

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
:
TIGHT EDGES, JEFFREY L. DAVIS, :
AND FOSTER ADKINS : LS0606056BAC
RESPONDENTS. :

Division of Enforcement Case No. 03 BAC 002

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

Tight Edges
3217 W. Lincoln Ave.
Milwaukee, WI 53207

Jeffrey L. Davis
3217 W. Lincoln Ave.
Milwaukee, WI 53207

Foster Adkins
3217 W. Lincoln Ave.
Milwaukee, WI 53207

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. Tight Edges is licensed in the State of Wisconsin as a Barbering and Cosmetology Establishment, license # 80 30861. This license was first granted to it on 12/23/02. The most recent address on file with the Department of Regulation and Licensing for this establishment is: 3217 W. Lincoln Ave., Milwaukee, WI 53207.

2. Jeffrey L. Davis, is listed with the Department of Regulation and Licensing as the owner of Tight Edges. Mr. Davis is licensed as a barbering and cosmetology apprentice in the State of Wisconsin having license #600 7465. This license was granted to Mr. Davis on 01/06/00. The most recent address on file with the Department of Regulation and Licensing for Mr. Davis is: 3217 West Lincoln Avenue, Milwaukee, WI 53207.

3. As the owner of Tight Edges, Mr. Davis was at all times relevant to this action responsible for compliance with Wis. Stat. § 454 and Wis. Admin. Code §§ BC 2, BC 3 and BC 4. Mr. Davis is not a licensee.

4. Foster Adkins is licensed in the State of Wisconsin as a Barbering and Cosmetology Manager, license # 81 21822. This license was first granted to him on 03/15/71. The most recent address on file with the Department of Regulation and Licensing for Mr. Adkins is 2544 N 9th St., Milwaukee, WI 53206.

5. As the manager of Tight Edges, Mr. Adkins was at all times relevant to this action responsible for compliance with Wis. Stat. § 454 and Wis. Admin. Code §§ BC 2, BC 3 and BC 4.

6. On September 29, 2004, an investigator from the Department of Regulation and Licensing performed an inspection at Tight Edges. During the inspection the investigator noted Mr. Davis providing services to a client. At the time of the inspection, Mr. Davis' license had been placed into inactive and expired status beginning on February 24, 2003. Mr. Davis' license was placed into active status on October 18, 2004.

7. In resolution of this matter, Tight Edges, Jeffrey L. Davis and Foster Adkins 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.

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 Tight Edges, Jeffrey L. Davis and Foster Adkins have violated:

Wis. Stat. § 454.04(1)(a), and Wis. Admin. Code § BC 2.04(1) by permitting unlicensed practice to take place in the establishment.

ORDER

NOW THEREFORE, IT IS FURTHER ORDERED that:

1. Respondents Tight Edges, Jeffery L. Davis and Foster Adkins shall, jointly and severally pay **COSTS** in the amount of **FIVE HUNDRED DOLLARS (\$500.00)**.

2. Respondents Tight Edges, Jeffrey L. Davis and Foster Adkins shall, jointly and severally pay a **FORFEITURE** in the amount of **ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00)**.

IT IS FURTHER ORDERED, that a down payment of **FIVE HUNDRED DOLLARS (\$500.00)** shall be submitted within thirty (30) days from the date of this order and three more payments of **FIVE HUNDRED DOLLARS (\$500.00)** will be due every sixty (60) days from the previous payment until the full **TWO THOUSAND DOLLARS (\$2,000.00)** 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

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

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

Dated this 5th day of June, 2006.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush