

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:  
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STATE OF WISCONSIN  
BEFORE THE COSMETOLOGY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	OF DEFAULT
NADIR MUSTAFA,	:	
RESPONDENT.	:	ORDER 0002034

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Division of Enforcement Case File Number 12 BAC 007

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

Nadir Mustafa  
5041 N 46th Street  
Milwaukee, WI 53218

Wisconsin Cosmetology Examining Board  
P.O. Box 8935  
Madison, WI 53707-8935

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

PROCEDURAL HISTORY

This matter comes before the Wisconsin Cosmetology Examining Board (Board) as citations that Respondent Nadir Mustafa has failed to pay. Based on the record in 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 Nadir Mustafa (dob 5/3/1972) is licensed in the state of Wisconsin as a barbering or cosmetology manager, having license number 81-29905. This license was first granted to Respondent on 4/16/2004 and is current through 3/31/2013.
2. The most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) for Respondent is 5041 N 46th Street, Milwaukee, WI 53218. In July 2012, the United States Post Office indicated that Mr. Mustafa is no longer at that address and that his current address is 3855 N 84th Street, Milwaukee, WI 53222.

3. Following inspections performed on February 25, 2011 and January 26, 2012, Respondent was issued two \$1000 citations. Both citations were personally served on Respondent on January 26, 2012. One citation was for allowing Alonzo Winters to practice barbering or cosmetology without a license on February 25, 2011. The other citation was issued because Respondent was providing services in an unlicensed establishment. True and correct copies of these citations are attached as Exhibit A and are incorporated herein by reference.

4. More than 20 days have passed since Respondent was served with the citations on January 26, 2012.

5. Respondent has not paid the citations that were issued to Respondent on January 26, 2012.

6. Respondent has not submitted a written plea contesting the cited violations and has not submitted a written request for a hearing.

#### CONCLUSIONS OF LAW

1. The Wisconsin Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15.

2. Respondent violated Wis. Admin. Code § BC 2.04(1) by assisting in the unlicensed practice of barbering and cosmetology.

3. Respondent violated Wis. Admin. Code § BC 2.045(1) by providing services outside of a licensed establishment.

4. As a result, Respondent is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i).

5. Respondent is in default pursuant to Wis. Admin. Code § BC 10.07(1) for failing to make a deposit.

6. Pursuant to Wis. Admin. Code § BC 10.07(1), the Board has the authority to issue an order of default against Respondent for the amounts identified in the citation without further proceedings.

#### ORDER

1. Respondent Nadir Mustafa is in DEFAULT and shall pay to the Wisconsin Department of Safety and Professional Services a total forfeiture in the amount of \$2000 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 additional disciplinary action.

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

WISCONSIN COSMETOLOGY EXAMINING BOARD

by:

  
A Member of the Board

9-10-12  
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 DOE CASE FILE # <u>126AC 007</u>	<input type="checkbox"/> FINAL DECISION AND ORDER LS # _____
<input checked="" type="checkbox"/> <u>NADIR MUSTAFA</u> Individual Credential Holder Name License # <u>29905-81</u>	<input type="checkbox"/> Establishment Name License # _____

3410 W. FOND DU LAC AVE MILWAUKEE 53210  
Street City Zip

THURSDAY JANUARY 26, 2012 11:19A  
Day of Week Date Time

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

ON FEBRUARY 25, 2011, I FOUND ALONZO WINTERS OFFERING  
SERVICES IN FADE MASTERS. ALONZO WINTERS DID NOT HAVE A  
LICENSE AND NADIR MUSTAFA ALLOWED WINTERS TO WORK

In violation of Section 62.04(1) of ☐ Wis. Stats. OR ☐ Wis. Adm. Code  
Candace (C) Bloodon Consumer Protection Investigator III 1/26/12  
Signature of Investigative Staff Title Date  
[Signature]  
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.

# 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 DOE CASE FILE # <u>12BAC 007</u>	<input type="checkbox"/> FINAL DECISION AND ORDER LS # _____
<input checked="" type="checkbox"/> <u>NADIR MUSTAFA</u> Individual Credential Holder Name License # <u>29905-81</u>	OR <input type="checkbox"/> Establishment Name License # _____

3410 W. FOND DU LAC AVE MILWAUKEE WI 53210  
Street City Zip  
THURSDAY JAN 26, 2012 11:19 A  
Day of Week Date Time

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

MUSTAFA OFFERING SERVICES IN AN UNLICENSED ESTABLISH-  
MENT

In violation of Section bc 2.04 of ☐ Wis. Stats. OR ☒ Wis. Adm. Code  
Candace Ulbrichow Consumer Protection Investigator III 1/26/12  
Signature of Investigative Staff Title Date  
Nadir Mustafa ☒ 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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