

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
TERRENCE BYRD, : LS0412062BAC  
D/B/A FASHION IMPRESSIONS :  
RESPONDENTS. :

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

Terrence Byrd,  
D/B/A Fashion Impressions  
2330 S. 6<sup>th</sup> Street  
Milwaukee, WI 53215

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. **Fashion Impressions**, located at 2330 S. 6<sup>th</sup> Street in Milwaukee, Wisconsin is duly licensed as a barbering and cosmetology establishment in the State of Wisconsin having license # 080 0020451. This license was first granted to the establishment on 08/01/1989 and is current through 06/30/05.
2. **Terrence Byrd**, date of birth 11/28/62, located at 2330 S. 6<sup>th</sup> Street in Milwaukee Wisconsin, is the listed owner of **Fashion Impressions** and is duly licensed in the State of Wisconsin as a Barbering or Cosmetology Manager, having license # 081 0028804. This license was first granted to him on 08/30/2001 and is current through 6/30/05.
3. As owner, **Terrence Byrd** 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 2, 3, and 4.
4. On or about February 13, 2003 an inspection of **Fashion Impressions** was performed by an investigator from the Department of Regulation and Licensing. During the inspection the investigator found the following:
  - a. There was no topical antiseptic available at some of the work stations.
  - b. There was an abundance of hair on the floor that had not been swept up.

- c. The establishment had no sterilizer.
- d. There was no visible covered container for storing soiled linens.
- e. Poisonous cleaning materials in the toilet room were not in a locked cabinet or at least stored up out of the reach of children.
- f. The price list was not posted in a conspicuous place.

5. In resolution of this matter, Terrence Byrd D/B/A Fashion Impressions 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 Wis. Stat. sec. 454.15.

2. The Wisconsin Barbering and Cosmetology Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. sec. 227.44(5).

3. Respondents **Terrence Byrd D/B/A Fashion Impressions** have violated:

- a. Wisconsin Administrative Code section BC 4.01 (1), by failing to maintain Fashion Impressions in a clean, sanitary, and safe condition;
- b. Wisconsin Administrative Code section BC 2.05 (2), by failing to post prices within the establishment in a conspicuous place.
- c. Wisconsin Administrative Code section BC 2.06 (2) and 2.07 (1), by failing as the owner to provide equipment and supplies for the establishment.
- d. Wisconsin Administrative Code section BC 3.01(5), by using toilet facilities improperly.
- e. Wisconsin Administrative Code section BC 3.01 (7), by failing to properly store soiled linen.
- f. Wisconsin Administrative Code section BC 4.02 (3), by failing to clean other contact equipment.
- g. Wisconsin Administrative Code section BC 4.03 (1), by failing to use appropriate sterilizer equipment.

### **ORDER**

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

IT IS FURTHER ORDERED, that **Terrence Byrd D/B/A Fashion Impressions** shall pay to the Department of Regulation and Licensing a forfeiture of **TWO HUNDRED DOLLARS (\$200.00)**.

IT IS FURTHER ORDERED, that **Terrence Byrd D/B/A Fashion Impressions**, pay partial costs in this matter in the amount of **TWO HUNDRED DOLLARS (\$200.00)**.

IT IS FURTHER ORDERED, that a payment of **TWO HUNDRED DOLLARS (\$200.00)** shall be submitted within thirty (30) days from the date of this order and the second payment of **TWO HUNDRED DOLLARS (\$200.00)** will be due thirty (30) days after the date of this order. 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 **Terrence Byrd D/B/A Fashion Impressions** fails to pay the **FOUR HUNDRED DOLLARS (\$400.00)** of total costs within the time and manner as set forth below, then and in that event, and without further notice to the Respondents, his Manager License # 081 0028804, and Fashion Impressions Establishment License # 081 0028804 **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 111** be, and hereby is, closed as to all Respondents.

Dated this 6<sup>th</sup> day of December, 2004.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

Leon Lauer