

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
	:	
NIKKI NGUYEN,	:	LS0509124BAC
REGAL NAILS	:	
	:	
RESPONDENTS	:	

Division of Enforcement Case File #: 03 BAC 119

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Attn: Nikki Nguyen
Regal Nails
4115 Calumet Avenue
Manitowoc, WI 54220

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

PROCEDURAL HISTORY

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. Regal Nails is licensed as a manicuring establishment in the State of Wisconsin having license #071 002213. This license was granted on 04/02/03.
2. Regal Nails most recent address on file with the Department of Regulation and Licensing (“Department”) is: 4115 Calumet Avenue, Manitowoc, Wisconsin 54220.
3. Nikki Nguyen, date of birth 12/25/77, is the listed owner of Regal Nails. According to Department Records, Ms. Nguyen is licensed as a manicurist in the State of Wisconsin having license # 085 003621. This license was first granted to Ms. Pham on 10/26/98.
4. Ms. Nguyen’s most recent address on file with the Department is: 2853 Aquarius Road, Belleville, Wisconsin 54311.
5. As owner, Ms. Nguyen was and is at all times relevant to this action responsible for compliance with

6. On or about December 3, 2003, the Department received a complaint alleging that Regal Nails employed an unlicensed manicurist.
7. Or about March 15, 2005, an inspection was performed of Regal Nails. An investigator with the Department observed Dawn Saenghaphat and Thai Tranh Tran providing manicuring services. At the time of the inspection, neither individual had obtained a manicurist license to provide such services.
8. Department records indicate that on or about April 1, 2005, Thai Tranh Tran was granted his manicurist license (085 006008).
9. In resolution of this matter, Nikki Nguyen and Regal Nails consent to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15.
2. The Barbering and Cosmetology Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).
3. Respondents Nikki Nguyen and Regal Nails have violated:

Wis. Stat. §§ 454.04 (1)(a)(d) and Wisconsin Administrative Code § BC 2.04(1) by allowing two individuals to provide unlicensed manicuring services.

ORDER

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

IT IS FURTHER ORDERED, that Respondents shall jointly and severally pay to the Department of Regulation and Licensing a forfeiture of **TWO THOUSAND DOLLARS (\$2,000.00)**.

IT IS FURTHER ORDERED, that Respondents shall jointly and severally pay costs in this matter in the amount of **SEVEN HUNDRED DOLLARS (\$700.00)**.

IT IS FURTHER ORDERED, that a down payment of **NINE HUNDRED DOLLARS (\$900.00)** shall be submitted thirty (30) days from the date of this order and one more payment of **NINE HUNDRED DOLLARS (\$900.00)** will due in three months from the previous payment until the full **TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700.00)** is paid. Payments shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing sent to:

**Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264**

IT IS FURTHER ORDERED, that in the event that Nikki Nguyen and Regal Nails fails to timely submit payment of the forfeiture and costs as set forth above, Nikki Nguyen's manicuring license (#085 003621) and the establishment license for Regal Nails (# 071 002213) **SHALL BE SUSPENDED**, without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said costs has 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 03 BAC 119 hereby are, closed as to all Respondents.

Dated this 12th day of September, 2005.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Leon G. Lauer