

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



### Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

#### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscga>

- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DSPS website:** An individual who believes that information on the website is inaccurate may contact [DSPS@wisconsin.gov](mailto:DSPS@wisconsin.gov)

STATE OF WISCONSIN  
BEFORE THE COSMETOLOGY EXAMINING BOARD

---

IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
LICH T. TRAN AND DJ SPA & NAILS, :  
RESPONDENTS. :  
**ORDER 0006844**

---

Division of Legal Services and Compliance Case No. 17 BAC 082

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

Lich T. Tran  
Brookfield, WI 53005

DJ Spa & Nails  
Milwaukee, WI 53216

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 Lich T. Tran (Birth Year 1972) is licensed by the State of Wisconsin as a cosmetologist, having license number 92083-82, first issued on January 5, 2011 and current through March 31, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Brookfield, Wisconsin 53005.

2. Respondent DJ Spa & Nails is licensed by the State of Wisconsin as an aesthetics establishment, having license number 1161-69, first issued on October 18, 2013 and current

through March 31, 2021. Respondent's most recent address on file with the Department is in Milwaukee, Wisconsin 53216.

3. Respondent Lich T. Tran is identified in Department records as the responsible licensee in charge of Respondent DJ Spa & Nails.

4. On July 31, 2017, the Department received a complaint alleging that Complainant received a waxing service from Respondents that caused burns and dermatitis above and below her eyebrows. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 17 BAC 082 for investigation.

5. On July 28, 2017, Complainant visited DJ Spa & Nails and received an eyebrow waxing service from Respondent Tran. The wax applied to Complainant's eyebrows was so hot that Complainant was burned. Complainant did not observe Respondent Tran test the temperature of the wax prior to application. Complainant contends Respondent reused wax application spatulas between eyebrows.

6. On July 30, 2017, Complainant visited Urgent Care and was diagnosed with irritant contact dermatitis and cellulitis.

7. In resolution of this matter, Respondents consent to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The 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 § Cos 2.03(1) by failing to perform services in a manner that is consistent with basic and accepted practice standards.

3. By the conduct described in the Findings of Fact, Respondents violated Wis. Admin. Code § Cos 4.08(3)(b) by failing to dispose of spatulas after each use when performing depilation by waxing.

4. As a result of the above violation, Respondents Lich T. Tran and DJ Spa & Nails are subject to discipline pursuant to Wis. Stat. § 454.12(1) and 454.15(2)(c) and (i).

#### ORDER

1. The attached Stipulation is accepted.
2. Respondent Lich T. Tran is REPRIMANDED.
3. Respondent DJ Spa & Nails is REPRIMANDED.

4. Respondent Lich T. Tran's cosmetologist license (no. 92083-82) is LIMITED as follows:

- a. Within ninety (90) days of the date of this Order, Respondent shall successfully complete a course on waxing procedures from a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam(s) offered for the course(s).
- b. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
- c. The education completed pursuant to this Order may not be used to satisfy any other continuing education requirements with the Board.

5. Within ninety (90) days from the date of this Order, Respondent Lich T. Tran shall pay one-half of the COSTS of this matter in the amount of \$550.

6. Within ninety (90) days from the date of this Order, Respondent DJ Spa & Nails shall pay one-half of the COSTS of this matter in the amount of \$550.

7. Requests for pre-approval, proof of successful course completion, and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be 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 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
[DSPSMonitoring@wisconsin.gov](mailto:DSPSMonitoring@wisconsin.gov)

You may also submit this information online via DSPS' Monitoring Case Management System at: <https://dpsmonitoring.wi.gov>

8. In the event Respondents violate any term of this Order, Respondents' credentials (numbers 92083-82 and 1161-69), or Respondents' right to renew their credentials, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondents have complied with the terms of the Order. The Board may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

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

WISCONSIN COSMETOLOGY EXAMINING BOARD

by: *Vicky Menally, J.C.*  
A Member of the Board

June 15, 2020  
Date

RECEIVED

MAY 18 2020

DIV LEGAL SERVICES & COMPLIANCE  
DEPT SAFETY & PROFESSIONAL SERVICES

STATE OF WISCONSIN  
BEFORE THE COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LICH T. TRAN AND DJ SPA & NAILS,  
RESPONDENTS.

:  
:  
:  
:  
:  
:

STIPULATION

**ORDER 0006844**

Division of Legal Services and Compliance Case No. 17 BAC 082

Respondents Lich T. Tran and DJ Spa & Nails 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. Respondents consent to the resolution of this investigation 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 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. 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.



\_\_\_\_\_  
Lich T. Tran, Respondent  
Brookfield, WI 53005  
Credential No. 92083-82

05/12/2020  
Date



\_\_\_\_\_  
DJ Spa & Nails, Respondent  
By: Lich T. Tran, Responsible Licensee  
Milwaukee, WI 53216  
Credential No. 1161-69

05/12/2020  
Date

*Renee M. Parton*

\_\_\_\_\_  
Renee M. Parton, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

5/20/2020  
Date