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

OF DEFAULT

PARIS SALON NAILS & SPA, RESPONDENT.

0004885

Division of Legal Services and Compliance Case No. 15 BAC 039

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

Paris Salon Nails & Spa 5444 W. Fond du Lac Avenue Milwaukee, WI 53216

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 citations to which Respondent Paris Salon Nails & Spa has made no timely response. Based on the record in this case, the Board adopts as its Final Decision in this matter the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent Paris Salon Nails & Spa is licensed by the State of Wisconsin as a manicuring establishment, having license number 4453-71, first issued on October 13, 2014, and current through March 31, 2017. Respondent is also licensed as an aesthetics establishment, having license number 1272-69, first issued on October 13, 2014, and current through March 31, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 5444 West Fond du Lac Avenue, Milwaukee, Wisconsin 53216.

- 2. Following an inspection on August 26, 2015, a Department investigator issued Respondent a \$1,000 citation for allowing Bao Tram Hoang Le and other individuals to practice manicuring and aesthetics without a license. Service was accomplished by mail. A true and correct copy of this citation is attached as Exhibit A and is incorporated herein by reference.
- 3. As a result of the August 26, 2015 inspection, Respondent was also issued a \$1,000 citation for allowing individuals to provide manicuring services in the salon while its establishment license was expired. Service was accomplished by mail. A true and correct copy of this citation is attached as Exhibit B and is incorporated herein by reference.
- 4. As a result of the August 26, 2015 inspection, Respondent was also issued a \$100 citation for failing to maintain all areas of the establishment in a clean, sanitary and safe condition, as used emery boards and buffer blocks were stored with clean emery boards and buffer blocks. Service was accomplished by mail. A true and correct copy of this citation is attached as Exhibit C and is incorporated herein by reference.
- 5. As a result of the August 26, 2015 inspection, Respondent was also issued a \$100 citation for failing to ensure contact equipment was properly disinfected, as contact equipment was found not to be fully submerged in Barbicide. Service was accomplished by mail. A true and correct copy of this citation is attached as Exhibit D and is incorporated herein by reference.
- 6. As a result of the August 26, 2015 inspection, Respondent was also issued a \$100 citation for failing to dispose of spatulas after each use, as a spatula was found lying under the hot wax lid. Service was accomplished by mail. A true and correct copy of this citation is attached as Exhibit E and is incorporated herein by reference.
- 7. Respondent has not paid the citations that were issued to Respondent on April 4, 2016.

CONCLUSIONS OF LAW

- 1. The Wisconsin Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15.
- 2. Respondent violated Wis. Admin. Code § Cos 2.04(1) by assisting in the unlicensed practice of aesthetics and manicuring.
- 3. Respondent violated Wis. Admin. Code § Cos 4.01(1) by failing to maintain an establishment, equipment, tools, and implements in a clean, sanitary and safe condition.
- 4. Respondent violated Wis. Admin. Code § Cos 4.02(1) by failing to disinfect any personal care instruments prior to reuse on another patron.
- 5. Respondent violated Wis. Admin. Code § Cos 4.08(3)(b) by failing to dispose of spatulas after each use.
- 6. As a result, Respondent is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i) and (3).

- 7. Respondent is in default pursuant to Wis. Admin. Code § Cos 10.07(1) for failing to make a deposit.
- 8. Pursuant to Wis. Admin. Code § Cos 10.07(1), the Board has the authority to issue an order of default against Respondent for the amount identified in the citations without further proceedings.

ORDER

- 1. Respondent Paris Salon Nails & Spa (licenses numbers 4453-71 and 1272-69) is in DEFAULT and shall pay to the Wisconsin Department of Safety and Professional Services a total forfeiture in the amount of \$2,300 within thirty (30) days from the date of this Order.
- 2. Payment shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to:

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

- 3. In the event Respondent fails to timely submit payment of the forfeiture as set forth above, Respondent's licenses (numbers 4453-71 and 1272-69), or Respondent's right to renew its licenses, 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.
 - 4. This Order is effective on the date of its signing.

WISCONSIN COSMETOLOGY EXAMINING BOARD

hv.

A Member of the Board

Wisconsin Department of Safety and Professional Services Mail To: P.O. Box 7190 Madison, WI 53707-7190 Madison, WI 53703 Professional Services 1400 E. Washington Avenue Madison, WI 53703

FAX#: Phone #:

(608) 266-2264 (608) 266-2112

E-Mail: dsps@wisconsin.gov Website: http://dsps.wi.gov

COSMETOLOGY EXAMINING BOARD

CITATION FOR ADMINISTRATIVE FORFEITURE

DLSC CASE FILE # 15 BAC	2039	FINAL DECISION AN ORDER #		=
☐ Individual Credential Holder Na License #	me	Paris Salor De Establishment Name License # 127	e) DA CINUY IYAN
5444 W. Fond Du Lac.	Avenue 1	M./Warkee City		53216 zip
Day of Week		8-76-2015 Date		Time
On the above stated time, date and lobe corrected. Paris Salor Nayl and Sunth out being license	pa allowed L	-		
In violation of Section Co. Signature of Division Investigative S		of Wis. Stats. Invactigation Title	OR \$	₹ Wis. Adm. Code 4-4-16 Date
Signature of	OR	☐ Establishment	t Owner	Date
Pursuant to Wis. Stat. § 454.15(3) addition to other disciplinary action			pose a forfeitur	e in lieu of or in
OF THIS CITATION, TOGETHER V PROFESSIONAL SERVICES, DIVIS PO BOX 7190, MADISON, WI 53707- HOLDER AND AN ESTABLISHMENT CREDENTIAL. PAYMENT SHALL BI CONSENT TO AN ORDER OF FORFE	ECK OR MONEY ORI WITH THE SIGNED ION OF LEGAL SE -7190. IF THIS CITA I, ONE HALF OF THE E TREATED AS A PLI ITURE, NOT TO EXC	DER NO LATER THAN TWE COPY OF THIS FORM TO ERVICES & COMPLIANCE, ATION IS ISSUED TO BOTH FORFEITURE IS DEEMED. ² EA OF NO CONTEST TO THE	ENTY (20) DAYS D: DEPARTMEN 1400 E. WASHIN H AN INDIVIDUTO BE ASSESSE E VIOLATION CONTROL DEPOSIT.	FROM THE DATE NT OF SAFETY & NGTON AVENUE, JAL CREDENTIAL D AGAINST EACH ITED ABOVE AND
A Member of the Boa	ard	Date		
#3053DLSC (11/14) Ch.454, Stats.	nu	Date		EXHIBIT

Committed to Equal Opportunity in Employment and Licensing

Wisconsin Department of Safety and Professional Services Mail To: P.O. Box 7190 Madison, WI 53707-7190 Madison, WI 53707-7190 Madison, WI 53703

FAX#: Phone #: (608) 266-2264 (608) 266-2112

E-Mail: dsps@wisconsin.gov Website: http://dsps.wi.gov

COSMETOLOGY EXAMINING BOARD

CITATION FOR ADMINISTRATIVE FORFEITURE

DLSC CASE FILE # 15 BAC 039 □ Individual Credential Holder Name	FINAL DECISION AND ORDER ORDER # Paris Salon Wall and 5 Establishment Name	pa (Thuy Tran)	
License #	License # 4453-71		
5444 W. Fond Du Lac Avenue Street	M. lwankee	53216 ^{Zip}	
Ledner day Day of Week	8-26-2015 Date	Time	
On the above stated time, date and location, an investigation/inspection has disclosed the following violation, which must be corrected. Parix Salan Day and Spx allowed individuals to work in the salan while it's establishment license and expired.			
In violation of Section Cox 2.04(1) Signature of Division Investigative Staff		Wis. Adm. Code 4-4-/6 Date	
Signature of Licensee OR	☐ Establishment Owner	Date	
Pursuant to Wis. Stat. § 454.15(3), the licensing authority is authorized to impose a forfeiture in lieu of or in addition to other disciplinary action against your license.			
PLEASE TAKE NOTICE THAT THE CREDENTIAL HOLDER MAY DEPOSIT A FORFEITURE IN THE AMOUNT OF \$_\(\lloco\) BY MAILING A CHECK OR MONEY ORDER NO LATER THAN TWENTY (20) DAYS FROM THE DATE OF THIS CITATION, TOGETHER WITH THE SIGNED COPY OF THIS FORM TO: DEPARTMENT OF SAFETY & PROFESSIONAL SERVICES, DIVISION OF LEGAL SERVICES & COMPLIANCE, 1400 E. WASHINGTON AVENUE, PO BOX 7190, MADISON, WI 53707-7190. IF THIS CITATION IS ISSUED TO BOTH AN INDIVIDUAL CREDENTIAL HOLDER AND AN ESTABLISHMENT, ONE HALF OF THE FORFEITURE IS DEEMED TO BE ASSESSED AGAINST EACH CREDENTIAL. PAYMENT SHALL BE TREATED AS A PLEA OF NO CONTEST TO THE VIOLATION CITED ABOVE AND CONSENT TO AN ORDER OF FORFEITURE, NOT TO EXCEED THE AMOUNT OF THE DEPOSIT.			
Please reference "NOTICE OF RIGHT TO CONTEST" on backside of pink copy.			
A Member of the Board	Date	EXHIBIT	
#3053DLSC (11/14) Ch.454, Stats.	tunity in Employment and Licensing	В	

Wisconsin Department of Safety and Professional Services Mail To: P.O. Box 7190 Madison, WI 53707-7190 Madison, WI 53703 Professional Services 1400 E. Washington Avenue Madison, WI 53703

FAX#: Phone #:

(608) 266-2264 (608) 266-2112

E-Mail: dsps@wisconsin.gov Website: http://dsps.wi.gov

COSMETOLOGY EXAMINING BOARD

CITATION FOR ADMINISTRATIVE FORFEITURE

DLSC CASE FILE # 15 BAC 039	FINAL DECISION AND ORDER ORDER # Park Salah Walland	ina (Thuu Tran)
☐ Individual Credential Holder Name License #	Establishment Name License # 4453-71	
5444 W. Fond Du Lac Avenue Street	Milwaukee City	53216 Zip
Day of Week	8-36-2015 Date	Time
On the above stated time, date and location, an investiga be corrected.	· ·	_
Paris Salon Day and Spa failed to and equipment, tools and implements a Sandary and sale condition. Used	emeny boards and buffer 6	in a Clean,
In violation of Section Cos 4,01(1)		Wis. Adm. Code ☐ Wis. Adm. Code ☐ U-4-16 Date
Signature of Division Investigative Staff Signature of Licensee OR	□ Establishment Owner	Date
Pursuant to Wis. Stat. § 454.15(3), the licensing autaddition to other disciplinary action against your licen		iture in lieu of or in
PLEASE TAKE NOTICE THAT THE CREDENTIAL HO \$ /60 BY MAILING A CHECK OR MONEY OF OF THIS CITATION, TOGETHER WITH THE SIGNED PROFESSIONAL SERVICES, DIVISION OF LEGAL S PO BOX 7190, MADISON, WI 53707-7190. IF THIS CIT HOLDER AND AN ESTABLISHMENT, ONE HALF OF TH CREDENTIAL. PAYMENT SHALL BE TREATED AS A PI CONSENT TO AN ORDER OF FORFEITURE, NOT TO EXC	RDER NO LATER THAN TWENTY (20) DA O COPY OF THIS FORM TO: DEPART SERVICES & COMPLIANCE, 1400 E. WAS FATION IS ISSUED TO BOTH AN INDIVI IE FORFEITURE IS DEEMED TO BE ASSE LEA OF NO CONTEST TO THE VIOLATION	AYS FROM THE DATE MENT OF SAFETY & SHINGTON AVENUE, IDUAL CREDENTIAL SSED AGAINST EACH
Please reference "NOTICE OF RIGH	IT TO CONTEST" on backside of pink of	сору.
A Member of the Board	Date	EXHIBIT
#3053DLSC (11/14) Ch.454, Stats.		

Committed to Equal Opportunity in Employment and Licensing

Wisconsin Department of Safety and Professional Services

Mail To: P.O. Box 7190 Madison, WI 53707-7190

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FAX #: Phone #: (608) 266-2264 (608) 266-2112 1400 E. Washington Avenue Madison, WI 53703

E-Mail: dsps@wisconsin.gov Website: http://dsps.wi.gov

COSMETOLOGY EXAMINING BOARD

CITATION FOR ADMINISTRATIVE FORFEITURE

DLSC CASE FILE#_	15 BAC 039	ORI	AL DECISION AND DER# 2015 Salon No		na (Thiu Tran)
☐ Individual Credentia	al Holder Name	X I	Establishment Name anse # 4453	,	
5444 W. Fon	d Ou Lac Avenu	Je Mil	Waukee		53216 ^{Zip}
Worlnesday Day of Week		8-26-5 Date	2015		Time
he corrected	e, date and location, an inv			_	
Paris Salon Na	I and Spa failed	to ensure	broben giringo	retion for	Contact
Disinfection 15	l and Spa failed that equipment as required prior to re	ecce on an	to be tuly	Submerger Fony Person) in Barbicick onal Cave
MATTOMENTS	2 (1 20)	<u> </u>			
In violation of	Section Cos 4, OX1))of	☐ Wis. Stats.	OR 🗆	Wis. Adm. Code
Signature of Division In	vestigative Staff	٠٠/١	Title Title		<u>4-4-16</u> Date
Signature of	☐ Licensee O)R	☐ Establishment C)wner	Date
	. § 454.15(3), the licensing blinary action against you	-	authorized to impo	se a forfeiture	e in lieu of or in
S MAI OF THIS CITATION, T PROFESSIONAL SERVI PO BOX 7190, MADISON HOLDER AND AN ESTA CREDENTIAL. PAYMEN	E THAT THE CREDENTIAL ILING A CHECK OR MONOGETHER WITH THE SINGLES, DIVISION OF LECTOR, WI 53707-7190. IF THE ABLISHMENT, ONE HALF ONT SHALL BE TREATED AS TO FORFEITURE, NOT THE STATE OF	VEY ORDER NO DESCRIPTION TO SERVICES ITS CITATION IS OF THE FORFEIT AS A PLEA OF NO	LATER THAN TWEN DF THIS FORM TO: & COMPLIANCE, 1 S ISSUED TO BOTH TURE IS DEEMED TO CONTEST TO THE	ITY (20) DAYS DEPARTMEN 1400 E. WASHIN AN INDIVIDU D BE ASSESSEI VIOLATION CI	FROM THE DATE NT OF SAFETY & NGTON AVENUE, IAL CREDENTIAL D AGAINST EACH
Please	reference "NOTICE OF	RIGHT TO CO	NTEST" on backsid	le of pink copy	r .
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COSMETOLOGY EXAMINING BOARD

CITATION FOR ADMINISTRATIVE FORFEITURE

DLSC CASE FILE # 15 BAC 039	FINAL DECISION AND ORDER ORDER #		
		Spa (Thuy Tran)	
☐ Individual Credential Holder Name License #	☑ Establishment Name License # 1272-69		
Street D. Fond De Lac Avenue	M. Markae City	53016 Zip	
Day of Week	8-26-2015 Date	Time	
On the above stated time, date and location, an investigation/inspection has disclosed the following violation, which must be corrected. Parix Salon Narl and Spx failed to droppe of spatulas after each use. A spatula was found lying under the hot way lid.			
In violation of Section Cos 4,08(3)(b)		₩ Wis, Adm, Code 4-4-16	
Signature of Division Investigative Staff	Title	Date	
Signature of Licensee OR	☐ Establishment Owner	Date	
Pursuant to Wis. Stat. § 454.15(3), the licensing authority is authorized to impose a forfeiture in lieu of or in addition to other disciplinary action against your license.			
PLEASE TAKE NOTICE THAT THE CREDENTIAL HO \$ BY MAILING A CHECK OR MONEY OR OF THIS CITATION, TOGETHER WITH THE SIGNED PROFESSIONAL SERVICES, DIVISION OF LEGAL S PO BOX 7190, MADISON, WI 53707-7190. IF THIS CIT HOLDER AND AN ESTABLISHMENT, ONE HALF OF TH CREDENTIAL. PAYMENT SHALL BE TREATED AS A PI CONSENT TO AN ORDER OF FORFEITURE, NOT TO EXC.	EDER NO LATER THAN TWENTY (20) DAY COPY OF THIS FORM TO: DEPART EERVICES & COMPLIANCE, 1400 E. WA TATION IS ISSUED TO BOTH AN INDIVITY OF FORFEITURE IS DEEMED TO BE ASSE LEA OF NO CONTEST TO THE VIOLATIO	AYS FROM THE DATE MENT OF SAFETY & SHINGTON AVENUE, IDUAL CREDENTIAL SSED AGAINST EACH	
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