

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	OF DEFAULT
DENISE TAYLOR,	:	
RESPONDENT.	:	ORDER 0000 419

Division of Enforcement Case File Number 08 BAC 034

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

Denise Taylor
3900 Brown Deer Road C-4
Brown Deer, WI 53209

Wisconsin Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53707-8935

Wisconsin Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

This matter comes before the Wisconsin Barbering and Cosmetology Examining Board (Board) as citations Respondent failed to pay. Based on the record in this case, the Board adopts as its Final Decision in this matter the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent Denise Taylor is licensed in the state of Wisconsin as a Manicurist, license number 85-1140. This license was first granted to Ms. Taylor on 06/29/1992 and is current through 03/31/2011. This license was expired from 07/01/2007 to 03/10/2008.
2. The most recent address on file with the Wisconsin Department of Regulation and Licensing (Department) for Ms. Taylor is 3900 W Brown Deer Road C-4, Brown Deer, WI 53209.

3. On March 5, 2008, an investigator from the Department performed an inspection of Ms. Taylor's establishment, Gorgeous by Denise Taylor.

4. As a result of the March 5, 2008 inspection, Ms. Taylor was issued a \$1000 citation for having an unlicensed establishment in violation of Wis. Admin. Code § BC 3.01. The citation stated, "Establishment license not posted and not located in Department records. Ms. Taylor needs to provide a copy of her current establishment license or obtain one." A true and correct copy of this citation is attached as **Exhibit A** and is incorporated herein by reference.

5. As a result of the March 5, 2008 inspection, Ms. Taylor was also issued a \$130.00 citation for practicing without a current manicuring credential and was cited for violation of Wis. Admin. Code §§ BC 2.045(1) and 3.01. Specifically, the citation notes that Ms. Taylor's manicuring credential expired on 7/1/07. A true and correct copy of this citation is attached as **Exhibit B** and is incorporated herein by reference.

6. Both citations were handed to Ms. Taylor by the Department investigator at the conclusion of the March 5, 2008 inspection. The investigator sent a follow-up letter by certified mail to Ms. Taylor on April 8, 2008, confirming that Ms. Taylor needed to pay the citations or request a hearing. Ms. Taylor did not respond to the letter and did not request a hearing.

7. On June 23, 2010, a Department attorney sent a letter to Ms. Taylor enclosing copies of the citations and warning that if the citations were not paid by August 23, 2010, the attorney would request that the Barbering and Cosmetology Examining Board issue a default order ordering payment of the citations.

8. Ms. Taylor has not paid the citations that were issued to her on March 5, 2008.

CONCLUSIONS OF LAW

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

2. Respondent Denise Taylor violated Wis. Admin. Code § BC 3.01(1) by practicing manicuring outside the confines of a licensed establishment, as described in paragraph 4 of the Findings of Fact. As a result, Denise Taylor is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i).

3. Respondent Denise Taylor violated Wis. Stat. § 454.04(1)(d) and Wis. Admin. Code § BC 2.04(1) by practicing manicuring without a current license, as described in paragraph 5 of the Findings of Fact. As a result, Denise Taylor is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i).

4. Respondent Denise Taylor is in default pursuant to Wis. Admin. Code § BC 10.07(1) for failing to make a deposit.

5. Pursuant to Wis. Admin. Code § BC 10.07(1), the Board has the authority to issue an order of default against Respondent Denise Taylor for the amounts identified in the citations without further proceedings.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent Denise Taylor is in DEFAULT and shall pay to the Wisconsin Department of Regulation and Licensing a total forfeiture in the amount of ONE THOUSAND ONE HUNDRED THIRTY DOLLARS (\$1,130.00) within thirty (30) days from the date of this Order.

2. Payment shall be made 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

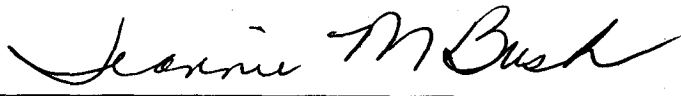
3. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a refusal to renew credentialing or additional disciplinary action.

IT IS FURTHER ORDERED that file 08 BAC 034 be, and hereby is, closed.

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

Dated this 13 day of September, 2010.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: 

Wisconsin Department of Regulation & Licensing

Mail To: P.O. Box 8935
Madison, WI 53708-8935

FAX #: (608) 266-2264
Phone #: (608) 266-2112

1400 E. Washington Avenue
Madison, WI 53703
E-Mail: web@drl.state.wi.us
Website: http://drl.wi.gov

BARBERING AND COSMETOLOGY EXAMINING BOARD

CITATION FOR ADMINISTRATIVE FORFEITURE

<input type="checkbox"/> CITATION DOE CASE FILE # _____	<input type="checkbox"/> FINAL DECISION AND ORDER LS # _____
<input checked="" type="checkbox"/> Individual Credential Holder Name License # <u>1140</u>	OR <input type="checkbox"/> Establishment Name License # _____

Street 3900 W Brown Deer Rd. City Brown Deer WI Zip _____
Day of Week Wednesday Date 3-5-08 Time 1:15 pm

On the above stated time, date and location, an investigation/inspection has disclosed the following violation.

Unlicensed Establishment
Establishment license not posted
and not located in Department records.
ms. Taylor needs to provide a copy
of her current establishment license, or
obtain one before

In violation of Section 3.01 of ☐ Wis. Stats. OR ☒ Wis. Adm. Code

Signature of Investigative Staff [Signature] Title Investigator Date 3-5-08

Signature of ☐ Licensee OR ☐ Establishment Owner Date _____

Pursuant to Wis. Stat. § 454.15(3), the licensing authority is authorized to impose a forfeiture in lieu of or in addition to other disciplinary action against your license.

PLEASE TAKE NOTICE THAT THE CREDENTIAL HOLDER MAY DEPOSIT A FORFEITURE AND COSTS IN THE AMOUNT OF \$ 1000.00 BY MAILING A CHECK OR MONEY ORDER NO LATER THAN TWENTY (20) DAYS FROM THE DATE OF THIS CITATION, TOGETHER WITH THE SIGNED COPY OF THIS FORM TO: DEPARTMENT OF REGULATION AND LICENSING, DIVISION OF ENFORCEMENT, 1400 EAST WASHINGTON AVENUE, P.O. BOX 8935, MADISON, WI 53708. PAYMENT SHALL BE TREATED AS A PLEA OF NO CONTEST TO THE VIOLATION CITED ABOVE AND CONSENT TO AN ORDER OF FORFEITURE PLUS COSTS, NOT TO EXCEED THE AMOUNT OF THE DEPOSIT.

Please reference "NOTICE OF RIGHT TO CONTEST" on backside of pink copy.

Wisconsin Department of Regulation & Licensing

Mail To: P.O. Box 8935
Madison, WI 53708-8935

FAX #: (608) 266-2264
Phone #: (608) 266-2112

1400 E. Washington Avenue
Madison, WI 53703

E-Mail: web@drl.state.wi.us
Website: http://drl.wi.gov

08 BAC 034

BARBERING AND COSMETOLOGY EXAMINING BOARD

CITATION FOR ADMINISTRATIVE FORFEITURE

<input type="checkbox"/> CITATION DOE CASE FILE # _____	<input type="checkbox"/> FINAL DECISION AND ORDER LS # _____
<input checked="" type="checkbox"/> Individual Credential Holder Name License # <u>1140</u>	<input type="checkbox"/> Establishment Name License # _____

3900 Brown Deer Rd. Brown Deer WI
Street City Zip
Wednesday 3-5-00 1:05pm
Day of Week Date Time

On the above stated time, date and location, an investigation/inspection has disclosed the following violation.

Manicuring Credential expired 7-1-07.
Ms. Taylor needs to provide proof she
renewed license or renew her license.
KES

In violation of Section 2.45(1)/301 of ☐ Wis. Stats. OR ☒ Wis. Adm. Code
[Signature] Investigator 3-5-00
Signature of Investigative Staff Title Date

Signature of ☐ Licensee OR ☐ Establishment Owner Date

Pursuant to Wis. Stat. § 454.15(3), the licensing authority is authorized to impose a forfeiture in lieu of or in addition to other disciplinary action against your license.

PLEASE TAKE NOTICE THAT THE CREDENTIAL HOLDER MAY DEPOSIT A FORFEITURE AND COSTS IN THE AMOUNT OF \$ 130.00 BY MAILING A CHECK OR MONEY ORDER NO LATER THAN TWENTY (20) DAYS FROM THE DATE OF THIS CITATION, TOGETHER WITH THE SIGNED COPY OF THIS FORM TO: DEPARTMENT OF REGULATION AND LICENSING, DIVISION OF ENFORCEMENT, 1400 EAST WASHINGTON AVENUE, P.O. BOX 8935, MADISON, WI 53708. PAYMENT SHALL BE TREATED AS A PLEA OF NO CONTEST TO THE VIOLATION CITED ABOVE AND CONSENT TO AN ORDER OF FORFEITURE PLUS COSTS, NOT TO EXCEED THE AMOUNT OF THE DEPOSIT.

Please reference "NOTICE OF RIGHT TO CONTEST" on backside of pink copy.

#2683 (8/04)
Ch. 454, Stats.

Committed to Equal Opportunity in Employment and Licensing

STATE'S
EXHIBIT

B