

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	:	
	:	FINAL DECISION AND ORDER
MARIA D. NOVOA SANCHEZ, JOSE A. SANCHEZ	:	
AND SUPREME CLIENTELE HAIR STUDIO,	:	ORDER 0000 407
RESPONDENTS	:	

Division of Enforcement Case File # 08 BAC 113

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

Maria D. Novoa Sanchez
624 W. Scott Street
Milwaukee, WI 53204

Jose A. Sanchez
3316 W. Layton Ave.
Greenfield, WI 53221

Supreme Clientele Hair Studio
1114 W. Historic Mitchell Street
Milwaukee, WI 53204

Wisconsin 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 Wisconsin Barbering and Cosmetology Examining (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 Maria D. Novoa Sanchez is licensed in the state of Wisconsin as a Barbering and Cosmetology Manager, license # 81-32089. This license was first granted to her on 01/30/2008 and is current through 03/31/2011. Respondent Novoa Sanchez is also licensed in the state of Wisconsin as a Barbering and Cosmetology Practitioner, license # 82-84215. This license was first granted to her on 02/10/2005 and is current through 03/31/2011. Respondent Novoa Sanchez is listed in Department records as the manager of Supreme Clientele Hair Studio.

2. The most recent address on file with the Wisconsin Department of Regulation and Licensing (Department) for Respondent Novoa Sanchez is 624 W. Scott Street, Milwaukee, WI 53204.

3. Respondent Jose A. Sanchez is licensed in the state of Wisconsin as a Barbering and Cosmetology Practitioner, license # 82-80212. This license was first granted to him on 07/17/2001 and is current through 03/31/2011. Respondent Sanchez is listed as the owner of Supreme Clientele Hair Studio.

4. The most recent address on file with the Department for Respondent Sanchez is 3316 W. Layton Ave., Greenfield, WI 53221.

5. Respondent Supreme Clientele Hair Studio is licensed in the state of Wisconsin as a Barbering and Cosmetology Establishment, license # 80-30131. This license was first granted on 11/16/2001 and is current through 03/31/2011.

6. The most recent address on file with the Department for Respondent Supreme Clientele Hair Studio is 1114 W. Historic Mitchell Street, Milwaukee, WI 53204.

7. On or about May 22, 2008, the Department received a complaint that a patron of Supreme Clientele Hair Studio got a rash on his neck after getting a haircut at the salon. A case was subsequently opened for investigation.

8. Past disciplinary action includes an August 5, 2002 Board Order for a forfeiture of \$2,000.00 for operating an unlicensed establishment, no manager of record and permitting an unlicensed individual to work in the establishment.

9. On October 9, 2008, during the course of the Department's investigation, an investigator from the Department made an unannounced visit to Supreme Clientele Hair Studio in Milwaukee, Wisconsin. The inspection revealed the following violations:

- There were hair clippings in a workstation drawer containing clean contact equipment;
- There were hair clippings on an electric razor and the razor attachment;
- The Barbicide at two workstations was dirty with floating debris; and
- A poisonous substance (Fabuloso cleaner) was stored in the open in the public restroom.

10. In resolution of this matter, Respondents Maria D. Novoa Sanchez, Jose A. Sanchez and Supreme Clientele Hair Studio consent 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. Stat. § 454.15, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in paragraph 9 of the Findings of Fact, Respondents Maria D. Novoa Sanchez, Jose A. Sanchez and Supreme Clientele Hair Studio have violated:

- Wis. Admin. Code §§ BC 3.01(1) and BC 4.01(1) by failing to maintain the establishment in a clean and sanitary condition;
- Wis. Admin. Code §§ BC 4.01(7) and BC 4.02 by failing to keep equipment and instruments clean and sterilized or disinfected;
- Wis. Admin. Code § BC 4.02(5) by failing to change disinfectant used for decontamination on a daily basis; and
- Wis. Admin. Code § BC 3.01(6) by failing to keep poisonous substances in a locked cabinet or closet.

3. As a result of the violations noted in paragraph 2 of the Conclusions of Law, Maria D. Novoa Sanchez, Jose A. Sanchez and Supreme Clientele Hair Studio are subject to discipline pursuant to Wis. Stat. § 454.15(2)(i).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondents Maria D. Novoa Sanchez, Jose A. Sanchez and Supreme Clientele Hair Studio be, and hereby are, REPRIMANDED.

2. Respondents Maria D. Novoa Sanchez, Jose A. Sanchez and Supreme Clientele Hair Studio shall pay COSTS in the amount of FOUR HUNDRED NINETY DOLLARS (\$490.00) and a FORFIETURE in the amount of EIGHT HUNDRED FIFTY DOLLARS (\$850.00).

IT IS FURTHER ORDERED that:

3. A payment of THREE HUNDRED FORTY DOLLARS (\$340.00) will be paid within thirty (30) days from the date of this Order and two more payments of FIVE HUNDRED DOLLARS (\$500.00) will be paid ninety (90) days from the previous payment until \$1,340.00 is paid in full.

4. Payment of the costs and forfeiture 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

5 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 payment of the costs and payment of the forfeiture as ordered and as set forth above, the Respondents' licenses (# 82-84215, # 81-32089, # 80-30131 and # 82-80212) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondents have complied with payment of the costs and forfeiture.

IT IS FURTHER ORDERED, that file, 08 BAC 113 be, and hereby is, closed.

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

Dated this 13 day of September, 2010.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: 