

# 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
	:	
ANNIE M. PAYNE &	:	LS0606054BAC
NEW AGE HAIR DESIGNS.	:	
RESPONDENTS.	:	

[Division of Enforcement Case File #: 03 BAC 084]

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

Ashley Dominique  
223 6<sup>th</sup> Street  
P.O. Box 1711  
Racine, WI 53401

Crystal Redmond  
223 6<sup>th</sup> Street  
P.O. Box 1711  
Racine, WI 53401

Annie M. Payne  
223 6<sup>th</sup> Street  
P.O. Box 1711  
Racine, WI 53401

New Age Hair Designs  
223 6<sup>th</sup> Street  
P.O. Box 1711  
Racine, WI 53401

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. New Age Hair Designs is duly licensed as a barbering and cosmetology establishment in the State of Wisconsin having license #80 31395. This license was granted on 08/21/03.
2. New Age Hair Designs most recent address on file with the Department of Regulation and Licensing ("Department") is: 223 6<sup>th</sup> Street, P.O. Box 1711, Racine, Wisconsin 53401.
3. Ashley Dominique and Crystal Redmond, are the listed owners of New Age Hair Designs. Department records indicate that neither Ms. Dominique nor Ms. Redmond hold barbering and cosmetology credentials in the State of Wisconsin.
4. The addresses on file with the Department for Ms. Dominique and Ms. Redmond are: 223 6<sup>th</sup> Street, P.O. Box 1711, Racine, Wisconsin 53401.
5. As owners of New Age Hair Designs, Ms. Dominique and Ms. Redmond were and are 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, 3, and 4
6. Annie M. Payne, date of birth, 01/21/55, is licensed as a Barbering and Cosmetology manager for New Age Hair Designs license # 81 30441. This license was first granted to her on 03/22/05.
7. Ms. Payne's most recent address on file with the Department is: 223 6<sup>th</sup> Street, P.O. Box 1711, Racine, Wisconsin 53401.
8. As manager of record at New Age Hair Design, Ms. Payne 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, 3 and 4.
9. On or about February 3, 2006, an inspection of New Age Hair Designs was performed by an investigator with the Department. The inspection revealed that Earl Booker Jr. was providing barbering and cosmetology services with an expired apprenticeship permit (#600 77907; granted: 11/21/01; expired: 01/09/06).
10. The February 3, 2006, inspection also revealed hair clippings throughout the salon including inside the workstation drawers and on implements stored in the drawers. The inspection also found that the Barbicide at the workstations contained debris.
11. Ms. Payne was not present during any time of the inspection. During the inspection, the investigator tried to reach Ms. Payne but was unable to locate her.
12. In resolution of this matter, the Respondents 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 **New Age Hair Designs and Annie M. Payne** have violated:

- a. Wis. Stat. § 454.04(1)(a), and Wis. Adm. Code §§ BC 2.04(1) BC 2.06(1), 2.07(1g) by permitting an apprentice to provide barbering services without a current barbering and cosmetology credential;
- b. Wis. Admin. Code §§ BC 3.01(1), BC 4.01(1), 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; and
- c. Wis. Admin. Code § BC 4.02(5) by failing to change the disinfectant (Barbicide) daily.

**ORDER**

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

IT IS FURTHER ORDERED, that the Respondents are hereby **REPRIMANDED** for the violations set forth above.

IT IS FURTHER ORDERED, that the Respondents shall jointly and severally pay to the Department of Regulation and Licensing a forfeiture of **ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00)**.

IT IS FURTHER ORDERED, that Respondents shall jointly and severally pay costs in this matter in the amount of **ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00)**.

IT IS FURTHER ORDERED, that a down payment of **TWO HUNDRED DOLLARS (\$200.00)** shall be submitted thirty (30) days from the date of this order and five more payments of **FIVE HUNDRED DOLLARS (\$500.00)** will be due sixty (60) days from the previous payment until the full **TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700.00)** 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 New Age Hair Designs and Annie M. Payne fail to timely submit payment of the forfeiture and costs as set forth above, the establishment license for New Age Hair Designs (# 80 31395) and the barbering and cosmetology manager's license for Annie M. Payne (# 81 30441) **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 084, be and hereby is, closed as to all Respondents.

Dated this 5<sup>th</sup> day of June, 2006.

**WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD**

By: Jeannie M. Bush

