

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE COSMETOLOGY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

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FINAL DECISION AND ORDER

CHRISTIAN F. MURPHY AND  
SALON INVEJA, LLC,  
RESPONDENTS.

0004253

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Division of Legal Services and Compliance Case File Number 14 BAC 080

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

Christian F. Murphy  
748 W. 9th Avenue  
Oshkosh, WI 54902

Salon Inveja, LLC  
1938 Algoma Boulevard  
Oshkosh, WI 54901

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

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

PROCEDURAL HISTORY

This matter comes before the Wisconsin Cosmetology Examining Board (Board) as a citation that Respondents Christian F. Murphy and Salon Inveja, LLC contest. Prior to the hearing on the citation requested by Respondents, the parties in this matter agreed to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

## FINDINGS OF FACT

1. Respondent Christian F. Murphy (dob 8/18/1974) is licensed in the State of Wisconsin as a Cosmetology Practitioner, having license number 90395-82, first issued on November 16, 2009 and expired on March 31, 2015. Respondent Murphy is also licensed in the State of Wisconsin as a Cosmetology Manager, having license number 35814-81, first issued on March 30, 2015 and current through March 31, 2017. Respondent Murphy's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 748 W. 9th Avenue, Oshkosh, Wisconsin 54902.

2. Respondent Salon Inveja, LLC is licensed in the State of Wisconsin as a Cosmetology Establishment, having license number 41899-80, first issued on February 11, 2015 and current through March 31, 2017. Respondent Salon Inveja, LLC's most recent address on file with the Department is 1938 Algoma Boulevard, Oshkosh, Wisconsin 54901.

3. Respondent Murphy is the owner of Respondent Salon Inveja, LLC.

4. Following an inspection performed on March 12, 2015, Respondents were issued a \$1,000 citation on March 13, 2015 for assisting or participating in the unauthorized or unlicensed practice of cosmetology. A true and correct copy of this citation is attached as Exhibit A and is incorporated herein by reference.

5. On April 13, 2015, Respondents entered a plea contesting the citation and requesting a hearing on the alleged violation cited.

6. Respondents admit to the alleged violation cited but indicate they cannot pay the forfeiture.

7. Respondent Murphy has submitted proof of financial hardship, including proof she is receiving public assistance, and requested a payment plan.

8. 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.

2. Respondents violated Wis. Admin. Code § Cos 2.04(1) by assisting or participating in the unauthorized or unlicensed practice of cosmetology.

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

## ORDER

1. The attached Stipulation is accepted.

2. The March 13, 2015 citation, attached as Exhibit A, is RESCINDED.

3. Within 120 days of the date of this Order, Respondents shall pay a FORFEITURE in the amount of \$500. Respondent Murphy shall submit the first \$250 within 60 days of the date of this Order. The remaining \$250 shall be due within 120 days of the date of this Order.

4. Payment of the forfeiture shall be made payable to the Wisconsin Department of Safety and Professional Services and sent by Respondent Murphy 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

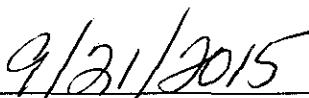
5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondents' licenses. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional 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. 90395-82 and 41899-80) 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

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

CHRISTIAN F. MURPHY AND  
SALON INVEJA, LLC,  
RESPONDENTS.

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STIPULATION

0004253

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Division of Legal Services and Compliance Case No. 14 BAC 080 .

Respondent Christian F. Murphy, Respondent Salon Inveja, LLC 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 Respondents' request for a hearing to contest a citation issued by the Wisconsin Cosmetology Examining Board (Board). Respondents consent to the resolution of their request for a hearing 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 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. 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 joins Respondents in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

C. Murphy  
Christian F. Murphy/Respondent  
748 W. 9th Avenue  
Oshkosh, WI 54902  
License no. 35814-81

5/2/15  
Date

C. Murphy  
Salon Inveja, LLC, Respondent  
By: Christian F. Murphy  
1938 Algoma Boulevard  
Oshkosh, WI 54901  
License no. 41899-80

5/2/15  
Date

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

5/14/15  
Date