

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

ANTHONY J. ROSBECK,
RESPONDENT.

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FINAL DECISION AND ORDER

0003259

Division of Legal Services and Compliance Case No. 13 BAC 068

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

Anthony J. Rosbeck
8624 West Brentwood Avenue
Milwaukee, WI 53224

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 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 Anthony J. Rosbeck (dob July 2, 1986) is licensed in the State of Wisconsin as a barbering or cosmetology manager, having license number 34996-81, first issued on July 22, 2013 and current through March 31, 2015. Anthony J. Rosbeck's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 8624 West Brentwood Avenue, Milwaukee, Wisconsin 53224.

2. Respondent has at all times relevant to this proceeding also been licensed as a cosmetology practitioner, having license number 89134-82, first issued on November 13, 2008 and current through March 31, 2015.

3. On May 1, 2013 Respondent entered into a lease agreement for a booth at Get Dolled Up, a barbering or cosmetology establishment.

4. From May 1, 2013 through July 22, 2013, Respondent provided cosmetology and personal care services from his booth at Get Dolled Up without a cosmetology manager license.

5. From May 1, 2013 through August 19, 2013, Respondent provided cosmetology and personal care services from his booth at Get Dolled Up without a barbering or cosmetology establishment license.

6. 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, Anthony J. Rosbeck violated Wis. Admin. Code § COS 2.04(1) by participating in the unlicensed practice of cosmetology.

3. By the conduct described in the Findings of Fact, Anthony J. Rosbeck violated Wis. Stat. § 454.08(1)(b) and Wis. Admin. Code § COS 2.045(1) by providing personal care services outside of a licensed establishment.

4. By the conduct described in the Findings of Fact, Anthony J. Rosbeck violated Wis. Admin. Code § COS 3.02(2)(b) by failing to hold a manager's and an establishment license.

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

ORDER

1. The attached Stipulation is accepted.

2. Respondent Anthony J. Rosbeck is REPRIMANDED.

3. Within 90 days from the date of this Order, Respondent Anthony J. Rosbeck shall pay a FORFEITURE in the amount of \$600 and COSTS of this matter in the amount of \$155.00.

4. Payment of the forfeiture and costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent by Respondent 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 (no. 34996-81) 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:

Merri Beuter
A Member of the Board

6-10-2014
Date

STATE OF WISCONSIN
BEFORE THE COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANTHONY J. ROSBECK,
RESPONDENT.

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STIPULATION

0003259

Division of Legal Services and Compliance Case No. 13 BAC 068

Respondent Anthony J. Rosbeck 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.

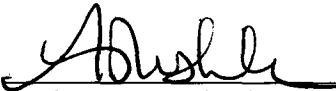
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not
be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

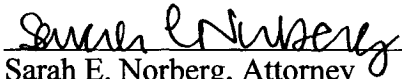
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Anthony J. Rosbeck, Respondent
8624 West Brentwood Avenue
Milwaukee, WI 53224
License no. 34996-81

3/31/14
Date



Sarah E. Norberg, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

4.8.14
Date