

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST :

EXCLUSIVE CUTS AND
MICHAEL J. PATTON,
RESPONDENTS.

FINAL DECISION AND ORDER
OF DEFAULT

ORDER 0001330

Division of Enforcement Case File Number 10 BAC 045

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

Exclusive Cuts
1304 West Lincoln Avenue
Milwaukee, Wisconsin 53214

Michael J. Patton
1304 West Lincoln Avenue
Milwaukee, Wisconsin 53214

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

Wisconsin Department of Safety and Professional Services
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 53708-8935

PROCEDURAL HISTORY

This matter comes before the Wisconsin Barbering and Cosmetology Examining Board (Board) as citations that Respondents Exclusive Cuts and Michael J. Patton have failed to pay. Based on the record of 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 Exclusive Cuts was licensed in the State of Wisconsin as a Barber or Cosmetology Establishment, license number 80-35004. This license was first granted on June 21, 2007 and expired on April 1, 2011. This license has not been renewed.

2. The most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) for Respondent Exclusive Cuts is 1304 West Lincoln Avenue, Milwaukee, Wisconsin 53214.
3. Respondent Michael J. Patton was licensed in the State of Wisconsin as a Barber or Cosmetology Apprentice, license number 600-80273. This license was first granted on January 14, 2008 and expired on January 14, 2011. Respondent Michael J. Patton was indentured as an apprentice through Exclusive Cuts and is identified in Department records as the owner of Exclusive Cuts.
4. The most recent address on file with the Department for Respondent Michael J. Patton is 1304 West Lincoln Avenue, Milwaukee, Wisconsin 53214.
5. Following an inspection performed on August 27, 2010, Respondents Exclusive Cuts and Michael J. Patton were issued two \$1,000.00 citations for assisting two individuals (K.C. and A.T.) in the unlicensed practice of barbering and cosmetology, in violation of Wis. Admin. Code § BC 2.04(1). True and correct copies of these citations are attached as Exhibit A and Exhibit B and are incorporated herein by reference.
6. Respondents have not paid the citations that were issued on August 27, 2010.

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. Respondents have violated Wis. Admin. Code § BC 2.04(1) by assisting two individuals (K.C. and A.T.) in the unlicensed practice of barbering and cosmetology.
3. Respondents are in default pursuant to Wis. Admin. Code § BC 10.07(1) for failing to make deposits for the two citations issued to them.
4. Pursuant to Wis. Admin. Code § BC 10.07(1), the Board has the authority to issue an order of default against Respondents for the amounts identified in the two citations without any further proceedings.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondents Exclusive Cuts and Michael J. Patton are in DEFAULT and shall pay to the Wisconsin Department of Safety and Professional Services total forfeitures 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 Safety and Professional Services and sent to:

Department Monitor
Division of Enforcement
Department of Safety and Professional Services
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 result in additional disciplinary action.

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

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeffrey A. Patterson
A member of the Board

1-30-12
Date

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 checked="" type="checkbox"/> CITATION	<input type="checkbox"/> FINAL DECISION AND ORDER
DOE CASE FILE # <u>106AC 045</u>	<u>ORDER 0001330</u>
<u>MICHAEL J. PATTON</u> owner	<u>EXCLUSIVE CUTS</u>
<input checked="" type="checkbox"/> Individual Credential Holder Name	<input checked="" type="checkbox"/> Establishment Name
License # <u>400-80273</u>	License # <u>35004</u>

1304 W. LINCOLN MILWAUKEE WI 53215
Street City Zip
FRIDAY AUGUST 27, 2010 11:20 am
Day of Week Date Time

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

ALLOWED KEVIN CHESTER, UNLICENSED, TO PROVIDE
SERVICES TO PATRONS FOR COMPENSATION

In violation of Section bc 2.04 (1) of ☐ Wis. Stats. OR ☒ Wis. Adm. Code
Candace C. Bloodow Consumer Protection Div III 8/27/10
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 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, NOT TO EXCEED THE AMOUNT OF THE DEPOSIT.

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

#2683 (8/08)
Ch. 454, Stats.

Committed to Equal Opportunity in Employment and Licensing

STATE'S
EXHIBIT

A

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 checked="" type="checkbox"/> CITATION	<input type="checkbox"/> FINAL DECISION AND ORDER
DOE CASE FILE # <u>10 BAC 045</u>	LS # _____
<u>MICHAEL J PATTON, owner</u>	<u>EXCLUSIVE CUTS</u>
<input type="checkbox"/> Individual Credential Holder Name	<input checked="" type="checkbox"/> Establishment Name
License # <u>600-80273</u>	License # <u>35004</u>

1304 W. LINCOLN MILWAUKEE WI 53215
Street City Zip
FRIDAY AUGUST 27, 2010 11:25 AM
Day of Week Date Time

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

ALLOWED ALEX TAPIA, UNLICENSED, TO PROVIDE SERVICES
TO PATRONS FOR COMPENSATION

In violation of Section FOC 2.04(G) of ☐ Wis. Stats. OR ☒ Wis. Adm. Code
Candace C. Bloodon Consumer Protection Investigator III 8/27/10
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 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, NOT TO EXCEED THE AMOUNT OF THE DEPOSIT.

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