

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

NIKI T. REED,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER

:
: ORDER 0001750

Division of Enforcement Case No. 10 BAC 066

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

Niki T. Reed
3035 N. 53rd Street
Milwaukee, WI 53210

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

Division of Enforcement
Department of Safety and Professional Services
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 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 Niki T. Reed (dob 05/02/1972) is licensed in the State of Wisconsin as a Barbering or Cosmetology Manager, having license number 81-28641, first issued on 03/28/2001 and current through 03/31/2013. Niki T. Reed's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 3035 N. 53rd Street, Milwaukee, WI 53210.

2. Respondent owns and manages Mr. Nick's Silver Liningz, a barbering and cosmetology establishment (license number 80-38684) located at 5932 N. 76th Street, Milwaukee, WI 53218.

3. On 12/21/2011, a Department investigator performed an unannounced inspection of Mr. Nicks Silver Liningz while Mr. Reed was providing services and noted the following violations:

- a. Vito Banks, who is not licensed, was providing barbering services.
- b. There was hair on implements in workstation drawers.
- c. Barbering implements were in drawers mixed in with non-barbering items
- d. There was hair on clipper blades and on workstation tabletops.

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 Niki T. Reed violated:

- a. Wis. Admin. Code § BC 2.04(1) by assisting in the unlicensed practice of barbering and cosmetology.
- b. Wis. Admin. Code § BC 4.01(1) by failing to maintain all areas of the establishment and the equipment, tools and implements used by licensees in a clean, sanitary and safe condition.
- c. Wis. Admin. Code § BC 4.02(1) by failing to clean and disinfect all implements after each use.
- d. Wis. Admin. Code § 4.02(4) by failing to store clean contact equipment separate from dirty items.

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

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.
2. Respondent Niki T. Reed is hereby REPRIMANDED.
3. Niki T. Reed shall pay a FORFEITURE in the amount of \$1,300 and COSTS of this matter in the amount of \$1,500 pursuant to the following schedule:

<u>Payment Due Date</u>	<u>Amount Due</u>
July 31, 2012	\$375
October 31, 2012	\$375
January 31, 2013	\$375
April 30, 2013	\$375
July 31, 2013	\$325
October 31, 2013	\$325
January 31, 2014	\$325
April 30, 2014	\$325

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. 81-28641) 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:


A Member of the Board

6-11-12
Date