

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
WONDER NAILS, :
RESPONDENT. :

0005154

Division of Legal Services and Compliance Case File Number 15 BAC 087

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

Wonder Nails
525 S. Taylor Dr.
Sheboygan, WI 53081

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 to which Respondent Wonder Nails 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 Wonder Nails is licensed by the State of Wisconsin as an aesthetics establishment, having license number 761-69, first issued on May 15, 2009, expired on April 6, 2015, renewed on September 6, 2016 and current through March 31, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 525 South Taylor Drive, Sheboygan, Wisconsin 53081.

2. On September 15, 2016, following an inspection on August 17, 2016, a Division of Legal Services and Compliance (Division) investigator issued a \$500 citation to Respondent for allowing individuals to provide aesthetics services outside of a licensed establishment.

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. Respondent has not paid the citation that was issued to Respondent on September 15, 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 2.045 and 3.01(1) by allowing individuals to provide aesthetics services outside of a licensed establishment.

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

4. Respondent is in default pursuant to Wis. Admin. Code § Cos 10.07(1) for failing to make a deposit or otherwise respond to the citation in a timely fashion.

5. 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 citation without further proceedings.

ORDER

1. Respondent Wonder Nails (license number 761-69) is in DEFAULT and shall pay to the Wisconsin Department of Safety and Professional Services a total forfeiture in the amount of \$500 within 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:

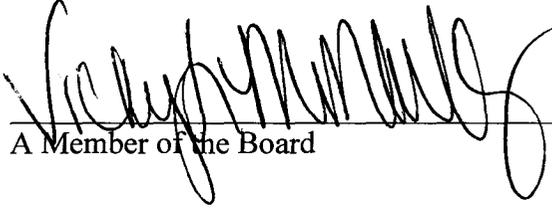
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817, Fax (608) 266-2264

3. In the event Respondent fails to timely submit payment of the forfeiture as set forth above, Respondent's license (number 761-69), or Respondent's right to renew its license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice of 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

by:


A Member of the Board

2/6/17
Date

Wisconsin Department of Safety and Professional Services

Mail To: P.O. Box 7190
Madison, WI 53707-7190
FAX #: (608) 266-2264
Phone #: (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 # <u>15 BAC 087</u>	FINAL DECISION AND ORDER ORDER # _____
_____	<u>WONDER NAILS</u>
<input type="checkbox"/> Individual Credential Holder Name License # _____	<input checked="" type="checkbox"/> Establishment Name License # <u>761-69</u>

525 S. TAYLOR DR. SHEBOYGAN 53083
Street City Zip
WEDNESDAY 08/17/2016 _____
Day of Week Date Time

On the above stated time, date and location, an investigation/inspection has disclosed the following violation, which must be corrected.

WONDER NAILS ALLOWED INDIVIDUALS TO WORK IN THE SALON WHILE IT'S AESTHETICS ESTABLISHMENT LICENSE WAS EXPIRED.
(04-06-2015 - 09-06-2016)

In violation of Section cos 2.045(1)/cos 3.01(1) of Wis. Stats. OR Wis. Adm. Code
Turrell Black INVESTIGATOR 09/15/2016
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 HOLDER MAY DEPOSIT A FORFEITURE IN THE AMOUNT OF \$ 500.00 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.
[Signature] 2/6/17
A Member of the Board Date

