

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**
 :
LILLIE M. BLACK. :
MARLA A. LOCKRIDGE. : **LS0712031BAC**
BEFORE AND AFTER. :
 :
RESPONDENTS. :

Division of Enforcement Case File #: **05 BAC 026**

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

Lillie M. Black
3620 W. Villard Avenue
Milwaukee, WI 53210

Marla A. Lockridge
3620 W. Villard Avenue
Milwaukee, WI 53210

Before and After
3620 W. Villard Avenue
Milwaukee, WI 53210

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. Before and After is duly licensed as a barbering and cosmetology establishment in the State of Wisconsin having license #080 0032801. This license was granted on 02/24/05.

2. Before and After's most recent address on file with the Department of Regulation and Licensing ("Department") is: 3620 W. Villard Avenue, Milwaukee, Wisconsin 53210.

3. Marla A. Lockridge, date of birth: 06/22/68, is listed as the owner of record for Before and After. Department records indicate that Ms. Lockridge holds a barbering and cosmetology practitioner's license, #82 79555. This license was first granted on 09/11/00.

4. Ms. Lockridge's most recent business address on file with the Department is: 3620 W. Villard Avenue, Milwaukee, Wisconsin 53210.

5. Lillie M. Black, date of birth: 05/30/48, is listed as the manager of record for Before and After. Department records indicate that Ms. Black holds a barbering and cosmetology manager's license, #81 23441. This license was first granted on 10/25/89.

6. As the listed owner of record, Ms. Lockridge 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, and 4.

7. As the listed manager of record, Ms. Black 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, and 4.

8. On or about March 11, 2005, the Department received a complaint alleging unlicensed activity was taking place at Before and After.

9. On or about March 31, 2006, a Department investigator conducted an inspection of Before and After. The inspection revealed a booth rental agreement had been established within Before and After. To date, neither an establishment application nor a manager's application has been received by the Department for a booth rental at Before and After's address.

10. The March 31, 2006 inspection also revealed an unlicensed person was providing hair care services with an expired apprenticeship permit.

11. The March 31, 2006 inspection also revealed Before and After was not being maintained in a sanitary and orderly condition.

12. During the investigation it was discovered that Ms. Black does not work in Before and After for at least thirty-hours per week, as required under section 454.08(6) of the Wisconsin Statutes and defined in section BC 1.01 (7) of the Wisconsin Administrative Code. Department records do not show any other manager listed at the salon other than Ms. Black.

13. In resolution of this matter, Lillie M. Black, Marla A. Lockridge, and Before and After 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 Lillie M. Black, Marla A. Lockridge, and Before and After have violated:

- a. Wis. Stat. § 454.08 (1)(b) and Wis. Admin. Code §§ BC 2.04(1); 2.045(1) and 3.02(2)(b) by permitting an employee to rent a barbering and cosmetology booth without first obtaining a separate

establishment and manager's license;

- b. Wis. Stat. § 454.08(6) and Wis. Admin. Code §§ BC 2.06(5) and 3.02(1) for failing to employ a full-time barbering and cosmetology manager as specified by section BC 1.01(7) of the Code;
- c. Wis. Stat. § 454.04(1)(a) and Wis. Admin. Code § BC 2.04(1) for permitting an employee to provide barbering and cosmetology services without first maintaining a current credential; and
- d. Wis. Stat. § 454.15(2)(c) and Wis. Admin. Code §§ 3.01(1) and 4.01(1) by failing to maintain the salon in an orderly and sanitary condition at all times.

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 **TWO THOUSAND SIX HUNDRED DOLLARS (\$2,600.00)**.

IT IS FURTHER ORDERED, that Respondents shall jointly and severally pay costs in this matter in the amount of **SIX HUNDRED DOLLARS (\$600.00)**.

IT IS FURTHER ORDERED, that a down payment of **SIX HUNDRED DOLLARS (\$600.00)** shall be submitted within thirty (30) days from the date of this order and eight more payments of **THREE HUNDRED TWENTY FIVE DOLLARS (\$325.00)** will be due every sixty (60) days from the previous payment until the full **THREE THOUSAND TWO HUNDRE DOLLARS (\$3,200.00)** 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 Lillie M. Black, Marla A. Lockridge, and Before and After fail to timely submit payment of the forfeiture and costs as set forth above, the barbering and cosmetology manager's license for Lillie M. Black (#081 23441), the barbering and cosmetology practitioner's license for Marla A. Lockridge (#082 79555) and the establishment license for Before and After (# 080 32801) **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 05 BAC 026, be and hereby is, closed as to all Respondents.

Dated this 3rd day of December, 2007.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

BY: Jeannie M. Bush