

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
PLAZA BARBER STYLISTS	:	
JOHNNY SANTIAGO,	:	LS0601061BAC
RESPONDENTS.	:	

Division of Enforcement Case No. 05 BAC 001

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

Plaza Barber Stylists
1804 Wisconsin Ave.
Grafton, WI 53024

Johnny Santiago
1804 Wisconsin Ave.
Grafton, WI 53024

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. Plaza Barber Stylists is duly licensed as a barbering and cosmetology establishment in the State of Wisconsin having license # 80 30938. This license was first granted on 02/13/03.
2. The most recent address on file with the Department of Regulation and Licensing (“Department”) for this establishment is: 1804 Wisconsin Avenue, Grafton, WI 53024.
3. Johnny Santiago is duly licensed as a barbering and cosmetology practitioner in the State of Wisconsin having license # 82 83035. This license was first granted on 02/23/04.
4. The most recent address on file with the Department for Mr. Santiago is: 1804 Wisconsin Avenue, Grafton, WI 53024.

5. Department records indicate that Mr. Santiago is the owner of record for Plaza Barber Stylists.

6. As owner, Mr. Santiago was and is at all times relevant to this action responsible for compliance with Wisconsin Statutes Chapter 454 and Wisconsin Administrative Code Chapters BC 2 and 3.

7. On or about January 29, 2003, investigators from the Department performed an inspection of Plaza Barber Stylist. During the inspection, the investigators observed Mr. Santiago performing barbering services on a client. Mr. Santiago claimed he held a valid Wisconsin manager's license and proceeded to show the investigators a manager's license that was hanging on the wall. After investigators examined the manager's license, it was determined the license number that appeared on the license had been issued to another licensee, not to Mr. Santiago. As a result of finding that the license number did not match Mr. Santiago's name, the investigators confiscated the manager's license.

8. During the inspection on January 29, 2003, the investigators also noted that Plaza Barber Stylists did not have a valid Wisconsin Establishment license.

9. In resolution of this matter, Johnny Santiago and Plaza Barber Stylists consent 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. § 454.15, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Respondents Plaza Barber Stylists and Johnny Santiago have violated:

- a. Wis. Stat. § 454.04(1)(a), and Wis. Admin. Code §§ BC 2.04(1) and 2.06(1) by providing barbering services to clients before obtaining a barbering and cosmetology practitioners credential;
- b. Wis. Stat. § 454.08(1)(b), and Wis. Admin. Code § BC 3.01(1), by operating a barbering and cosmetology establishment without first obtaining a barbering and cosmetology establishment credential; and
- c. Wis. Stat. § 454.15(2)(g) by falsely practicing under another licensee's barbering and cosmetology manager's license.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Plaza Barber Stylists and Johnny Santiago, license # 80 30938, and license # 82 83035, be, and hereby are, **REPRIMANDED**.

IT IS FURTHER ORDERED that:

2. Respondents shall jointly and severally pay **COSTS** in the amount of **SEVEN HUNDRED DOLLARS (\$700.00)** within 90 days of the date of this Order.

3. Respondents shall jointly and severally pay a **FORFEITURE** in the amount of **TWO THOUSAND DOLLARS (\$2,000.00)** within 90 days of the date of this Order.

4. Respondents shall jointly and severally submit a down payment of **TWO HUNDRED DOLLARS (\$200.00)** within (30) days from the date of this order and five more payments of **FIVE HUNDRED DOLLARS (\$500.00)** will due ninety (90) days from the date of this order.

days 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) 261-7904
Fax (608) 266-2264**

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondents' licenses. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondents fail to timely submit any payment as ordered, then the Respondents' licenses **SHALL BE SUSPENDED** without further notice or hearing until Respondents have complied with the terms of this Order.

5. This Order is effective on the date of its signing.

IT IS FURTHER ORDERED, that file, 05 BAC 001 is hereby closed as to all Respondents.

Dated this 3rd day of April, 2006.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush