

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

SARAH J. ROBERTS,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: ORDER 00020321

Division of Enforcement Case No. 12 BAC 023

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

Sarah J. Roberts
311 South Kools St., Apt. 3
Appleton, WI 54914-3950

Wisconsin 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 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 Sarah J. Roberts (dob 01/13/1987) is licensed in the State of Wisconsin as a barbering and cosmetology manager, having license number 34433-81, first issued on 05/02/2012 and current through 03/31/2013. Respondent Roberts also currently holds a barbering and cosmetology practitioners license (number 86714-82) first issued on 12/20/2006 and current through 03/31/2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 311 South Kools St. Apt. 3, Appleton, WI 54914-3950.

2. On February 26, 2012, a complaint was received by the Department that Respondent was renting a chair/booth when she did not have a manager license.

3. Respondent stated she was working under another manager.
4. On June 21, 2012, a Department investigator visited the salon.
5. The owner of the salon stated that Respondent was not now, nor had ever been, her employee, but she was trying to help Respondent out by letting Respondent work at her salon.
6. At the time of the investigator's visit, Respondent had obtained a barbering and cosmetology manager license, but had not obtained an establishment license for her booth rental.

CONCLUSIONS OF LAW

1. The Wisconsin 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 violated Wis. Stat. § 454.08(1)(b) and Wis. Admin. Code § BC 2.045(1) by practicing outside of a licensed establishment.
3. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 454.15(i).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.
2. Respondent Sarah J. Roberts is hereby REPRIMANDED.
3. Within 90 days of the date of this Order, Respondent shall pay a FORFEITURE in the amount of \$ 1000 and COSTS of this matter in the amount of \$ 230.
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 licenses (nos. 34433-81 and 86714-82) 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 COSMETOLOGY EXAMINING BOARD

by:


A Member of the Board

9.10.12
Date