

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
	:	
SALON AMBIANCE,	:	
AND KENNETH EFANGE	:	LS0606142BAC
RESPONDENTS.	:	

Division of Enforcement Investigative File # 03 BAC 118

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

Salon Ambiance
5474 Hwy. 10 E.
Stevens Point, WI 54581

Kenneth Efange
5474 Hwy. 10 E.
Stevens Point, WI 54581

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

1. **Salon Ambiance** is licensed in the State of Wisconsin as a Barbering and Cosmetology Establishment, license # 80 28822. This license was first granted to it on 01/11/00. The most recent address on file with the Department of Regulation and Licensing for this establishment is 5474 Hwy. 10 E., Stevens Point, WI 54581.
2. **Kenneth Efange**, is listed with the Department of Regulation and Licensing as the owner of Salon Ambiance. As owner, Mr. Efange 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.
3. On or about June 1, 2004, the license of Salon Ambiance was placed on Non-Working, No Automatic

Renewal Status. The change in license status was a result of delinquent taxes owed to the Wisconsin Department of Revenue.

4. On or about June 28, 2005, an investigator from the Department of Regulation and Licensing performed an inspection of Salon Ambiance. During the inspection the investigator noted that the salon was open for business and reviewed a current appointment book with at least four employees names listed.

5. As of July 7, 2005, Department records indicate that the establishment license for Salon Ambiance was changed from Non-Working, No Automatic Renewal Status to Active Status.

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 **Salon Ambiance and Kenneth Efange** have violated:

- a. Wisconsin Stat. § 454.08(1)(b), and Wis. Admin. Code §§ BC 2.04(1), and BC 3.01(1) by maintaining an unlicensed barbering and cosmetology establishment and allowing others to practice in that unlicensed establishment.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. **Salon Ambiance**, license # 80 28822 be, and hereby is, **REPRIMANDED**.

IT IS FURTHER ORDERED that:

2. Respondents shall, jointly and severally pay COSTS in the amount of \$500.00.
3. Respondents shall, jointly and severally pay a FORFEITURE in the amount of \$500.00.

IT IS FURTHER ORDERED, that a down payment of **TWO HUNDRED FIFTY DOLLARS (\$250.00)** shall be submitted within thirty (30) days from the date of this order and two more payments of **TWO HUNDRED FIFTY DOLLARS (\$250.00)** will be due every sixty (60) days from the previous payment until the full **ONE THOUSAND DOLLARS (\$1,000.00)**, 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 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.

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

Dated this 11TH day of September, 2006.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush