

# 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  
KURT W. BJORK. :  
KURTS BARBER SHOP. : LS0609111BAC  
 :  
RESPONDENTS. :

[Division of Enforcement Case File #: 04 BAC 039]

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

Kurt W. Bjork  
405 Oneida Street  
Minocqua, WI 54548

Kurt W. Bjork  
P.O. Box 111  
Boulder Junction, WI 54512

Kurts Barber Shop  
405 Oneida Street  
Minocqua, WI 54548

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. Kurts Barber Shop is duly licensed as a barbering and cosmetology establishment in the State of Wisconsin having license #080 00031064. This license was granted on 05/01/03.
2. Kurts Barber Shop’s most recent address on file with the Department of Regulation and Licensing (“Department”) is: 405 Oneida Street, Minocqua, WI 54548.

3. Kurt W. Bjork, date of birth 07/31/65, is the listed owner and manager of record for Kurts Barber Shop. Department records indicate that Mr. Bjork holds a barbering and cosmetology manager's license, #81 29345. This license was first granted on 01/30/03.

4. Mr. Bjork's most recent address on file with the Department is: P.O. Box 111, Boulder Junction, WI 54512.

5. As owner and manager of Kurts Barber Shop, Mr. Bjork 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 and 3.

6. On or about May 10, 2004, the Department received a complaint alleging that unprofessional conduct and unsanitary conditions were present at Kurts Barber Shop.

7. On or about July 6, 2005, an inspection of Kurts Barber Shop was performed by a Department investigator. The inspection revealed that former employee, Robin Champagne (#82 59823; granted: 05/08/89) had been renting a barbering and cosmetology booth from Mr. Bjork without having entered into a written lease agreement. The investigation further revealed that Ms. Champagne did not have a separate establishment license for her booth rental or a barbering and cosmetology manager's license. The investigation further revealed that Ms. Champagne was employed at Kurts Barber Shop from April 2004 through July 2005.

8. In resolution of this matter, Kurt W. Bjork and Kurts Barber Shop consent to 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 Kurt W. Bjork and Kurts Barber Shop have violated:

Wis. Stat. § 454.08 (1)(b) and Wis. Admin. Code §§ BC 2.04(1); 2.045(1) and 3.02(2) by permitting a former employee to rent a barbering and cosmetology booth without first obtaining a written lease agreement, separate establishment license and manager's license.

#### **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 **FIVE HUNDRED DOLLARS (\$500.00)**.

IT IS FURTHER ORDERED, that 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 one more payment of **FIVE HUNDRED DOLLARS (\$500.00)** will be due every sixty (60) days from the previous payment until the full **ONE THOUSAND DOLLARS (\$1,000.00)** 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**

IT IS FURTHER ORDERED, that in the event that Kurt W. Bjork and Kurts Barber Shop fail to timely submit payment of the forfeiture and costs as set forth above, the barbering and cosmetology manager's license for Kurt W. Bjork (#081 29345) and the establishment license for Kurts Barber Shop (# 080 31064) **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 04 BAC 039, be and hereby is, closed as to all Respondents.

Dated this 11<sup>th</sup> day of September, 2006.

**WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD**

By: Jeannie M. Bush