

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

BROOKE E. FLEETWOOD,
RESPONDENTS.

:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0002179

Division of Enforcement Case No. 12 BAC 040

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

Brooke E. Fleetwood
617 3rd St.
Hudson, WI 54016-1632

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 Brooke E. Fleetwood (dob 02/13/1988) is licensed in the State of Wisconsin as an Aesthetician, having license number 86-1854, first issued on December 10, 2007 and current through March 31, 2013. Respondent Fleetwood's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 617 3rd St., Hudson, WI 54016-1632.

2. On or about April 4, 2012, the Department received a complaint alleging unlicensed practice at B B Makeup in Hudson, WI. Division of Enforcement case number 12 BAC 040 was subsequently opened for investigation.

3. On June 20, 2012, a Department investigator made an unannounced visit to B&B Makeup and performed an inspection.

4. The June 20, 2012 inspection of B&B Makeup revealed that B&B Makeup was not charging for makeup application and, therefore, does not need an aesthetics establishment license.

5. Respondent Brooke E. Fleetwood was at all times relevant to this matter the owner of B&B Makeup in Hudson, WI.

6. On June 20, 2012, the Department investigator made an unannounced visit to Aesthetic Amour in Hudson, WI and performed an inspection.

7. The June 20, 2012 inspection of Aesthetic Amour revealed the following violations:

- a. Aesthetics was being practiced in Aesthetic Amour; and
- b. Aesthetic Amour was operating without an aesthetic establishment license;

8. Respondent Brooke E. Fleetwood was at all times relevant to this matter the owner of Aesthetic Amour in Hudson, WI and practiced aesthetics at Aesthetic Amour.

9. On July 24, 2012, B B Makeup Cosmetic Bar in Hudson, WI was granted an aesthetics establishment license, number 69-1021.

10. On June 29, 2012, Aesthetic Amour in Hudson, WI was granted an aesthetics establishment license, number 69-1014.

11. In resolution of this matter, Respondent Brooke E. Fleetwood consents to the entry of the following Conclusions of Law and Order.

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 Brooke E. Fleetwood violated Wis. Stat. § 454.08(1)(b) and Wis. Admin. Code §§ BC 2.045(1) and 3.01(1) by practicing aesthetics in an unlicensed establishment.

3. As a result of the above violation, Respondent Brooke E. Fleetwood is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Brooke E. Fleetwood is REPRIMANDED.
3. Within one year from the date of this Order, Respondent Brooke E. Fleetwood shall pay a FORFEITURE in the amount of \$1000 and COSTS of this matter in the amount of \$427. Respondent Fleetwood shall submit a down payment of \$527 within 90 days of the date of this Order. Three more payments of \$300 will be due every 90 days from the date of the previous payment until the full \$1,427 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
DSPSMonitoring@wisconsin.gov
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. 86-1854) 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

12-3-12
Date