

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
: OF DEFAULT
COST CUTTERS HAIR SALON, :
RESPONDENT. : LS0902022BAC

Division of Enforcement Case File #: **07 BAC 219**

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

Cost Cutters Hair Salon
3000 Cahill Main
Madison, WI 53713

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

This matter comes before the Barbering and Cosmetology Examining Board as a citation to which Respondent has made no timely response. Based on the record in this case, the Barbering and Cosmetology Examining Board adopts as its Final Decision in this matter the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Cost Cutters Hair Salon is duly licensed as a barbering and cosmetology establishment in the State of Wisconsin having license #80-27812. This license was granted on 09/30/1998 and is current through 03/31/2009.

2. The most recent address on file with the Department of Regulation and Licensing (“Department”) for Cost Cutters Hair Salon is 3000 Cahill Main, Madison, WI 53713.

3. On November 20, 2007, an unannounced inspection of Cost Cutters Hair Salon was conducted by a Department consumer protection investigator. The inspection revealed that two trash cans with hair clippings in them were not covered. A citation in the amount of \$130.00 was issued to Cost Cutters Hair Salon on that date for this violation of Wis. Admin. Code § BC 3.01(4). A true and correct copy of the citation is attached as **Exhibit A** and is incorporated herein by reference.

4. The November 20, 2007 inspection also revealed that Lysol disinfecting spray and Clorox toilet bowl cleaner with bleach were kept in the public bathroom without being stored in a locked cabinet or closet. A citation in the amount of \$130.00 was issued to Cost Cutters Hair Salon on that date for this violation of Wis. Admin. Code § BC 3.01(6). A true and correct copy of the citation is attached as **Exhibit B** and is incorporated herein by reference.

5. On March 19, 2008, the Division of Enforcement investigator supervisor sent a letter to Cost Cutters Corporate Office in regards to the citations that had been issued on November 20, 2007. The letter informed Cost Cutters that if it felt the citations were not warranted, Cost Cutters had the option to contest the citations and request a hearing. The letter informed Cost Cutters that the citations needed to be paid, or a request for a hearing on the citations, needed to be received by April 15, 2008. The letter informed Cost Cutters further that the failure to respond by April 15, 2008 would result in the Department pursuing a default judgment. A true and correct copy of the letter is attached as **Exhibit C** and is incorporated herein by reference.

6. To date, no response has been received from Cost Cutters Hair Salon in regards to the citations issued on November 20, 2007.

CONCLUSIONS OF LAW

1. The Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15.

2. Respondent Cost Cutters Hair Salon has violated:

Wis. Admin. Code § BC 3.01(4) by using two uncovered trash cans for disposal of loose hair.

Wis. Admin. Code § BC 3.01(6) by storing poisonous substances in a public restroom without being stored in locked closet or cabinet.

3. Cost Cutters Hair Salon is in default pursuant to Wis. Admin. Code § BC 10.07(1) for failing to make a deposit or otherwise respond to the citations in a timely fashion.

4. Pursuant to Wis. Admin. Code § BC 10.07(1), the Board has the authority to issue an order of default against Cost Cutters Hair Salon for the amount identified in the citations without further proceedings.

ORDER

IT IS ORDERED, that the Respondent is in DEFAULT and shall pay to the Department of Regulation and Licensing a total forfeiture in the amount of TWO HUNDRED SIXTY DOLLARS (\$260.00) within twenty (20) days from the dating and 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
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

Violation of this order may result in a refusal to renew credentialing or additional disciplinary action.

Dated this 2nd day of February, 2009.

By: Jeannie M. Bush