

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
	:	
MARIA SANTIAGO, AND	:	
TIMARIS HAIR SALON,	:	LS0602061BAC
RESPONDENTS.	:	

Division of Enforcement Case No. 03 BAC 013

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

Maria Santiago
1027 W. Mitchell St.
Milwaukee, WI 53204

Timaris Hair Salon
1027 W. Mitchell St.
Milwaukee, WI 53204

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. **Timaris Hair Salon** is licensed in the State of Wisconsin as a Barbering and Cosmetology Establishment, license # 80 30735. This license was first granted to it on 10/25/02. The most recent address on file with the Department of Regulation and Licensing for this establishment is 1027 W. Historic Mitchell St., Milwaukee, WI 53204.
2. **Maria Santiago**, (“Santiago”) is listed with the Department of Regulation and Licensing as the owner of Timaris Hair Salon. As owner, Santiago was at all times relevant to this action responsible for compliance with Wis. Stat. chapter 454 and Wis. Adm. Code chapters BC 2, BC 3 and BC 4.
3. Santiago is licensed in the State of Wisconsin as a Barbering and Cosmetology Practitioner, license # 82 79200. This license was first granted to her on 03/08/00. The most recent address on file with the Department of Regulation and Licensing for Santiago is 1027 W. Mitchell St., Milwaukee, WI 53204.

4. On May 20, 2005, an investigator from the Department of Regulation and Licensing performed an inspection at Timaris Hair Salon. During the inspection the investigator noted Media Nunez, an employee of Timaris Hair Salon, providing services to a client. At the time of the inspection Ms. Nunez was not licensed as either an apprentice or a barbering or cosmetology practitioner in the state of Wisconsin.

5. During the inspection on May 20, 2005, the investigator noted the following sanitation violations: shampoo bowls that were not cleaned; contact equipment was not being kept in a covered container; and the clean contact equipment was mixed in with the contaminated contact equipment.

6. During the inspection on May 20, 2005, the investigator also noted there was no list of costs of services or a sign informing patrons of their right to be informed of the cost of services before they are provided.

CONCLUSIONS OF LAW

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15.

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

3. Respondents **Timaris Hair Salon and Maria Santiago** have violated:

- a. Wisconsin Stat. § 454.04(1)(a), and Wis. Adm. Code §§ BC 2.04(1) and BC 2.06(1) by authorizing an unlicensed employee to provide services to clients;
- b. Wis. Adm. Code §§ BC 4.01(1), BC 4.01(5), BC 4.01(7), and BC 4.02(4) by failing to maintain the establishment and the equipment, tools and implements used by licensees in a clean, sanitary and safe condition.
- c. Wis. Adm. Code § BC 2.05(2) by failing to post either a list of costs of services or a sign informing patrons of their right to be informed of the cost of services before they are provided.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. **Timaris Hair Salon and Maria Santiago**, license # 80 29722, and license # 82 79200, be, and hereby are, **REPRIMANDED**.

IT IS FURTHER ORDERED that:

2. Respondents shall, jointly and severally pay COSTS in the amount of \$625.00.
3. Respondents shall, jointly and severally pay a FORFEITURE in the amount of \$1,100.00.
4. Respondents shall make a \$575.00 payment no later than 60 days from the date of this Order.
5. Respondent shall make a \$575.00 payment no later than 90 days from the date of this Order.
6. Respondent shall make a \$575.00 payment no later than 120 days from the date of this Order.

Payment 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

7. 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 Respondent's license. 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 Respondent's licenses SHALL BE SUSPENDED without further notice or hearing until Respondents have complied with the terms of this Order.

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

Dated this 6th day of February, 2006.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush