

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**
JESSE M. NELSON. :
NELSONS BARBER SHOP. : **LS0706131BAC**
RESPONDENTS. :

Division of Enforcement Case File #: **07 BAC 097**

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

Jesse M. Nelson
30 N. Main Street
Deerfield, WI 53535

Nelsons Barber Shop
30 N. Main Street
Deerfield, WI 53535

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 Stipulation comes after the issuance of barbering and cosmetology citations. 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. Jesse M. Nelson, d/o/b: 10/07/75, is duly licensed as a barbering and cosmetology manager in the state of Wisconsin having license #081-30375. This license was first granted on 01/21/05.
2. Mr. Nelson's last known reported business address on file with the Department of Regulation and Licensing ("Department") is: 30 N. Main Street, Deerfield, Wisconsin 53535.
3. Nelsons Barber Shop, is duly licensed as a barbering and cosmetology establishment in the state of Wisconsin

having license #080-33115. This license was first granted on 06/24/05.

4. Mr. Nelson is listed as the owner of Nelsons Barber Shop. At all times relevant to the facts stated below, Mr. Nelson is responsible for compliance with chapter 3 of the Wisconsin Administrative Code.

5. On or about May 4, 2007 an inspection of Nelsons Barber Shop was conducted by a Department investigator. The inspection revealed that the salon was not being maintained in an orderly and sanitary condition.

6. On May 4, 2007, two barbering and cosmetology citations were issued to Respondent Nelson for violations found within the salon.

7. On May 22, 2007, the Respondent requested a hearing on the issuance of the two barbering and cosmetology citations.

8. In resolution of this matter, Jesse M. Nelson and Nelsons Barber Shop 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, Jesse M. Nelson and Nelsons Barber Shop have violated:

Wis. Admin. Code § BC 3.01(1) for failing to maintain an orderly and sanitary salon.

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 HUNDRED dollars (\$100.00).

IT IS FURTHER ORDERED, that the Respondents shall jointly and severally pay COSTS in this matter in the amount of THIRTY dollars (\$30.00).

IT IS FURTHER ORDERED, that payment of the forfeiture and costs shall be paid within thirty (30) days from the signing of this Order.

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 that Jesse M. Nelson and Nelsons Barber Shop fail to timely submit payment of the forfeiture and costs as set forth above, Jesse M. Nelson, barbering and cosmetology manager's license #081 0030375 and Nelsons Barber Shop barbering and cosmetology establishment license #080 0033115 **SHALL BE SUSPENDED**, without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said partial 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, 07 BAC 097 be, and hereby is, closed as to all Respondents.

Dated this 10th day of September, 2007.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush