

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/wscqa>.
- 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 THE DISCIPLINARY :
PROCEEDINGS AGAINST : FINAL DECISION AND ORDER
:
FLAIR DESIGNS, LLC AND :
LA TANYA S. PEEL, : ORDER 0000647
RESPONDENTS. :
:

Division of Enforcement Case File # 09 BAC 004

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

Flair Designs, LLC
2778 N. Martin Luther King Drive
Milwaukee, WI 53212

La Tanya S. Peel (Owner/Manager)
3816 N. 56th Street
Milwaukee, WI 53216

Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53708-8935

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

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 Flair Designs, LLC is licensed in the State of Wisconsin as a Barbering and Cosmetology Establishment, having license # 80-34334. This license was first granted on 09/15/2006 and is current through 03/31/2011. The most recent address on file with the Department of Regulation and Licensing for Flair Designs, LLC is 2778 N. Martin Luther King Drive, Milwaukee, WI 53212.

2. Respondent La Tanya S. Peel is the owner and manager of Respondent Flair Designs, LLC and a licensed Barbering or Cosmetology Manager, having license # 81-28971. This license was first granted on 02/21/2002 and is current through 03/31/2011. The license was expired between 03/31/2009 and 04/17/2009. The most recent address on file with the Department of Regulation and Licensing for La Tanya S. Peel is 3816 N. 56th Street, Milwaukee, WI 532126. Pursuant to Wis. Admin. Code § BC 2.06, as owner, Respondent La Tanya S. Peel was at all times relevant to this action responsible for Respondent Flair Designs, LLC's compliance with Wis. Stat. ch. 454 and Wis. Admin. Code chs. BC 2, BC 3 and BC 4.

3. The Department of Regulation and Licensing received a complaint against the Respondents on January 7, 2009 alleging unlicensed activity and chair renting to apprentices.

4. Department records show that Respondent Peel's manager license expired March 31, 2009.

5. On April 15, 2009, a Division of Enforcement investigator performed an inspection of Respondent Flair Designs, LLC.

6. The investigator observed the following violations:

(a) Respondent Peel was not present at the establishment having last worked on April 9, 2009; however, her appointment book showed she had appointments scheduled for April 1-5, 7, 8, and 9, 2009;

(b) Two apprentices were performing services without a duly licensed manager's supervision;

(c) An unlicensed employee was shampooing hair. The employee related that she had shampooed hair at the establishment for the past two years and that she performs hair braiding for the establishment;

(d) The ceiling and ceiling fan were covered with dirt, hair, and dust;

(e) Loose, clipped hair and dirty styling implements and razors were found in work station drawers;

(f) Hair was discovered in the shampoo bowl;

(g) Clean contact equipment (rollers) was exposed;

(h) Disinfectant contained hair clippings;

(i) A submerged comb contained strands of hair; and

(j) The current establishment license was not posted.

7. In resolution of this matter, Respondents Peel and Flair Designs, LLC 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. Respondents Peel and Flair Designs, LLC have violated the following regulations:

(a) Wis. Admin. Code §§ BC 2.06(3) and BC 2.07(1g) by failing to ensure the supervision and training of apprentices, as described in paragraph 6(a, b) of the Findings of Fact.

(b) Wis. Admin. Code § BC 2.04(1) by allowing unauthorized or unlicensed activity, as described in paragraph 6(c) of the Findings of Fact.

(c) Wis. Admin. Code §§ BC 2.07(1) and BC 4.01(1) by failing to properly maintain implements and the establishment in a clean, sanitary, and safe condition, as described in paragraph 6(d-i) of the Findings of Fact.

(d) Wis. Admin. Code § BC 4.01(5) by failing to properly drain shampoo bowls and basins after each use and maintain them in a sanitary and safe condition, as described in paragraph 6(f) of the Findings of Fact.

(e) Wis. Admin. Code §§ BC 4.02(1) and BC 4.02(2) by failing to properly disinfect personal care instruments prior to reuse, as described in paragraph 6(e-i) of the Findings of Fact.

(f) Wis. Admin. Code § BC 4.02(3) by failing to properly disinfect combs, as described in paragraph 6(i) of the Findings of Fact.

(g) Wis. Admin. Code § BC 4.02(4) by failing to properly store cleaned implements, as described in paragraph 6(e) of the Findings of Fact.

(h) Wis. Admin. Code §§ BC 2.07(2) and BC 3.01(13) by failing to post all required licenses, as described in paragraph 6(j) of the Findings of Fact.

3. As a result of these violations, 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. The barbering and cosmetology establishment license of **Flair Designs, LLC** (license # 80-34334) and the barbering or cosmetology manager license of **La Tanya S. Peel** (license # 81-28971) are hereby **REPRIMANDED**.

IT IS FURTHER ORDERED that:

2. Respondent **Flair Designs, LLC** shall pay a **FORFEITURE** in the amount of **SEVEN HUNDRED AND FIFTY DOLLARS (\$750.00)** and **COSTS** in the amount of **FOUR HUNDRED FIFTY TWO DOLLARS AND THIRTY SEVEN CENTS (\$452.37)**, for a total of **ONE THOUSAND TWO HUNDRED TWO DOLLARS AND THIRTY SEVEN CENTS (\$1,202.37)**.

3. Respondent **La Tanya S. Peel** shall pay a **FORFEITURE** in the amount of **SEVEN HUNDRED AND FIFTY DOLLARS (\$750.00)** and **COSTS** in the amount of **FOUR HUNDRED FIFTY TWO DOLLARS AND THIRTY SEVEN CENTS (\$452.37)**, for a total of **ONE THOUSAND TWO HUNDRED TWO DOLLARS AND THIRTY SEVEN CENTS (\$1,202.37)**.

4. Payment of the costs and forfeiture shall be submitted within 180 days from the date of the order. Payment of the costs and forfeiture 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) 261-7904, 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 forfeitures as set forth above, the Respondents' licenses (**Flair Designs, LLC** - license # 80-34334 and **La Tanya S. Peel** - license # 81-28971) 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.

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

Dated this 31 day of January, 2011.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Janice M. Boeck