

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
MADDIE TURNER, SR.,	:	LS04060712BAC
EBONY II TOTAL LOOK,	:	
EBONY III BEAUTY SALON	:	
RESPONDENTS.	:	

Division of Enforcement Case File #'s: **02 BAC 134 and 02 BAC 135**

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

Maddie Turner, Sr.,
Ebony II Total Look
Ebony III Beauty Salon
4476 N. 60th Street
Milwaukee, WI 53218

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. **Ebony II Total Look**, located at 4476 N. 60th Street, Milwaukee, Wisconsin is duly licensed as a barbering and cosmetology establishment in the State of Wisconsin having license # 080 0023059. This license was first granted to the establishment on 11/02/93 and is current through 06/30/05.
2. **Ebony III Beauty Salon**, located at 7526 W. Appleton Avenue, Milwaukee, Wisconsin, is duly licensed as a barbering and cosmetology establishment in the State of Wisconsin having license #080 0031465. This license was first granted to the establishment on 09/24/03 and is current through 06/30/05.
3. **Maddie Turner, Sr.**, date of birth, 11/08/44, located at 4476 N. 60th Street, Milwaukee, Wisconsin, is duly licensed as a barbering and cosmetology manger having license # 081 0022677. **Maddie Turner, Sr.** is the listed owner of **Ebony II Total Look and Ebony III Beauty Salon**.
4. As owner, **Maddie Turner, Sr.** was and is at all times relevant to this action responsible for compliance with Wisconsin Statute, Chapters 440 and 454 and the Wisconsin Administrative Code for Barbering and Cosmetology Chapters 2, 3 and 6.
5. On or about March 26, 2003, an inspection of **Ebony II Total Look** was performed by two investigators

from the Department of Regulation and Licensing. The inspection revealed that apprentices were working without the supervision of a licensed manager. **Maddie Turner, Sr.** was not present at any time during the inspection but did speak with the investigators via telephone.

6. On or about March 26, 2003, an inspection of **Ebony III Beauty Salon (formerly known as Ebony III Hair Salon)**, located at 7532 W. Appleton Avenue, in Milwaukee, Wisconsin was performed by two investigators from the Department of Regulation and Licensing. Ebony III Hair Salon was duly licensed as a barbering and cosmetology establishment having license #080 0029658. According to the Department of Regulation and Licensing records, Ebony III Hair Salon's license was granted on 03/16/01 and is current through 06/30/05. However, the Department of Regulation and Licensing records also indicate that Ebony III Hair Salon's status is currently non-working.

7. The inspection on March 26, 2003, revealed that Ebony III Hair Salon had moved from its registered location at 7532 W. Appleton Avenue, Milwaukee, Wisconsin to a temporary location at 6119 W. Captiol Drive, Milwaukee, Wisconsin. Maddie Turner, Sr. was not present at any time during the inspection but did speak with the investigators via telephone. At no time during the changes in location to Ebony III Hair Salon, was the Department of Regulation and Licensing notified.

8. According to the Department of Regulation and Licensing records, Ebony III Hair Salon's establishment name and location was changed to **Ebony III Beauty Salon**, located at 7526 W. Appleton Avenue, Milwaukee, Wisconsin on September 24, 2003.

9. In resolution of this matter, **Maddie Turner, Sr., Ebony II Total Look and Ebony III Beauty Salon** consents to the entry of the following Conclusions of Law and Order.

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 **Maddie Turner Sr., Ebony II Total Look and Ebony III Beauty Salon** have violated:

a. Wisconsin Administrative Code sections BC 2.06(3) and 6.04(1) by permitting apprentices to work in **Ebony II Total Look** without the supervision of a manager.

b. Wisconsin Statutes section 440.11(1) and Wisconsin Administrative Code section BC 3.06(2) by failing to notify the Department of Regulation and Licensing within thirty (30) days of the change in name and location of **Ebony III Beauty Salon**.

c. Wisconsin Statutes sections 454.15(2)(i) and 454.08 (1)(b) and Administrative Code section BC 2.045 (1) and 3.01(1), by providing personal care services outside of a licensed establishment (**in Ebony III Beauty Salon**) to persons who do not meet exceptions as set forth within the Code.

ORDER

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

IT IS FURTHER ORDERED, that Respondents **Maddie Turner, Sr., Ebony II Total Look and Ebony III Beauty Salon** shall pay to the Department of Regulation and Licensing a forfeiture of **FIVE HUNDRED DOLLARS (\$500.00)**.

IT IS FURTHER ORDERED, that Respondents **Maddie Turner, Sr., Ebony II Total Look and Ebony III**

Beauty Salon shall pay partial costs in this matter in the amount of **FIVE HUNDRED DOLLARS (\$500.00)**.

IT IS FURTHER ORDERED, that a down payment of **ONE HUNDRED DOLLARS (\$100.00)** shall be submitted within thirty (30) days from the date of this order and payments of **ONE HUNDRED DOLLARS (\$100.00)** will be due on the first of every consecutive month there after until the full **ONE THOUSAND DOLLARS (\$1,000.00)** is paid. Payments 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 **Maddie Turner Sr.**, fails to timely submit payment of the forfeiture and partial costs as set forth above, **Ebony II Total Look's** Establishment License # 080 0023059 ,**Ebony III Beauty Salon's** Establishment License # 080 0031465, and **Maddie Turner Sr.'s** Manager's License #081 0022677 **SHALL BE SUSPENDED**, without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said partial costs have been paid to the Department of Regulation and Licensing and his failure to pay the costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that file 02 BAC 134 and 02 BAC 135 be, and hereby is, closed as to all Respondents.

Dated this 7th day of June, 2004.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

Leon Lauer
A Member of the Board