

**STATE OF MINNESOTA
BOARD OF ACCOUNTANCY**

In the Matter of the CPA Certificate of

Laura Ann Melberg
CPA Certificate No. 23033

**STIPULATION AND
CONSENT ORDER**

Board File 2021-484

STIPULATION

Laura Ann Melberg (“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 certificate, No. 23033, is CENSURED and REPRIMANDED pursuant to Minn. Stat. § 326A.08 (2020).

B. Respondent’s CPA certificate, No. 23033, is SUSPENDED for one year pursuant to Minn. Stat. § 326A.08 (2020). This suspension is STAYED for three years. If, in the Committee’s sole discretion, the Committee receives credible evidence during the next three years that Respondent has engaged in any conduct involving alcohol that calls into question her fitness to practice as a CPA, then the Committee may summarily lift the stay and issue an order suspending Respondent’s certificate for up to one year without first providing Respondent with notice and an opportunity to be heard or a contested-case hearing before issuing the order. In such circumstances, Respondent may request a contested-case hearing to contest the Committee’s decision, but Respondent agrees that her certificate shall remain suspended while the contested case is pending. If the stay is not lifted within three years of the effective date of this order, then this paragraph is VACATED without further order of the Board.

C. Respondent shall pay to the Board a CIVIL PENALTY of Three Thousand Dollars (\$3,000). Respondent shall submit a civil penalty of \$3,000 by check to the Board within sixty (60) days of the Board's approval of this Stipulation and Consent Order.

D. Respondent shall, at Respondent's expense, complete the National Association of State Boards of Accountancy Center for Public Trust Ethics Training, with a required passing score of no less than 80%. Respondent shall submit documentation of course completion to the Board within sixty days of the Board's approval of this Stipulation and Consent Order.

E. 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).

F. 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 currently holds an active CPA certificate in the State of Minnesota, which expires on December 31, 2022.

2. Respondent was retained to perform individual and business tax services and bookkeeping for a client in Minnesota.

3. Respondent failed to timely file 2018 and 2019 taxes for the client. Respondent filed the 2018 and 2019 taxes late in 2020 and failed to include late fees and penalties.

4. In early 2021, the client began receiving letters from the State of Minnesota and

the client forwarded them to Respondent to address. Respondent failed to address the letters and a tax lien was placed on the client's properties.

5. The client self-addressed and resolved the tax fees and penalties with the State of Minnesota.

6. The client received notices from the Internal Revenue Service (IRS) regarding owed taxes, tax credits, and taxes being filed under the wrong business identification number.

7. The client self-addressed and resolved the tax fees and penalties with the IRS.

8. Respondent routinely failed to pay the client's invoices on time. The client took over the responsibility of managing invoices.

9. On July 23, 2021, the client relieved Respondent of her duties. Respondent told the client she would have its files ready for the new accountant by the following week. Respondent did not follow through with a transfer of the files the following week.

10. On December 8, 2021, a complaint allegation letter was sent to Respondent.

11. On December 23, 2021, Respondent provided a response to the Board. Respondent confirmed that the allegations made in the client's complaint were accurate. She acknowledged her struggles with alcoholism and the impact on her practice. She also stated that she had returned the business files to the client, which was confirmed by Board staff.

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 Minnesota Statutes § 326A.08, subd. 5(a)(1), (3), and (10) (2020) and Minn. R. 1105.5600, subp. 1(D)(6) (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. Respondent was further advised by the Committee of their right to be represented by counsel and that they knowingly waive that right.

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.

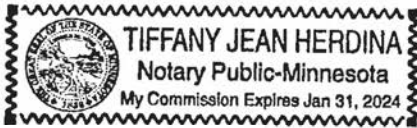
8. Pursuant to Minn. Stat. § 16D.13 (2020), any civil penalty imposed by this stipulation and consent order shall begin to accrue simple interest in accordance with that section thirty days after the civil penalty is due. Pursuant to Minn. Stat. § 16D.17 (2020), thirty days after any civil penalty imposed 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.

Laura Ann Melberg
Laura Ann Melberg, CPA

STATE OF Minnesota

COUNTY OF Renville

This instrument was acknowledged before me on 10/24/22 by Laura Ann Melberg.



(stamp)

Tiffany Herdina
(Signature of notary officer)

My commission expires: 1-31-24

COMPLAINT COMMITTEE

Gregory S. Steiner
GREGORY S. STEINER, CPA
Chair

Dated: 11/15/22, 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 certificate, No. 23033, is CENSURED and REPRIMANDED pursuant to Minn. Stat. § 326A.08 (2020).

B. Respondent's CPA certificate, No. 23033, is SUSPENDED for one year pursuant to Minn. Stat. § 326A.08 (2020). This suspension is STAYED for three years. If, in the Committee's sole discretion, the Committee receives credible evidence during the next three years that Respondent has engaged in any conduct involving alcohol that calls into question her fitness to practice as a CPA, then the Committee may summarily lift the stay and issue an order suspending Respondent's certificate for up to one year without first providing Respondent with notice and an opportunity to be heard or a contested-case hearing before issuing the order. In such circumstances, Respondent may request a contested-case hearing to contest the Committee's decision, but Respondent agrees that her certificate shall remain suspended while the contested case is pending. If the stay is not lifted within three years of the effective date of this order, then this paragraph is VACATED without further order of the Board.

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E. 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).

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

STATE OF MINNESOTA
BOARD OF ACCOUNTANCY

Dated: 12/08/, 2022

Small
Geason Sewall
For:

CHARLES SELCER, CPA
Board Chair