

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	:	
	:	FINAL DECISION AND ORDER
MAHVESH JAVED ANSAREE,	:	
RESPONDENT.	:	ORDER 0003146

Division of Legal Services and Compliance Case No. 13 BAC 081

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

Mahvesh Javed Ansaree
4841 West Maple Leaf Circle
Greenfield, WI 53220

Wisconsin Cosmetology Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

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 Wisconsin 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 Mahvesh Javed Ansaree (dob: March 31, 1987) is licensed in the State of Wisconsin as a Cosmetology Practitioner, having license number 86866-82, first issued on February 27, 2007, and current through March 31, 2015. In addition, Respondent is licensed in the State of Wisconsin as a Cosmetology Manager, having license number 33142-81, first issued on January 14, 2010, expired on May 2, 2011, renewed on July 1, 2013, and current through March 31, 2015. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 4841 West Maple Leaf Circle, Greenfield, Wisconsin 53220.

2. At all times relevant to this case, Respondent owned Lavish Salon & Spa located at 5471 South 76th Street, Greendale, WI 53129.

3. On June 21, 2013, a Department investigator conducted an unannounced inspection of Lavish Spa & Salon (the Salon). The investigator determined that:

- a. The Salon was operating without an establishment license.
- b. The Salon was operating without a licensed manager.
- c. An unlicensed individual, N. W., was performing cosmetology services at the Salon.
- d. An unlicensed individual, S. A., was performing aesthetic services at the Salon.
- e. An unlicensed individual, F. S., was performing cosmetology services at the Salon.

4. In resolution of this matter, Respondent 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 violated Wis. Admin. Code § Cos 2.04(1) by assisting and/or participating in the unlicensed practice of cosmetology.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 454.08(1)(b) and Wis. Admin. Code § Cos 2.045(1) by operating a cosmetology establishment without an establishment license.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § Cos 3.02(1) by operating a cosmetology establishment without a licensed manager.

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

ORDER

1. The attached Stipulation is accepted.
2. Respondent Mahvesh Javed Ansaree is REPRIMANDED.

3. Within 90 days from the date of this Order, Respondent shall begin making payments toward the FORFEITURE in the amount of \$1,500.00 and COSTS of this matter in the amount of \$194.00. Respondent's initial payment shall be in the amount of \$194.00. Respondent shall then pay a minimum of \$250.00 per month thereafter until the total amount of Respondent's \$1,694.00 obligation is satisfied. Failure to make any required payment shall be presumptive evidence of a violation of the Board's Order, which may result in further disciplinary action.

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 Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
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 (86866-82 and/or 33142-81) 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: Gerri Reuter
A Member of the Board

4-15-2014
Date

STATE OF WISCONSIN
BEFORE THE COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MAHVESH JAVED ANSAREE,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0003144

Division of Legal Services and Compliance Case No. 13 BAC 081

Respondent Mahvesh Javed Ansaree and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Cosmetology Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

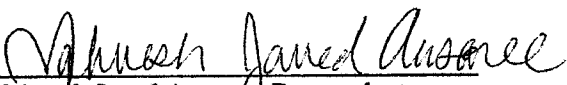
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.


6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Mahvesh Javed Ansaree, Respondent
4841 West Maple Leaf Circle
Greenfield, WI 53220
License nos. 86866-82 and 33142-081

2/19/14
Date


Aloysius Rohmeyer, Attorney
Division of Legal Services and Compliance
P.O. Box 8935
Madison, WI 53708-8935

2/20/14
Date