

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
	:	
URSZULA AND COMPANY AND,	:	
URSZULA MLECZKO,	:	
RESPONDENTS.	:	LS08090813BAC

Division of Enforcement Case No. 06 BAC 077

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

Urszula and Company
13831 W. North Avenue
Brookfield, WI 53005

Urszula Mleczko
14775 Ridgemoor Drive
Elm Grove, WI 53122

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. Respondent **Urszula and Company** is licensed in the state of Wisconsin as a barbering and cosmetology establishment, license # 80-28338. This license was first granted to it on 06/14/99 and is current through 03/31/09. The most recent address on file with the Department of Regulation and Licensing for this establishment is 13831 W. North Avenue, Brookfield, WI 53005.
2. Respondent **Urszula Mleczko** is licensed in the state of Wisconsin as a manicurist, having license # 85-456. This license was first granted to her on 08/11/86 and is current through 03/31/09. The most recent address on file with the Department of Regulation and Licensing for Ms. Mleczko is 14775 Ridgemoor Drive, Elm Grove, WI 53122.
3. **Urszula and Company** is owned by Marian and Urszula Mleczko.
4. On June 11, 2008, an investigator from the Department of Regulation and Licensing performed an unannounced inspection at **Urszula and Company**.
5. The inspection revealed that the barbering and cosmetology establishment for **Urszula and Company** expired on July 1, 2005 and was not timely renewed.
6. The inspection also revealed that Respondent **Urszula Mleczko's** manicurist license expired on July 1, 2003 and was not timely renewed.
7. Follow-up investigation revealed that the establishment license for **Urszula and Company** and the manicurist license for **Urszula Mleczko** were renewed on June 12, 2008, the day after the inspection.
8. **Urszula and Company** was open for business and services were provided during the period that the establishment license was expired.
9. **Urszula Mleczko** was providing manicuring services while her license was expired.

CONCLUSIONS OF LAW

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).
2. Respondents **Urszula Mleczko** and **Urszula and Company** have violated Wis. Stat. § 454.04(1)(b) and Wis. Admin. Code § 2.045 and 3.01 by operating and providing services at **Urszula and Company** for approximately three (3) years with an expired establishment license.
3. Respondent **Urszula Mleczko** has violated Wis. Stat. § 454.04(1)(d) and Wis. Admin. Code § 2.04(1) by engaging in the practice of manicuring with an expired license for almost five (5) years.
4. Respondents are subject to discipline pursuant to Wis. Stat. §§ 454.15(2)(i) and 454.15(3).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. **Urszula and Company** (license #80-28338) and **Urszula Mleczko** (license # 85-456) are hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. **Urszula and Company** shall pay a FORFEITURE in the amount of THREE THOUSAND DOLLARS (\$3,000.00) within 150 days of the date of this Order.

3. **Urszula Mleczko** shall pay a FORFEITURE in the amount of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) within 120 days of the date of this Order.

4. Respondents **Urszula and Company** and **Urszula Mleczko** shall, jointly and severally, pay COSTS in the amount of FOUR HUNDRED DOLLARS (\$400.00) within 30 days of the date of this Order.

5. 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
Department of Regulation and Licensing
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264

6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondents' licenses. The Board in its discretion may, in the alternative, impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondents fail to timely submit any payment as ordered, then the Respondents' licenses (#80-28338 and #85-456) SHALL BE SUSPENDED without further notice or hearing until Respondents have complied with the terms of this Order.

7. This Order is effective on the date of its signing.

Dated this 8th day of September, 2008.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush