

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 :
SHANNYN M. RUSSELL, : FINAL DECISION AND ORDER
RESPONDENT. :

ORDER 0000917

Division of Enforcement Case File Number: 10 BAC 002

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

Shannyn M. Russell
6445 State Road 70
Siren, WI 54872

Wisconsin 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 Wisconsin Barbering and Cosmetology Examining Board ("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. Shannyn M. Russell, date of birth: 04/05/70, is duly licensed in the state of Wisconsin as a Barbering and Cosmetology Practitioner, having license number 82-72682. This license was first granted on 09/15/1992. The license was placed in expired status from 07/08/05 and renewed on 01/14/10. The license is current through 03/31/2011.

2. The most recent address on file with the Wisconsin Department of Regulation and Licensing (“Department”) for Respondent Russell is: 6445 State Road 70, Siren, WI 54872.

3. As a duly licensed barbering and cosmetology practitioner, Respondent Russell was and is at all times relevant to this action responsible for compliance with Wisconsin Statutes, Chapter 454 and the Wisconsin Administrative Code for Barbering and Cosmetology, Chapter 2.

4. In 2007, the Department received a complaint alleging fraudulent activity and unlicensed practice was taking place at Mane Attractions. At the time of this complaint, Mane Attractions was a duly licensed barbering and cosmetology establishment, having license number 80-26230. The license was granted on 2/14/97 and expired on 07/10/07. Mane Attractions was located at 7708 W. Main Street, Siren Wisconsin 54872. The complaint was subsequently opened for investigation.

5. During the course of the Department’s investigation, it was discovered that Respondent Russell had been practicing barbering and cosmetology with an expired license at Mane Attractions, since July 2005 through dates unknown in 2009.

6. In resolution of this matter, Respondent Shannyn M. Russell consents 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 five (5) of the Findings of Fact, Respondent Shannyn M. Russell has violated Wis. Stat. § 454.04(1)(a) and Wis. Admin. Code § BC 2.04(1) by practicing with an expired practitioner license.

3. As a result of the violation noted in the Conclusions of Law, Respondent Shannyn M. Russell is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent Shannyn M. Russell be, and hereby is, **REPRIMANDED**.

IT IS FURTHER ORDERED that:

2. Respondent Shannyn M. Russell shall pay **COSTS** in the amount of **ONE HUNDRED FIFTY DOLLARS (\$150.00)** within 60 days of the date of this Order.

3. Respondent Shannyn M. Russell shall pay a **FORFEITURE** in the amount of **ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00)**. Six payments of **TWO HUNDRED FIFTY DOLLARS (\$250.00)** shall be submitted every 60 days from the date of this order until the full **ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00)** 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 Respondent's license. 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 Respondent fails to timely submit payment of the costs and forfeiture as ordered and as set forth above, then Respondent's license (number 82-72682) may, in the discretion of the board or its designee, be **SUSPENDED**, without further notice or hearing, until Respondent has complied with payment of costs and forfeiture.

IT IS FURTHER ORDERED, that file 10 BAC 002 be, and hereby is, closed as to Respondent Shannyn M. Russell.

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

Dated this 27 day of June, 2011.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Janice M. Bosch