Huu Van Nguyen, owner and practitioner, D/B/A Hudson Nails violated Wisconsin Statutes, Chapter 454.04(1)(d) and the Wisconsin Administrative Code for Barbering and Cosmetology BC 2.04(1) BC 4.10(2) and 4.01(2).

ORDER

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

1. Huu Van Nguyen, D/B/A Hudson Nails shall immediately provide the Department Monitor with the names of any and all duly licensed barber and cosmetologists providing services at the salon. Respondents shall CEASE operation of the business unless and until he has only duly licensed personnel employed to provide barbering and cosmetology services. Respondents shall provide this information to the Department Monitor **by March 15, 2003**. Huu Van Nguyen, D/B/A Hudson Nails shall pay to the Department of Regulation and Licensing a forfeiture of **THREE THOUSAND DOLLARS (\$3,000.00)**. Monthly payments of **\$200.00 shall be made on the 15th of each month**, beginning with the first payment due on **April 15, 2003**, and **every month thereafter** until the \$3,000.00 is paid in full.
2. *Payment shall be made by certified check or money order, payable to:*

Wisconsin Department of Regulation and Licensing
Department Monitor
Division of Enforcement

P.O. Box 8935

Madison, WI 53708-8935

In the event that Huu Van Nguyen, D/B/A Hudson Nails fails to comply with the conditions set forth within the Stipulation and Order, the barbering and cosmetology practitioner license (#854176) of Huu Van Nguyen AND the establishment license of Hudson Nails (#711825) SHALL BE SUSPENDED, without further notice or hearing, until Respondents have complied with the terms of this Order.

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

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Lion Lauer

6-2-03

Board Member

Date