

# 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
RUTH PATRICIA LODES,	:	AND ORDER
CHALET HAIRSTYLISTS,	:	LS0503072BAC
RESPONDENTS	:	

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

Ruth Patricia Lodes  
525 E. Peckham Road  
Neenah, WI 54956

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. Chalet Hairstylists (Respondent), is duly licensed as a barbering and cosmetology establishment in the state of Wisconsin having license # 080 030641. This license was first granted to the establishment on 09/23/02 and is current through 06/30/05.
2. Respondent’s most recent address on file with the Department of Regulation and Licensing (“Department”) is 433 S. Commercial Street, Neenah, Wisconsin. As of October 11, 2004, the building in which the Respondent establishment was located has been sold and being used for other commercial business purposes.
3. Ruth Patricia Lodes is the listed owner of Chalet Hairstylists. As owner, Ruth Patricia Lodes 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. Department records indicate that Respondent was formerly known as The Chalet Hairstyles, having license number 080-0013172. This license was first granted to The Chalet Hairstyles on 09/28/81 and expired on 07/01/03. The address of The Chalet Hairstyles is the same as the most recent address of the Respondent.
5. The listed owner of The Chalet Hairstyles was a former corporation known as Chalet Men’s Hairstyling Inc. According to the Department of Financial Institutions records, Chalet Men’s Hairstyling Inc. dissolved on June 29, 1993.
6. Department records indicate that sometime after December 31, 1989, Ruth Patricia Lodes became the owner

of The Chalet Hairstyles. The Department would not receive notification of this change in ownership until September 23, 2002. Subsequently, the name of the establishment was changed to Chalet Hairstylists.

7. On May 17, 2004, an inspection was performed by an investigator from the Department. The inspection revealed that the owner failed to:

- a. provide supplies for the establishment;
- b. maintain establishment records;
- c. keep poisonous substances in a locked closet or cabinet;
- d. maintain all areas of the establishment in a clean, sanitary and safe condition.

### 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 has violated:

- a. Wisconsin Stat. sections 454.15 (2)(i) and 454.08 (1)(a) and Admin. Code sections BC 2.045 (1), 3.01(1), 3.04(1) and 3.06(1), by failing to notify the Department of a change in ownership;
- b. Wisconsin Admin. Code BC section 2.06(2) by failing to provide supplies for the establishment;
- c. Wisconsin Admin. Code BC section 2.06 (4) by failing to maintain records for the establishment;
- d. Wisconsin Admin. Code BC section 3.01(6) by failing to keep poisonous materials in a locked or closed cabinet;
- e. Wisconsin Admin. Code BC section 4.01(1) by failing to keep the establishment in a clean, sanitary and safe condition.

### ORDER

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

IT IS FURTHER ORDERED, that Respondent shall pay to the Department of Regulation and Licensing a forfeiture of **ONE THOUSAND THREE HUNDRED DOLLARS (\$1,300.00)**.

IT IS FURTHER ORDERED, that Respondent, pay costs in this matter in the amount of **ONE THOUSAND DOLLARS (\$1,000.00)**.

IT IS FURTHER ORDERED, that a down payment of **THREE HUNDRED DOLLARS (\$300.00)** shall be submit within thirty (30) days from the date of this order and four payments of **FIVE HUNDRED DOLLARS (\$500.00)** will be due three months until the full **TWO THOUSAND THREE HUNDRED DOLLARS** is paid. Payments shall be made by **certifi 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 timely payment is not submitted of the forfeiture and partial costs as set forth above, Ruth Patricia Lodes establishment license # 080 0030641 **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 their failure to pay the costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that file, 02 BAC 028 be, and hereby is, closed as to **Chalet Hairstylists**.

Dated this 7<sup>th</sup> day of March, 2005.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

Leon Lauer