

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
:
SUPERCUTS #9414, : LS0512052BAC
RESPONDENT. :
:

Division of Enforcement Case File #: 04 BAC 026

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

Attn: Carol Pritchard
Supercuts #9414
3260 S. 27th 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

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. Supercuts #9414 is duly licensed as a barbering and cosmetology establishment in the State of Wisconsin having license #080 0020794. This license was granted on 03/27/90.
2. Supercuts #9414 most recent address on file with the Department of Regulation and Licensing (“Department”) is: 3260 S. 27th Street, Milwaukee, Wisconsin 53215.
3. Supercuts Corporate Shop, Incorporated, is the listed owner of Supercuts #9414. According to Department Records, Supercuts Corporate Shop, Incorporated is registered with the Wisconsin Department of Financial Institutions as a corporation.
4. Supercuts Corporate Shop, Incorporated’s regional registered address on file with the Department is: 901 S. Whitney Way, Madison, Wisconsin 53711.
5. As owner, Supercuts Corporate Shop, Incorporated 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 and 3.

6. On or about April 5, 2004, the Department received a complaint alleging that while an unnamed employee was performing an eyebrow wax, the employee dropped both the tweezers and the wax on the floor. Subsequently, the employee picked up the implements off the floor and continued to use them on the customer without taking any kind of disinfection precautions.

7. On or about February 11, 2005, an inspection of Supercuts #9414 was performed by an investigator with the Department. The inspection revealed that Debbie Cesar was providing barbering and cosmetology services without first having obtained a barbering and cosmetology credential. The inspection also revealed that a spray bottle of Barbicide solution was found hanging below one of the shampoo sinks.

8. On or about July 12, 2005, Debbie Cesar was granted a barbering and cosmetology practitioner's license #82 84697.

9. In resolution of this matter, Supercuts #9414 consents 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. Respondent Supercuts #9414 has violated:

- a. Wis. Stat. § 454.04(1)(a) and Wis. Admin. Code § BC 2.04(1) by permitting a person to provide barbering and cosmetology services without first obtaining a barbering and cosmetology credential; and
- b. Wis. Admin. Code § BC 3.01 (6) by failing to store a poisonous substance in a locked cabinet or closet.

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 **SIX HUNDRED DOLLARS (\$600.00)**.

IT IS FURTHER ORDERED, that Respondent shall pay costs in this matter in the amount of **TWO HUNDRED FIFTY DOLLARS (\$250.00)**.

IT IS FURTHER ORDERED, that a down payment of **FOUR HUNDRED TWENTY-FIVE DOLLARS (\$425.00)** be submitted within thirty (30) days from the date of this order and one more payment of **FOUR HUNDRED TWENTY-FIVE DOLLARS (\$425.00)** will due in three months from the previous payment until the full **EIGHT HUNDRED FIFTY DOLLARS (\$850.00)** 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
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 261-7904
Fax (608) 266-2264**

IT IS FURTHER ORDERED, that in the event that Supercuts #9414 fails to timely submit payment of the forfeiture

and costs as set forth above, Supercuts #9414 barbering and cosmetology establishment license (#80 0020794) **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 04 BAC 026, be and hereby is, closed as to the Respondent.

Dated this 5th day of December, 2005.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush