

**STATE OF MINNESOTA
BOARD OF ACCOUNTANCY**

In the Matter of the CPA Certificate of

**STIPULATION AND
CONSENT ORDER**

Haugen Binion & Co. CPAs LLC
CPA Firm Permit No. 01560

Board File No. 2022-020

STIPULATION

Haugen Binion & Co. CPAs LLC (“Respondent”) and the Minnesota Board of Accountancy’s Complaint Committee stipulate that, subject to Board’s review and discretionary approval, the Board may issue a consent order that imposes the following sanctions:

A. Respondent’s CPA Firm Permit, No. 01560, is CENSURED and REPRIMANDED pursuant to Minn. Stat. § 326A.08 (2020).

B. Respondent shall pay to the Board a CIVIL PENALTY of One Thousand dollars (\$1,000). Respondent shall submit a civil penalty of \$1,000 by check to the Board within sixty (60) days of the Board’s approval of this Stipulation and Consent Order.

C. Respondent shall remain law abiding and comply with all statutes and rules within the Board’s jurisdiction. See Minn. Stat. ch. 326A (2020) and Minn. R. ch. 1105 (2021).

D. Respondent shall report in writing within ten days any and all violations of this stipulation and consent order to the Board’s Executive Director.

Respondent and the Committee enter into this stipulation based on the following findings of fact, conclusions of law, and other stipulated provisions:

Findings of Fact

1. Respondent holds a CPA Firm Permit in the State of Minnesota, which expires on December 31, 2022.
2. Respondent received a peer review rating of Fail for the period under review ended December 31, 2019.
 - a. The peer review identified a significant deficiency with the firm's conformity with the professional standards for accounting and review on the firm's compilation report and engagement letter. Upon learning of these findings, Respondent promptly addressed and corrected the deficiencies.
 - b. As a result of the Fail rating, the Minnesota Society of Certified Public Accountants required that Respondent's owner complete at least eight hours of continuing professional education in compilation and review by no later than May 31, 2021.
3. All peer review documentation was due to the Board no later than March 31, 2021.
4. Respondent's firm permit expired on December 31, 2021.
5. Respondent's firm permit renewal was returned on January 12, 2022 due to incomplete peer review documentation.
6. Respondent's completed firm permit renewal form and peer review documentation were received on February 15, 2022.
7. Respondent held out as a CPA firm during the time that its firm permit was expired.

Conclusion of Law

1. The Board has authority to license and regulate certified public accountants and to take disciplinary action as appropriate. Minn. Stat. ch. 326A (2020).
2. Respondent violated Minn. Stat. 326A.05 subds. 1(a)(3), and 2(a), 326A.08, subd. 5 (a)(1) and (8), 326A.10(b) and (d) (2020) and Minn. R. 1105.4000(A), 1105.4200(B)(2), 1105.5600 subp. 1(C)(1), (6), and (7), 1105.7800(D) and (F) (2021).
3. This stipulation and consent order is in the public interest.

Other Stipulated Provisions

1. This stipulation and consent order must be approved by the Board to become effective.
2. Respondent agrees that the Committee may move the Board *ex parte*, with or without advance notice to the Respondent, to approve this stipulation and consent order. Respondent understands that the Board may either approve the stipulation and consent order or not approve it. This stipulation and the files, records, and proceedings associated with this matter may be reviewed by the Board in its consideration of the Committee's motion.
3. If approved by the Board, this stipulation and consent order shall be classified as public data. Minn. Stat. § 13.41, subd. 5 (2020).
4. If the Board does not approve this stipulation and consent order, then the matter remains unresolved and the Committee may either seek to negotiate a revised stipulation and consent order with Respondent to present to the Board or issue an order commencing a contested-case hearing before an Administrative Law Judge at the Office of Administrative

Hearings. See Minn. Stat. §§ 14.57–.62, 214.10, subd. 2 (2020) (describing administrative hearing process).

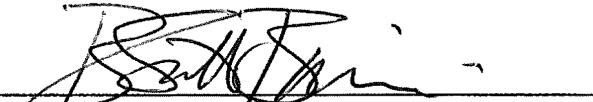
5. Respondent agrees that if this case comes before the Board again after it reviews and discusses this stipulation and consent order, Respondent waives any claim that the Board was prejudiced by its review and discussion of this stipulation and consent order and any records relating to it.

6. Respondent acknowledges that they were advised by the Committee of their right to a contested-case hearing in this matter before an Administrative Law Judge, to file exceptions and make argument to the Board after the hearing, and to seek judicial review from any adverse decision rendered by the Board. Respondent hereby expressly waives those rights, except in the event that the Board does not approve this stipulation and consent order and issues and order commencing a contested-case hearing pursuant to paragraph 4 hereof, in which case all of Respondent's rights are expressly reserved. Respondent was further advised by the Committee of their right to be represented by counsel and is so represented.

7. Respondent has read, understands, and agrees to this stipulation and has voluntarily signed it. It is expressly understood that this stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise. If approved by the Board, a copy of the final stipulation and consent order shall be served personally or by first class mail on Respondent. The Board's order shall be effective when it is signed by the Chair of the Board or the Chair's designee.

8. Pursuant to Minn. Stat. § 16D.13 (2020), any civil penalty imposed by this stipulation and consent order shall begin to accrue simple interest in accordance with that

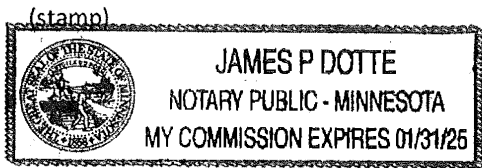
section thirty days after the civil penalty is due. Pursuant to Minn. Stat. § 16D.17 (2020), thirty days after any civil penalty imposed by this stipulation and consent order is due, the Board may file and enforce any unpaid portion of the civil penalty as a judgment against Respondent in district court without further notice or additional proceedings.

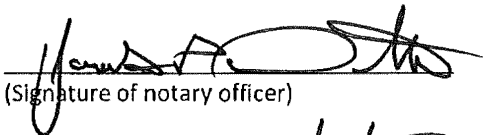

Haugen Binion & Co. CPAs-LLC
By: B. Scott Binion
Its: Owner

STATE OF Minnesota

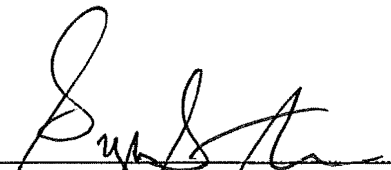
COUNTY OF Dakota

This instrument was acknowledged before me on 12/1/2022 by B. Scott Binion.




(Signature of notary officer)
My commission expires: 01/31/25

COMPLAINT COMMITTEE


GREGORY S. STEINER, CPA
Chair

Dated: 12/7, 2022

CONSENT ORDER

Upon consideration of this stipulation and consent order, and based upon all the files, records, and proceedings herein, all terms of the stipulation and consent order are approved.

Accordingly, the Board orders as follows:

A. Respondent's CPA Firm Permit, No. 01560, is CENSURED and REPRIMANDED pursuant to Minn. Stat. § 326A.08 (2020).


B. Respondent shall pay to the Board a CIVIL PENALTY of One Thousand dollars (\$1,000). Respondent shall submit a civil penalty of \$1,000 by check to the Board within sixty (60) days of the Board's approval of this Stipulation and Consent Order.

C. Respondent shall remain law abiding and comply with all statutes and rules within the Board's jurisdiction. See Minn. Stat. ch. 326A (2020) and Minn. R. ch. 1105 (2021).

D. Respondent shall report in writing within ten days any and all violations of this stipulation and consent order to the Board's Executive Director.

Dated: 12/08/ 2022

STATE OF MINNESOTA
BOARD OF ACCOUNTANCY


GEOFFREY SOWATH
FOR:

CHARLES SELCER, CPA
Board Chair