

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	
	:	
ATAUL J. NURUDDIN AND	:	FINAL DECISION AND ORDER
NAPPY BY NATURE,	:	
RESPONDENTS.	:	LS # 0607571 BAC
	:	

Division of Enforcement Case File Number: 05 BAC 036

The parties to this action for the purposes of Section 227.53 of the Wisconsin statutes are:

Ataul J. Nuruddin
7910 West Appleton
Milwaukee, WI 53218

Nappy By Nature
9108 Brown Deer Road
Milwaukee, WI 53224

Barbering and Cosmetology Examining Board
Post Office Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
Post Office 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. Ataul J. Nuruddin (Date of Birth: April 15, 1974), 7910 West Appleton, Milwaukee, WI 53218, is duly licensed as a barbering and cosmetology manager in the state of Wisconsin (license #81-29722). This license was first granted on January 23, 2004, and since July 1, 2005, had been in expired status with the Department until renewed on August 4, 2005, by Mr. Nuruddin. Mr. Nuruddin’s license is now current through June 30, 2007.

2 Nappy By Nature, 9108 Brown Deer Road, Milwaukee, WI 53224, is duly licensed as a barbering and cosmetology establishment in the state of Wisconsin (license #80-33089). This license was first granted on June 13, 2005, and is current through June 30, 2007. Ataul J. Nuruddin is listed with the Department of Regulation and Licensing as the owner and manager of Nappy by Nature. As owner and manager of a licensed barbering and cosmetology establishment, Mr. Nuruddin is responsible for compliance with Wis. Stats. Ch. 454 and Wisconsin Administrative Code Chs. BC 2, 3 and 4.

3. An inspection of Nappy By Nature by an investigator with the Department of Regulation and Licensing on May 24, 2005, revealed that Nappy By Nature was providing barbering and cosmetology services without a valid establishment license. The investigator was informed during the inspection that Nappy By Nature had been providing barbering and cosmetology services since approximately August 2004.

4. In resolution of this matter, Ataul J. Nuruddin and Nappy By Nature 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. Sec. 454.15, and the Wisconsin Barbering and Cosmetology Examining Board is authorized to enter into the attached stipulation pursuant to Wis. Stat. Sec. 227.44(5).

2. By the conduct referred to in the above Findings of Fact, Ataul J. Nuruddin and Nappy By Nature have violated:

Wis. Stat. § 454.08(1)(b) and Wis. Admin. Code §§ BC 2.045(1) and 3.01(1) by operating Nappy By Nature without first obtaining an establishment license.

ORDER

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

IT IS FURTHER ORDERED, that the Respondents shall jointly and severally pay a FORFEITURE of ONE THOUSAND dollars (\$1,000.00).

IT IS FURTHER ORDERED, that the Respondents shall jointly and severally pay COSTS in this matter in the amount of FIVE HUNDRED dollars (\$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 two more payments of **FIVE HUNDRED DOLLARS (\$500.00)** will be due every sixty (60) days from the previous payment until the full **ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00)**, 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
PO Box 8935
Madison, WI 53708-8935
Telephone 608-261-7904
Fax 608-266-2264

IT IS FURTHER ORDERED that in the event the Respondents fail to timely submit the forfeiture and costs payment as set forth above, the establishment license of Nappy By Nature (#80-33089) and the barbering and cosmetology

manager’s license of Ataul J. Nuruddin (#081-29722), **SHALL BE SUSPENDED** without further notice or hearing, until the Respondents have complied with the terms of this Order.

This Order shall become effective upon the date of its signing.

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush
A member of the Board

12/4/06
Date

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ATAUL J. NURUDDIN AND
NAPPY BY NATURE,
RESPONDENTS.

STIPULATION

LS # 0607271 BAC

Division of Enforcement Case File Number: 05 BAC 036

It is hereby stipulated between Ataul J. Nuruddin and Nappy By Nature (herein after “Respondents”), personally on his own behalf and on behalf of Nappy By Nature, and Angela L. Arrington, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Enforcement (05 BAC 036). Respondents consent to the resolution of this investigation by stipulation and after the issuance of a formal complaint.
2. Respondents understand that by the signing of this Stipulation they voluntarily and knowingly waive their rights, including: the right to a hearing on the allegations against them, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against them; the right to call witnesses on their behalf and to compel their attendance by subpoena; the right to testify themselves; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to them under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.
3. Respondents have been provided an opportunity to obtain legal counsel prior to signing this stipulation.
4. Respondents agree to the adoption of the attached Final Decision and Order by the Barbering and Cosmetology Examining Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondents waive all rights to any appeal of the attached order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Barbering and Cosmetology Examining Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of the Respondent or his/her attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board’s deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.
7. Respondents are informed that should the Board adopt this stipulation, the Board’s Final Decision and Order is a public record and will be published in accordance with standard Department policy.
8. The Division of Enforcement joins Atual J. Nuruddin and Nappy By Nature in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Ataul J. Nuruddin
Respondent
7910 West Appleton
Milwaukee, WI 53218
License Number 81-29722

Date

On Behalf of Nappy By Nature
Respondent
9108 Brown Deer Road
Milwaukee, WI 53224
License Number 80-33089

Date

Angela L. Arrington, Attorney
Division of Enforcement
Wisconsin Department of Regulation and Licensing
Post Office Box 8935
Madison, WI 53708-8935

Date