

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
CREATIVE HAIRDRESSERS, INC., : LS0310061BAC
D/B/A HAIR CUTTERY #3086, :
RESPONDENT :

Division of Enforcement Case No. 02 BAC 126

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

Creative Hairdressers, Inc.
D/B/A Hair Cuttery #3086
7115 Duand Avenue
Sturtevant, WI 53177

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 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. Hair Cuttery #3086, located at 7115 Durand Avenue, Sturtevant, WI 53177, is duly licensed as a Barbering and Cosmetology Establishment in the State of Wisconsin (license #80-30462). This license was first granted on May 24, 2002.

2. Creative Hairdressers, Inc., located at 2815 Hartland Rd., Falls Church, VA 53177, is listed with the Department of Regulation and Licensing as the corporate owner of Hair Cuttery # 3086 (#80-30462). As owner, Creative Hairdressers, Inc., was and is at all times relevant to this action responsible for compliance with Wisconsin Statutes Chapter 454 and the Wisconsin Administrative Code for Barbering and Cosmetology, Chapters BC 2, 3 and 4.

3. On or about September 20, 2002, an inspection of Hair Cuttery #3086 (80-#30462) revealed the following:

a. Seven of the eight workstations at the establishment were not maintained in a clean and sanitary condition, as required by Wis. Admin. Code Sec. BC 4.01(1);

b. The establishment had in its employ an unlicensed individual (Randy M. Ross) who was working at the establishment without a Wisconsin credential as required by Wis. Admin. Code Sec. BC 2.04(1); and

c. Workstations did not contain a topical antiseptic as required by Wis. Admin. Code Sec. BC 4.04(1).

4. On or about September 20, 2002, there was no licensed manager of Hair Cuttery # 3086.

5. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order

CONCLUSIONS OF LAW

1. By the conduct referred to in ¶ 3 above, Creative Hairdressers, Inc., D/B/A Hair Cuttery #3086 (#80-30462) is subject to discipline pursuant to Wis. Stats., Sections 454.04(1) and 454.15(2)(i) and Wis. Admin. Code, Sections BC 2.04(1), BC 2.07 and BC 4.01(1).

2. By the conduct referred to in paragraph 4 above, Creative Hairdressers, Inc. D/B/A Hair Cuttery # 3086 (#80-30462) is subject to discipline pursuant to Wis. Stats., Sections 454.08(6) and 454.15(2)(i) and Wisconsin Administrative Code, Sections BC 2.06(5) and BC 3.02(1).

ORDER

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

1. Respondent, Creative Hairdressers, Inc., D/B/A Hair Cuttery #3086 **shall** immediately cease all business at Hair Cuttery # 3086 until full compliance with all aspects and sections of the Wisconsin Statutes and the Wisconsin Administrative Code for Barbering and Cosmetology have been obtained.

2. Respondent shall not assist in the unlicensed practice of barbering and cosmetology and shall hire and employ only those practitioner's who are duly licensed in the State of Wisconsin to practice barbering and cosmetology.

3. Respondent, Creative Hairdressers, Inc., D/B/A Hair Cuttery # 3086, **shall** pay to the Department of Regulation and Licensing a forfeiture of TWO THOUSAND DOLLARS (\$2,000.00) by October 1, 2003.

Payment **shall** be made by ***certified check or money order***, payable to:

Wisconsin Department of Regulation and Licensing

Department Monitor

Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

In the event that Respondent, Creative Hairdressers, Inc., D/B/A Hair Cuttery #3086, fails to comply with the conditions set forth within the Stipulation and Order, the Establishment license (#80-30462) of Hair Cuttery # 3086 SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Leon Lauer

10-6-03

Board Member

Date