

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

ANNETTE SPENCE-SANGARE AND
SONYEA'S HAIR BEAUTIQUE,
RESPONDENTS.

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FINAL DECISION AND ORDER

ORDER 0003161

Division of Legal Services and Compliance¹ Case No. 11 BAC 083

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

Annette Spence-Sangare
3352 N. 16th Street
Milwaukee, WI 53206

Sonyea's Hair Beautique
512 South Park Street
Madison, WI 53715

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

Division of Legal Services and Compliance
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 Annette Spence-Sangare (dob June 19, 1963) is licensed in the State of Wisconsin as a Barbering or Cosmetology Manager, having license number 26500-81, first

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

issued on June 27, 1996, and current through March 31, 2015. Respondent Spence-Sangare's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 3352 North 16th Street, Milwaukee, Wisconsin 53206.

2. Respondent Sonyea's Hair Beautique is licensed in the State of Wisconsin as a Barbering or Cosmetology Establishment, having license number 37841-80, first issued on September 17, 2010, and currently inactive. Respondent Sonyea's Hair Beautique's most recent address on file with the Department is 512 South Park Street, Madison, Wisconsin 53715.

3. At all times relevant to this matter, Respondent Spence-Sangare was the owner and responsible manager of Sonyea's Hair Beautique.

4. On July 8, 2011, a Department investigator performed an unannounced inspection at Sonyea's Hair Beautique (establishment). The Department's inspection revealed loose hair and debris on the floor of the establishment and clean contact equipment including one comb and two brushes which were not kept in covered containers at the establishment. The sanitation and equipment violations were documented on a Compliance Inspection form by the Department's investigator and issued to Respondents.

5. On May 31, 2013, Respondent Spence-Sangare closed Sonyea's Hair Beautique and no longer performs barber or cosmetology services at this location.

6. In resolution of this matter, Respondents consent 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, Respondents violated Wis. Admin. Code § BC (now Cos) 4.01(1) by failing to maintain all areas of the establishment and the equipment, tools and implements used by licensees for services in an establishment in a clean, sanitary and safe condition.

3. By the conduct described in the Findings of Fact, Respondents violated Wis. Admin. Code § BC (now Cos) 4.02(4) by failing to keep clean contact equipment in a covered container.

4. As a result of the above violations, Respondents are subject to discipline pursuant to Wis. Stat. § 454.15(2)(i) and (3).

ORDER

1. The attached Stipulation is accepted.

2. Respondents Annette Spence-Sangare and Sonyea's Hair Beautique are REPRIMANDED.

3. Within 90 days from the date of this Order, Respondents shall pay one FORFEITURE in the amount of \$100.00.

4. Payment of the forfeiture shall be made payable to the Wisconsin Department of Safety and Professional Services and sent by Respondents to the Department Monitor at the address below:

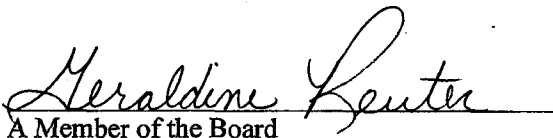
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

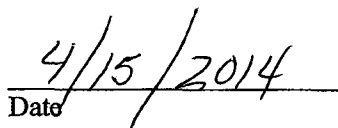
5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondents' licenses. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondents fail to timely submit payment of the forfeiture as ordered, Respondents' licenses (nos. 26500-81 and 37841-80) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondents have complied with payment of the forfeiture.

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

WISCONSIN COSMETOLOGY EXAMINING BOARD

by:


A Member of the Board


Date

STATE OF WISCONSIN
BEFORE THE COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

ANNETTE SPENCE-SANGARE AND
SONYEA'S HAIR BEAUTIQUE,
RESPONDENTS.

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STIPULATION

ORDER 0003161

Division of Legal Services and Compliance¹ Case No. 11 BAC 083

Respondents Annette Spence-Sangare and Sonyea's Hair Beautique 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 completed investigation and a complaint filed by the Division of Legal Services and Compliance. Respondents consent to the resolution of the investigation and filed complaint by Stipulation.

2. Respondents understand that by signing this Stipulation, Respondents voluntarily and knowingly waive the following rights:

- the right to a hearing on the allegations against Respondents, 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 Respondents;
- the right to call witnesses on Respondents' behalf and to compel their attendance by subpoena;
- the right to testify on Respondents' 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 Respondents under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondents are aware of Respondents' right to seek legal representation and have been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondents agree 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

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

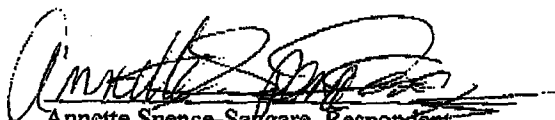
or consent of the parties. Respondents waive all rights to any appeal of the Board's order, if adopted in the form as attached.

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 Respondents, 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. Respondents are 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 join Respondents in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Annette Spence-Sangare, Respondent
3352 N. 16th Street
Milwaukee, WI 53206

June 18, 2013
Date


Sonyea's Hair Beauty, Respondent
512 South Park Street
Madison, WI 53715

June 18, 2013
Date


Bradley S. Mavis, Attorney
Division of Legal Services and Compliance
P.O. Box 8935
Madison, WI 53708-8935

6-18-2013
Date