

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

JANAN SHABAZZ,
RESPONDENT.

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ADMINISTRATIVE INJUNCTION

ORDER 0008789

Division of Legal Services and Compliance Case No. 20 UNL 045

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

Janan Shabazz
Milwaukee, WI 53208

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368

Division of Legal Services and Compliance
Wisconsin 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 Wisconsin Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Janan Shabazz (Respondent) is believed to reside in Milwaukee, Wisconsin 53208.
2. Respondent is not and has never been licensed in the state of Wisconsin to practice as a cosmetologist.
3. Respondent is not and has never been licensed in the state of Wisconsin to practice as a manicurist.
4. Respondent is not and has never been licensed in the state of Wisconsin to practice as a barber.

5. At all times relevant to this proceeding, Respondent was performing manicuring services at K Klush Hair and Beauty Bar (K Klush),¹ located in Milwaukee, Wisconsin.

6. On April 22, 2021, Respondent applied for a manicurist license with the Department, however the application remains incomplete.

7. On October 15, 2021, K Klush was tagged in a social media post made by Respondent advertising for hair, nails, and makeup services at K Klush. The post also tagged Respondent's Instagram username, nonnie_nailbox.

8. On March 2, 2022, a post was made on Respondent's social media business page (Nonnie's Nailbox), advertising for manicuring services, located at K Klush. As of June 1, 2023, the information on this social media page remains the same.

9. The Department conducted research with the Department of Financial Institutions (DFI). DFI's records show Respondent as the registered agent of Nonnie's Nailbox, LLC.

10. On March 29, 2023, Respondent provided a response to the Department confirming that she was practicing manicuring. She assured the Department that she would cease practice until she was properly licensed.

11. On April 3, 2023, the Department emailed Respondent a Cease and Desist letter to her email address on file requesting Respondent confirm her intention to comply with the letter. Respondent did not respond.

12. On April 3, 2023, the Department mailed the Cease and Desist letter to Respondent at her mailing address on file with the Department via certified mail. This letter was returned unclaimed on April 12, 2023.

13. On May 4, 2023, the Department followed up on the April 3, 2023 letter and email. Respondent did not respond.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction in this matter pursuant to Wis. Admin. Code ch. SPS 3 and Wis. Stat. § 440.21 and is authorized to enter into the attached Stipulation and Order pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 454.01(7m), the practice of cosmetology is defined as for compensation, performing one or more of the following:

- (a) Barbering;
- (b) Aesthetics;
- (c) Manicuring;
- (d) The removal of hair of any person at the root, except by use of an electric needle.

¹ K Klush is not and has never been licensed as a cosmetology, manicuring, or barbering establishment in the state of Wisconsin.

3. Pursuant to Wis. Stat. § 454.04(1)(a), a license is required to engage in the practice of cosmetology.

4. Pursuant to Wis. Stat. § 454.04(1)(d), a license is required to engage in the practice of manicuring.

5. The conduct described above constitutes the unlicensed practice of cosmetology, contrary to Wis. Stat. § 454.04(1)(a).

6. The conduct described above constitutes the unlicensed practice of manicuring, contrary to Wis. Stat. § 454.04(1)(d).

ORDER

1. The attached stipulation is accepted.

2. Unless and until Respondent is properly licensed as a cosmetologist and/or manicurist by the Wisconsin Department of Safety and Professional Services, Respondent is enjoined and prohibited from practicing cosmetology and/or manicuring in the state of Wisconsin. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation. See Wis. Stat. § 440.21(4)(a).

3. If the Department determines that there is probable cause to believe that Respondent has violated any terms of this Administrative Injunction, the Department may refer the violations covered by this decision and order to any appropriate prosecutorial unit for review for possible criminal charges.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By:	<u>Aloysius Rohmeyer</u>	<u>9/29/2023</u>
	Aloysius Rohmeyer, Chief Legal Counsel	Date
	On behalf of the Department	

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

JANAN SHABAZZ,
RESPONDENT.

:
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:

STIPULATION

ORDER 0008789

Division of Legal Services and Compliance Case No. 20 UNL 045

Janan Shabazz (Respondent), and the Division of Legal Services and Compliance (Division), Department of Safety and Professional Services (Department), stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division. 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 Administrative Injunction by the Department. The parties to the Stipulation consent to the entry of the attached Administrative Injunction without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's Administrative Injunction, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division for further proceedings. In the event that the Stipulation is not accepted by the

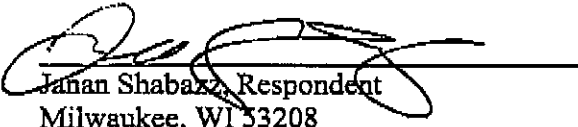
Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney for the Department may appear before the Department for the purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on this Stipulation.


7. Respondent is informed that should the Department adopt this Stipulation; the Department's Administrative Injunction is a public record and will be published in accordance with standard Department procedure.

8. Respondent is further informed that should the Department adopt this Stipulation, the Department's Administrative Injunction 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 joins Respondent in recommending the Department adopt this Stipulation and issue the attached Administrative Injunction.


Janan Shabazz, Respondent
Milwaukee, WI 53208

9-15-2023
Date


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

September 22, 2023
Date