

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 :
: FINAL DECISION AND ORDER
EXCLUSIVE CUTS, :
RESPONDENT. :
ORDER 0001331

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

Wisconsin Barbering and Cosmetology Examining Board
Post Office Box 8935
Madison, Wisconsin 53708-8935

Wisconsin Department of Safety and Professional Services
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 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 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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Exclusive Cuts was licensed in the State of Wisconsin as a barbering and 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. Michael J. Patton is identified in Department records as the owner of Exclusive Cuts.

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. An inspection of Exclusive Cuts was performed on July 1, 2011. The inspection found Exclusive Cuts operating without a current barbering and cosmetology establishment

license. Additionally, four employees were found performing barbering and cosmetology services for compensation without current apprentice permits or any barbering or cosmetology licenses of any sort.

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 the Findings of Fact, Respondent Exclusive Cuts has violated Wis. Admin. Code §§ BC 2.045(1) and BC 3.01(1) by allowing barbering and cosmetology services to be provided in an unlicensed barbering and cosmetology establishment.

3. As a result of the above violations, Respondent Exclusive Cuts is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.
2. Respondent Exclusive Cuts is hereby REPRIMANDED.
3. Within 120 days of the date of this Order, Exclusive Cuts shall pay a FORFEITURE in the amount of ONE THOUSAND DOLLARS (\$1,000.00) and COSTS of this matter in the amount of ONE THOUSAND FOURTEEN DOLLARS (\$1,014.00).
4. Payment of forfeiture and costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

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

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 Exclusive Cuts fails to timely submit payment of the forfeiture and costs as ordered, Respondent Exclusive Cuts' license (no. 80-35004), may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent Exclusive Cuts has complied with payment of the forfeiture and costs.

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

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

by: 
A Member of the Board

1-30-12
Date