

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
BRIAN R. GREEN,	:	
RESPONDENT.	:	
	:	ORDER 0001511

Division of Enforcement Case File Number 10 BAC 045

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

Brian R. Green
7743 West Medford Avenue
Milwaukee, Wisconsin 53218

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 Barbering and Cosmetology Examining 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 Brian R. Green (dob 04/10/1963) is licensed in the State of Wisconsin as a barbering or cosmetology manager, having license number 81-26291, first issued on November 30, 1995 and current through March 31, 2013. Respondent Green's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 7743 West Medford Avenue, Milwaukee, Wisconsin 53218.

2. On September 9, 2010, Respondent Green became employed as the manager of record for Exclusive Cuts. Exclusive Cuts was licensed in the State of Wisconsin as a barbering and cosmetology establishment, having license number 80-35004, first issued on June 21, 2007 and expired on April 1, 2011. Exclusive Cuts' license has not been renewed.

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.

4. On December 1, 1997, Respondent Green was previously disciplined by the Board for violating Wis. Admin. Code § BC 2.04.

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 Green has violated Wis. Admin. Code § BC 2.04(1) by assisting or participating in the unlicensed practice of barbering and cosmetology.

3. By the conduct described in the Findings of Fact, Respondent Green has violated Wis. Admin. Code § BC 2.07(1) by failing in his responsibilities as a manager to ensure that the establishment is in compliance with the Barbering and Cosmetology Examining Board statutes and regulations.

4. As a result of the above violations, Respondent Green 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. The barbering or cosmetology manager license of Respondent Brian R. Green (no. 81-26291) is SUSPENDED for 10 working days. Such suspension shall start 20 days after the effective date of this Order.

3. Within one year of the date of this Order, Respondent Brian R. Green 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). Respondent Brian R. Green shall submit a down payment of THREE HUNDRED THIRTY FIVE DOLLARS AND SIXTY FIVE CENTS (\$335.65) within 30 days of the date of this Order. Five (5) payments of THREE HUNDRED THIRTY FIVE DOLLARS AND SIXTY SEVEN CENTS (\$335.67) will be due every sixty (60) days from the date of the previous payment until the full TWO THOUSAND FOURTEEN DOLLARS (\$2,014.00) is paid in full.

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:

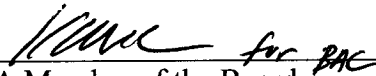
Department Monitor
Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264

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 fails to timely submit payment of the forfeiture and costs as ordered, Respondent's license (no. 81-26291), may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent 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:

 for PAC
A Member of the Board

4/30/2012
Date