

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
CLASSY NAILS & THIET T. TRAN, :
RESPONDENTS. : LS0408021BAC

Division of Enforcement Cases # 02 BAC 120 and 03 BAC 029

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

Classy Nails
Thiet T. Tran
620 US Hwy 12
Baraboo, WI 54935

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. **Classy Nails** is licensed in the State of Wisconsin as a Manicuring Establishment license # 71 2272. This license was first granted to it on 06/27/03. The most recent address on file with the Department of Regulation and Licensing for this establishment is 835 W. Johnson St., Fond Du Lac, WI 54935.

2. **Thiet T. Tran** ("Tran") is licensed in the State of Wisconsin as a Manicurist having license # 85 4286. Tran is listed with the Department of Regulation and Licensing as the owner of Classy Nails. As owner, Tran was at all times relevant to this action responsible for compliance with Wis. Stats. chapter 454 and Admin. Code chapter BC 2.

3. On October 22, 2003, an investigator from the Department of Regulation and Licensing performed an inspection at Classy Nails. During the inspection the investigator observed Quang D. Le (Le), an employee of Classy Nails, providing services to a client. Le did not have a current or valid Wisconsin Manicurist 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 **Classy Nails, and Thiet T. Tran**, have violated:

a. Wisconsin Statutes section 454.04(1)(a), and Wisconsin Administrative Code sections BC 2.06(4) and BC 2.04(1) by authorizing an unlicensed employee 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 **Classy Nails and Thiet T. Tran** shall pay to the Department of Regulation and Licensing a **forfeiture of ONE THOUSAND dollars** (\$1,000.00).

IT IS FURTHER ORDERED, that Respondents, pay **PARTIAL COSTS** in this matter in the amount of **\$500.00**.

IT IS FURTHER ORDERED, that Respondent shall submit payment of \$ 1,500.00 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 **Classy Nails and Thiet T. Tran**, fails to timely submit payment as set forth above, the Barbering and Cosmetology Establishment license of **Classy Nails** and the Manicurist license of **Thiet T. Tran** SHALL BE SUSPENDED, without further notice or hearing, until respondents have complied with the terms of this Order.

IT IS FURTHER ORDERED, that files, 02 BAC 120, and 03 BAC 029 are hereby closed.

Dated this 2nd day of August, 2004.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

Leon Lauer