

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	:	
	:	CITATION DEFAULT
DAVID VAZQUEZ.	:	FINAL DECISION AND ORDER
STATION HAIR AND NAILS.	:	
RESPONDENT.	:	LS09040610BAC
	:	

Division of Enforcement Case File #: **08 BAC 036**

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

ATTN: David Vazquez
Hair Station and Nails
1619 N. Farwell Avenue
Milwaukee, WI 53202

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 to three citations which Respondent has made no timely response. Based on the record in this case, the Barbering and Cosmetology Examining Board adopts as it Final Decision in this matter the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

- David Vazquez (Date of Birth is March 10, 1980) is duly licensed as a barbering or cosmetology manager in the state of Wisconsin (license #81-31593). This license was first granted on May 1, 2007, and is current until March 31, 2009. The last address Mr. Vazquez reported to the Department of Regulation and Licensing (Department) is 1816 South 44th Street, Milwaukee, Wisconsin 53214.
- Mr. Vazquez is identified in Departmental records as the owner and manager of Station Hair and Nails (#80-35302, granted: 09/25/07). 1619 North Farwell Avenue, Milwaukee, Wisconsin 53202, a licensed barbering and cosmetology establishment. As owner and manager of a licensed barbering and cosmetology establishment, Mr. Vazquez is responsible for compliance with Wis. Stats. Ch. 454 and Wisconsin Administrative Code Chapters BC 2, 3 and 4.
- On March 4, 2008, Station Hair and Nails was inspected by a Department consumer protection investigator. The Department’s investigation revealed Monica Montenegro (#85-5907; granted: 12/21/04) providing manicurist services with an expired manicurist license. Ms. Montenegro’s license expired on July 10, 2007. Ms. Montenegro license was renewed and placed into active status on April 28, 2008.

4. The March 4, 2008 inspection of Station Hair and Nails also revealed that Brett M. Quehl, a barbering and cosmetology practitioner (#82-77556; granted: 03/18/98) was booth renting without first obtaining a barbering and cosmetology manager's and establishment license.

5. The March 4, 2008 inspection of Station Hair and Nails also revealed that Nastassja D. Bates, a barbering and cosmetology practitioner (#82-88713; granted: 07/25/08) was booth renting without first obtaining a barbering and cosmetology manager's and establishment license. At the time of the Department's inspection, Ms. Bates was licensed as a temporary barbering and cosmetology practitioner.

6. On April 10, 2008, the Department investigator sent Mr. Vazquez a letter along with three barbering and cosmetology citations. A true and correct copy of the letter and citations are attached as **Exhibit A** and is incorporated herein by reference. No response was received from Mr. Vazquez or Station Hair and Nails.

7. On May 23, 2008, the Department investigator sent a second follow up letter to Mr. Vazquez in regards to the three citations that were issued on April 10, 2008. A true and correct copy of the letter and citations are attached as **Exhibit B** and is incorporated herein by reference. To date no response has been received from Mr. Vazquez or Station Hair and Nails.

CONCLUSIONS OF LAW

1. The Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15 and Wis. Admin. Code § BC 10.07.

2. Respondent David Vazquez has violated:

- a. Wis. Stats. § 454.04(1) (d) and Wis. Admin. Code BC § 2.04(1) by permitting an employee to provide manicuring services at Station Hair and Nails with an expired license; and
- b. Wis. Stat. 454.15(2)(c) and Wis. Admin. Code BC § 3.02(2)(b) by permitting two employees to booth rent at Station Hair and Nails without first obtaining barbering and cosmetology establishment and manager's licenses.

ORDER

IT IS FURTHER ORDERED, that the Respondent shall pay to the Department of Regulation and Licensing a forfeiture of **THREE THOUSAND DOLLARS (\$3,000.00)** within sixty (60) 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 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 of David Vazquez or Station Hair and Nails. Violation of the Order may also result in additional disciplinary action.

IT IS FURTHER ORDERED, that file 08 BAC 036, be and hereby is, closed as to Respondent David Vazquez.

Dated this 6th day of April, 2009.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush