

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
	:	OF DEFAULT
ROBIN SUE VANTIL,	:	
RESPONDENT.	:	ORDER 0000913

Division of Enforcement Case File Number 10 BAC 061

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

Robin Sue Vantil
68630 North Main Street
Iron River, WI 54847

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 a citation that Respondents 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 Robin Sue Vantil was licensed in the state of Wisconsin as a Barbering and Cosmetology Manager, having license number 81-28592. This license was first granted to Ms. Vantil on 02/06/2001 and expired on 05/02/2011.
2. The most recent address on file with the Wisconsin Department of Regulation and Licensing (Department) for Ms. Vantil is 68630 North Main Street, Iron River, WI 54847.
3. On September 9, 2010, an investigator from the Department's Division of Enforcement (DOE) went to Ms. Vantil's establishment, Northern Hair & Tanning, to perform

an inspection. Northern Hair & Tanning was located at 8140 US Hwy. 2, Iron River, WI, but closed on an undetermined date after the DOE investigator visited the establishment. On February 11, 2011, the DOE investigator sent a letter to Ms. Vantil at the Northern Hair & Tanning address enclosing a copy of each citation and warning that the citations must be paid twenty days from the date of the citation.

a. As a result of the September 9, 2010 inspection, Ms. Vantil was issued a \$1,000.00 citation by mail on February 11, 2011 for her assistance in unlicensed practice by owner because Ms. Vantil allowed a booth/chair renter to operate without a separate establishment license for the booth/chair, in violation of Wis. Admin. Code § BC 2.04(1). The citation stated, "Assisting in unlicensed practice by owner – booth rental to Pamer, rented booth had no license." A true and correct copy of this citation is attached as **Exhibit A** and is incorporated herein by reference.

b. Ms. Vantil was also issued a \$1,000.00 citation by mail on February 11, 2011 for Northern Hair & Tanning practicing barbering and cosmetology outside of a licensed establishment, in violation of Wis. Admin. Code § BC 2.045(1). The citation stated, "Practice outside licensed establishment by owner – establishment, Northern Hair & Tanning not licensed." A true and correct copy of this citation is attached as **Exhibit B** and is incorporated herein by reference.

4. On February 16, 2011, Ms. Vantil sent an e-mail to the DOE investigator in response to the citations requesting information as to why she was assessed such "big" forfeiture amounts. Ms. Vantil concluded the letter by stating, "I have forfeit [sic] my establishment license, I will do anything else I have to do."

5. On March 9, 2011, the DOE investigator responded by e-mail to Ms. Vantil's February 16, 2011 e-mail and explained the forfeiture grid requirements for discipline set forth by the Board for the specific violations committed by Ms. Vantil and Northern Hair & Tanning. The DOE investigator's e-mail further noted that she explained the issues in the September 10, 2010 letter, to which Ms. Vantil did not respond. Although Ms. Vantil was past the 20 days to request a hearing or pay the citations, the investigator granted Ms. Vantil an additional 10 days to request a hearing or pay the citations.

6. Ms. Vantil has not requested a hearing or paid the citations that were issued to her on February 11, 2011.

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. Robin Sue Vantil violated Wis. Admin. § BC 2.045(1) by practicing barbering outside of a licensed establishment. As a result, Robin Sue Vantil is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i).

3. Robin Sue Vantil and Northern Hair & Tanning have violated Wis. Admin. Code § BC 2.04(1) by aiding and abetting the unlicensed practice of barbering and cosmetology when

both Respondents permitted a licensee to rent a booth/chair without a written rental agreement while the licensee did not hold an establishment license for the booth/chair. As a result, Robin Sue Vantil is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i).

4 Robin Sue Vantil 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 Robin Sue Vantil for the amounts identified in the citation without further proceedings.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent Robin Sue Vantil is in DEFAULT and shall pay to the Wisconsin Department of Regulation and Licensing a total forfeiture in the amount of TWO THOUSAND DOLLARS (\$2,000.00) 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.

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

Dated this 27 day of June, 2011.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jamie M. Boeck