

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

KOREE R. KRANS,

RESPONDENT.

FINAL DECISION AND ORDER
LS0709104BAC

Division of Enforcement Case File Number: 06 BAC 067

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

Koree R. Krans
961 County Road N
Niagara, Wisconsin 54151

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

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision 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. Koree R. Krans (Date of Birth: October 19, 1981) is duly licensed in the state of Wisconsin as a barbering or cosmetology practitioner (license number 82-80528). That license was first granted on November 9, 2001, and will expire on June 30, 2007. The last address reported to the Department of Regulation and Licensing (hereinafter Department) by Ms. Krans is 1665 County Road N, Niagara, Wisconsin 54151. The Department has learned that Ms. Krans presently resides at 961 County Road N, Niagara, Wisconsin, 54151.

2. From April 2006 to July 2006, Ms. Krans rented a booth space at Red Feather Hair & Tanning Salon, N18666 Highway 14, Pembine, Wisconsin, to provide barbering or cosmetology services. Ms. Krans did not possess an establishment license, nor a manager license and had no agreement for supervision from another licensed manager when she rented the booth space.

3. The owner of Red Feather Hair & Tanning Salon told a Department investigator that from April 2006 to July 2006, Ms. Krans only worked for a total of eight hours. The owner of Red Feather Hair & Tanning also told the investigator that she had told Mr. Krans that she needed to have an establishment license and a manager license or needed to have an agreement for supervision with another licensed manager. Ms. Krans told the owner that she did not feel that she would get caught.

4. In resolution of this matter, Koree R. Krans consents 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. Stats. sec. 454.15.
2. The Wisconsin Barbering and Cosmetology Examining Board is authorized to enter into the attached stipulation pursuant to Wis. Stats. sec. 227.44(5).
3. By the conduct referred to in the above Findings of Fact, Koree R. Krans has violated:
 1. Wis. Stats. sec. 454.08(1)(b). Except as permitted by rule promulgated under par. (a), no person may practice barbering or cosmetology, aesthetics, electrology or manicuring in an establishment unless the establishment is licensed to provide that practice under sub. (2).
 2. Wis. Stats. sec. 454.08(6). A person who owns one or more barber or cosmetologist establishments shall employ one person as a manager who holds a manager license and works full time in the establishments.
 3. Wis. Stats. Sec. 454.15(2)(i). Any violation of Chapter 454 or of the Administrative Code promulgated under Chapter 454 is cause for discipline.
 4. Wis. Admin. Code § BC 2.04(1). Licensees may not assist or participate in the unauthorized or unlicensed practice of barbering and cosmetology, aesthetics, electrology or manicuring.
 5. Wis. Admin. Code § BC 2.045(1). Licensees shall not provide personal care services outside of a licensed establishment except for person who are unable to leave their homes because of illness or disability or for persons who are in hospitals, nursing homes, correctional institutions or other institutions.
 6. Wis. Admin. Code § BC 3.02 (2)(a). An owner may lease a chair or booth to a licensed individual as follows.
 - a. A lease agreement shall be in writing.
 7. Wis. Admin. Code § BC 3.02(2)(b). An owner may lease a chair or booth to a licensed individual as follows.
 - b. The lessee of the chair or booth shall be responsible of ensuring that the lease chair or booth operates in compliance with ch. 454, Stats., and that the rules of the board, and the lessee shall hold a manager's and an establishment license.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Koree R. Krans' barbering or cosmetology practitioner license (license number 82-80528) is hereby REPRIMANDED.

IT IS FURTHER ORDERED that Koree R. Krans shall pay to the Department of Regulation and Licensing a forfeiture of ONE HUNDRED dollars (\$100.00).

IT IS ALSO ORDERED that Koree R. Krans shall pay full costs to the Department of Regulation and Licensing in the amount of ONE HUNDRED FIFTY dollars (\$150.00) in this matter.

Payment shall be submitted in four (4) installments. The installments shall be submitted on the following payment schedule:

Payment Number	Due Date	Payment Amount
1	August 15, 2007	\$62.50
2	November 15, 2007	\$62.50
3	February 15, 2008	\$62.50
4	May 15, 2008	\$62.50

Ms. Krans may pay the full amount of the forfeiture and costs at any time prior to each monthly due date for payment.

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
Post Office Box 8935
Madison, Wisconsin 53708-8935
608-261-7904

IT IS FURTHER ORDERED that in the event Koree R. Krans fails to timely submit any payment of the forfeiture and costs as set forth above, the barbering or cosmetology practitioner license of Koree R. Krans (license number 82-80528) **SHALL BE SUSPENDED**, without further notice or hearing until Koree R. Krans has 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

9/10/07
Date

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

KOREE R. KRANS,

RESPONDENT.

STIPULATION
LS#07 _____ BAC

Division of Enforcement Case File Number: 06 BAC 067

It is hereby stipulated between Koree R. Krans, and Claudia Berry Miran, 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 (06 BAC 067). Ms. Krans consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Ms. Krans understands that by the signing of this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, 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 her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; 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 her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

3. Ms. Krans has been provided an opportunity to obtain legal counsel prior to signing this stipulation.

4. Ms. Krans agrees to the adoption of the attached Final Decision and Order by the Barbering and Cosmetology Examining Board (hereafter "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. Ms. Krans waives 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 Ms. Krans or 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 advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Ms. Krans is 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 Koree R. Krans in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Koree R. Krans

Respondent

961 County Road N

Niagara, Wisconsin 54151

License Number: 82-80528

Date

Claudia Berry Miran

Attorney

Division of Enforcement

Wisconsin Department of Regulation and Licensing

Post Office Box 8935

Madison, Wisconsin 53708-8935

Date