

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
	:	
GAIL F. SCHIEFELBEIN, AND	:	
GS & HAIR DESIGNERS,	:	LS0603131BAC
RESPONDENTS.	:	

Division of Enforcement Case No. 04 BAC 088

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

Gail F. Schiefelbein
7231 W. Thornapple Dr.
Janesville, WI 53548

GS & Hair Designers
1345 Excalibur Dr.
Janesville, WI 53546

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 disposition of this matter comes after the issuance of a formal complaint. 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

- Gail F. Schiefelbein** is licensed in the State of Wisconsin as a Barbering and Cosmetology Manager, license # 81 13499. This license was first granted to him on 02/27/76. The most recent address on file with the Department of Regulation and Licensing for Mr. Schiefelbein is 7231 W. Thornapple Dr., Janesville, WI 53548.
- GS & Hair Designers** is licensed in the State of Wisconsin as a Barbering and Cosmetology Establishment, license # 80 30996. This license was first granted to it on 03/12/03. The most recent address on file with the Department of Regulation and Licensing for this establishment is 1345 Excalibur Dr., Janesville, WI 53546.
- Mr. Schiefelbein is listed with the Department of Regulation and Licensing as the owner/manager of GS & Ha Designers. As owner, Mr. Schiefelbein was at all times relevant to this action responsible for compliance with Wis. Admin Code § BC 2.

4. On June 28, 2005, an investigator from the Department of Regulation and Licensing performed an inspection at GS & Hair Designers. During the inspection the investigator observed Amy Rosen performing services on a client. At the time of the inspection, Ms. Rosen was leasing a booth from Mr. Schiefelbein under the name Amy's Hair & Nail Creations. Ms. Rosen was licensed as a Barbering and Cosmetology Manager but Amy's Hair & Nail Creations did not have a separate establishment license.

5. During the inspection on June 28, 2005, the investigator discovered Shawna Brandenburg of Snips & Tips with Shawna and Lore Sheetz with Hair Plus by Lori, were also renting booths from Mr. Schiefelbein without separate establishment licenses.

6. Amy's Hair & Nail Creations, Snips & Tips with Shawna and Hair Plus by Lori were eventually granted establishment license on July 15, 2005.

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 **Gail F. Schiefelbein and GS & Hair Designers** have violated:

Wis. Admin. Code §§ BC 2.04(1); 2.045(1); 2.06(1) and 3.02(2) by authorizing three booth rentals to provide services to clients without an establishment license.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. **Gail F. Schiefelbein**, license # 81 13499, and **GS & Hair Designers**, license # 80 30996, be, and hereby are, **REPRIMANDED**.

IT IS FURTHER ORDERED that:

2. Respondents shall, jointly and severally pay **COSTS** in the amount of \$460.00 within 90 days of the date of this Order.

3. Respondents shall, jointly and severally pay a **FORFEITURE** in the amount of \$1,500.00 within 90 days of the date of this Order.

IT IS FURTHER ORDERED, that a down payment of **FOUR HUNDRED NINETY DOLLARS (\$490.00)** shall be submitted within thirty (30) days from the date of this order and three more payments of **FOUR HUNDRED NINETY DOLLARS (\$490.00)** will be due three months from the previous payment until the full **ONE THOUSAND NINE HUNDRED SIXTY DOLLARS (\$1,960.00)** is paid.

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

4. 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, 04 BAC 088 is hereby closed.

Dated this 5^h day of June, 2006

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush