

## 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

JONATHAN VU,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0008234**

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Division of Legal Services and Compliance Case No. 20 BAC 074

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

Jonathan Vu  
Marshfield, WI 54449

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 Jonathan Vu (Birth Year 1994) is licensed by the State of Wisconsin as a manicurist, having license number 10151-85, first issued on April 10, 2018 and current through March 31, 2023. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Marshfield, Wisconsin 54449.
2. On August 25, 2020, the Department received a complaint alleging that Respondent had performed inadequate manicuring services. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 20 BAC 074 for investigation.
3. On November 6, 2020, the Department sent a letter to Respondent to request a response to the complaint, and to request licensing information for Respondent's establishment, Fresh Nails.

4. On November 14, 2020, Respondent responded to the complaint, but did not provide an answer regarding Fresh Nails' licensing information.
5. On July 15, 2021, a Department investigator emailed Respondent to explain that Fresh Nails does not possess a manicuring establishment license, and that he must submit an application to the Department.
6. On July 19, 2021, Respondent admitted to operating Fresh Nails since January 2020, and stated that he would apply for a manicuring establishment license.
7. On July 22, 2021, the Department received Respondent's application for Fresh Nails.
8. On August 16, 2021, the Department determined that Fresh Nails' application was incomplete because the floor plan did not clearly indicate the required items.
9. On October 5, 2021, a Department investigator emailed Respondent to inform him of the application issue and ask him to submit additional information. No response was received.
10. On October 13, 2021, a Department investigator emailed Respondent to inform him of the application issue and ask him to submit additional information. No response was received.
11. On November 11, 2021, a Department investigator called and left a voicemail for Respondent informing him of the application issue and asking him to submit additional information. No response was received.
12. On December 7, 2021, a Department investigator spoke to Respondent by phone. Respondent stated that he would provide the missing information for his application.
13. On December 23, 2021, a Department investigator spoke to Respondent by phone. Respondent stated that he would provide the missing information for his application.
14. On January 5, 2022, a Department investigator spoke to Respondent by phone. Respondent stated that he had already provided the missing information for his application.
15. To date, Respondent has not submitted the required information to complete his application.
16. In resolution of this matter, Respondent consents 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(2), 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, Respondent violated Wis. Stat. § 454.08(1)(b) by practicing cosmetology, aesthetics, electrology, or manicuring in an establishment that does not possess a license to provide that practice.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § COS 3.01(1) by practicing cosmetology, aesthetics, electrology, and/or manicuring outside the confines of a licensed establishment.

4. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i).

### ORDER

1. The attached Stipulation is accepted.

2. Respondent Jonathan Vu's manicurist license (no. 10151-85) is hereby indefinitely **SUSPENDED**.

a. Respondent may petition the Board to end his suspension upon providing proof sufficient to the Board or its designee that Respondent is employed at a licensed establishment or that Respondent has obtained licensure for his establishment.

3. Within ninety (90) days from the date of this Order, Respondent Jonathan Vu shall pay a **FORFEITURE** in the amount of \$500.00, and the **COSTS** of this matter in the amount of \$593, for a total of \$1,093.

4. All required submissions, including payment of forfeiture and costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be 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) 266-2112; Fax (608) 266-2264  
[DSPSMonitoring@wisconsin.gov](mailto:DSPSMonitoring@wisconsin.gov)

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

5. In the event Respondent violates any term of this Order, Respondent's license (number 10151-85), or Respondent's right to renew his license, may, in the discretion of the Board or its designee, be **SUSPENDED**, without further notice or hearing, until Respondent has 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.

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

WISCONSIN COSMETOLOGY EXAMINING BOARD

by: Megan Jackson  
A Member of the Board

8/29/2022  
Date

STATE OF WISCONSIN  
BEFORE THE COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JONATHAN VU,  
RESPONDENT.

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STIPULATION

**ORDER 0008134**

Division of Legal Services and Compliance Case No. 20 BAC 074

Respondent Jonathan Vu 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 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. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
Jonathan Vu, Respondent  
Marshfield, WI 54449  
Credential No. 10151-85

8/4/22  
Date

  
Alicia Kennedy, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

Date