Official Publication of the
Minnesota Board of Accountancy
The Board Report

Winter 2012-13

Message from the Board Chair
Kate Mooney, PhD, CPA
Professor and Chair, Department of Accounting
St. Cloud State University

It appears that 2013 could be a year of change for accountants. As a profession, the work we do is so important that laws and rules govern who can perform it and what kind of preparation is necessary to ensure that honest and competent accounting services are provided to the public. The Board of Accountancy, the Minnesota Society of CPAs and the Minnesota Association of Public Accountants, are working together to simplify some of the regulations surrounding the practice of public accounting. The proposed changes fall into three major areas: fees, license renewal and Continuing Professional Education (CPE), and firm names.

Back in the early years of the 20th Century, Minnesota began requiring accountants to have a license to practice. The first license fee was $25, quite a large sum in 1909. In today's dollars, taking inflation into account, that fee would be equivalent to over $550! In the last 100 years, the fee has risen to a mere $45 per year, while the costs to license and regulate the profession have increased significantly. The Board is not proposing to raise the fee to $550, but rather proposing a new fee schedule with an initial certification fee not to exceed $150 and a renewal fee for an active certificate not to exceed $100 per year.

Certified Public Accountants find the current schedule for license renewal and CPE reporting to be confusing. Feedback from the profession supports a single date for both renewal and CPE reporting. The proposed language will change the renewal cycle from a three-year renewal to an annual renewal beginning with licenses that have an expiration date of December 31, 2014. It will also change the CPE completion deadline from June 30th to December 31st, coinciding with the CPE reporting deadline. CPAs will still be required to complete 120 hours of CPE in a three-year period, including 8 hours of ethics and a minimum of 20 hours per year. The Board will continue to review CPE on a rolling three-year basis.

Because it could be a serious issue to find yourself short on CPE on December 31st and unable to renew your certificate going into tax season, you may want to set a reminder for the middle of October to make sure you are on track for compliance by December 31st.

The final proposed change involves the rules regarding firm names. In the past, Minnesota laws and rules required accounting firms to have the name of partners or former partners in the name to avoid misleading the public about the financial strength or expertise of the firm. The landscape has changed significantly, though, with the advent of networks. New Uniform Accountancy Act language allows firm names to use the network name. The MNCPA, MAPA, and the Board believe that consistency is favorable to the accounting profession; therefore, the proposed changes to the Board's statutes incorporate the use of network names.

While coping with change is difficult, we have researched the proposals and found many professionals understand the need for a fee increase and support the law changes as proposed for the 2013 legislative session.

To read the entire proposed bill, please visit the Board's web site at www.boa.state.mn.us/Licensing/Rulemaking.aspx.

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Board Contact Information
Phone: 651-296-7938
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www.boa.state.mn.us

Congratulations!

To the Executive Committee elected at the January 18, 2013 Board meeting.

BOARD MEMBERS	***Term Expiration***
Kate Mooney, PhD, CPA *Board Chair*	January 2016
Robert P. Saunders, CPA *Vice Chair*	January 2015
Gregory Steiner, CPA *Secretary/Treasurer*	January 2015
Kristine Eustice Public Member	January 2015
Sharon Jensen, CPA	January 2014
Thomas Lydon, CPA	January 2016
Mark Sellner, CPA	January 2016
Scott Van Binsbergen Public Member	January 2015
Michael M. Vekich, CPA	January 2013

BOARD STAFF

Doreen Frost 651-757-1517	*Executive Director* *doreen.frost@state.mn.us*
Bev Carey 651-757-1514	*Investigator* *bev.carey@state.mn.us*
Holly Salmela 651-757-1520	*State Program Administrator* *holly.a.salmela@state.mn.us*
Vicky Oehrlein 651-757-1521	*Office and Administrative Specialist Intermediate* *vicky.oehrlein@state.mn.us*

Meet the New Board Members

Thomas Lydon, CPA, of Mahtomedi, MN was appointed by Governor Dayton on February 21, 2012 to serve a four-year term.

Mr. Lydon is a graduate of St. John's University in Collegeville, MN. Since becoming a Certified Public Accountant in 1987, he has worked for KPMG LLP, one of the four largest public accounting firms in the State of Minnesota, United States and the world. He is the Audit Partner-In-Charge of the Northern Heartland Business Unit and is responsible for the operations of its audit practice. His role includes oversight to ensure the company's professionals maintain current CPA licensure and to support and encourage the completion of the professional credential for those employees who have not yet passed the CPA examination.

Mr. Lydon is currently a member of the American Institute of Certified Public Accountants as well as the Minnesota, Iowa, Wisconsin and New York Societies of Certified Public Accountants.

Mark Sellner, CPA, of Plymouth, MN was appointed by Governor Dayton on February 21, 2012 to serve a four-year term.

Mr. Sellner received his Bachelor of Science degree in Accounting from the University of Illinois, his law degree from the University of Minnesota Law School and his Master of Law in Taxation degree from Georgetown University Law Center. He is both a licensed Certified Public Accountant and a licensed Attorney in Minnesota as well as a Certified Financial Planner®. Mr. Sellner is the Director of Graduate Studies in Taxation at the University of Minnesota. He teaches graduate level courses and seminars on corporate tax, mergers and acquisitions and accounting for income taxes.

Mr. Sellner teaches for leading CPA firms nationwide and for the Minnesota Society of CPAs, where he is a recipient of the R. Glen Berryman Award for excellence in teaching.

Become a Board Member

Applications to serve on the Board are continually accepted by the Secretary of State. To obtain an application, contact the Board office at 651-296-7938 or visit the Secretary of State's website at www.sos.state.mn.us and click on the link entitled "Open Commissions and Appointments." Please help spread the word and encourage potential public members to apply.

Disciplinary Actions

Disclaimer: Every effort has been made to ensure that the following summary of enforcement information is correct; however, this information should not be relied upon without verification from the Board office. It should be noted that the names of companies and individuals listed may be similar to the names of parties who have not had enforcement actions taken against them. Disciplinary orders are public data and copies may be obtained by contacting the Board office.

On November 22, 2011, the Board issued the following order:

In the Matter of Luis E. Del Moral
Unlicensed

The Board issued a Stipulation and Consent Order.
Allegations:
- Respondent does not currently hold a CPA Certificate nor has the Board ever issued a CPA Certificate to him.
- The Committee has received information that Respondent twice used the designation "c.p.a." below his name on letterhead for L & M Tax Services, LLC in conjunction with a Minnesota business address.
- Respondent's use of "c.p.a." below his name, as described above, is in violation of Minn. Stat. §326A.10 (c), (d), and (e) (2010), as this abbreviation is similar to "CPA," is likely to be confused with "CPA," and tends to indicate that Respondent is a CPA.

Order:
Pursuant to Minn. Stat. §326A.08, subd. 4 (2010), that Respondent Luis E. Del Moral shall CEASE AND DESIST from using "c.p.a." in conjunction with his name and business, and from holding himself out to the public as a Certified Public Accountant in any other manner, whether in written, oral, electronic, or other communications; and from futher violations of Minn. Stat. §§326A.04 to 326A.11 (2010).

On April 20, 2012, the Board issued the following orders:

In the Matter of Kilian Marie Anderson
Certificate #26863

The Board issued a Stipulation and Consent Order.
Facts:
- Respondent currently holds an Active CPA certificate from the Board.
- Respondent failed to apply for an active certificate when required to do so.

Remedy:
- Respondent's CPA certificate is CENSURED and REPRIMANDED and Respondent shall pay a CIVIL PENALTY of $250.00.
- Respondent shall cease and desist from violating any statute, rule or order that the Board has issued or is empowered to enforce.

In the Matter of Jana Rochelle Rjerkenstad
Certificate #26796

The Board issued a Stipulation and Consent Order.
Facts:
- Respondent currently holds an Active CPA certificate from the Board.
- Respondent passed the Uniform CPA Exam on November 24, 2010 and was notified by the Minnesota Board of passing on February 28, 2011.
- Respondent's *Initial Application for an Active CPA Certificate* was received in the Board office on September 26, 2011.
- Respondent was required to apply no later than April 29, 2011, sixty days after receiving the Board's notification of passing the exam.
- Respondent failed to apply for an active certificate when required to do so.

Remedy:
- Respondent's certificate is CENSURED and REPRIMANDED and Respondent shall pay a CIVIL PENALTY for $250.00.
- Respondent shall cease and desist from violating any statute, rule or order that the Board has issued or is empowered to enforce.

In the Matter of Paul William Fox, CPA
Certificate #13680

The Board issued a Stipulation and Consent Order.
Facts:
- Respondent currently holds an Active CPA certificate, number 13680, issued by the Board.
- On December 22, 2011, Respondent pled guilty to Count I - Information, False Document Submitted to IRS-2005 W-2, a federal Tax Misdemeanor, based on a guilty plea agreement with the U.S. Attorney's Office. Respondent knowingly submitted a W-2 Form for 2005 to the IRS that did not include more than $2,000 in payments by his employer on his personal auto loan.

Remedy:
- Respondent's CPA certificate is CENSURED and REPRIMANDED and Respondent shall pay a CIVIL PENALTY of $1,000.00.

In the Matter of Taylor John Lynch
Certificate #26902

The Board issued a Stipulation and Consent Order.
Facts:
- Respondent currently holds an Active CPA certificate from the Board.
- Respondent failed to apply for an active certificate when required to do so.

Remedy:
- Respondent's CPA certificate is CENSURED and REPRIMANDED and Respondent shall pay a CIVIL PENALTY of $250.00.

In the Matter of Daniel Charles Thurlo
Certificate #26844

The Board issued a Stipulation and Consent Order.
Facts:
- Respondent is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation.

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Failure to Renew Certificate	Facts	Remedy
	- Respondent's certificate expired and Respondent failed to renew the certificate or notify the Board that the Respondent was electing exemption from renewal under MN Stat. § 326A.04, subp 2 (b)(2010). - Respondent has not engaged in activities requiring an active certificate since the date of expiration. - Respondent violated MN Stat. §326A.10 (2010) and MR 1105.2500, 1105.7800, 1105.5600 (2011).	- Respondent's certificate is CENSURED and REPRIMANDED. - Respondent shall pay the fees listed below. - Respondent shall apply for an inactive certificate. - Respondent shall not engage in activities requiring an active certificate in this state, including but not limited to the performance of attest services, nor shall Respondent hold out to the public in any manner so as to suggest that the Respondent holds an active certificate. - Respondent shall comply with MN Stat. §326A.04, subd. 4 (2010). - Respondent agrees to not violate in the future any statute, rule or order that the Board has issued or is empowered to enforce.

Date Stipulation and Order Issued	In the Matter of:	Certificate Expired on:	Failed to Renew Certificate for Years:	Date Revoked	Civil Penalty	Inactive Certificate Renewal Fee ($10 per year)	Annual Delinquency Fee ($50 per year)	License Surcharge Fee ($5 per year after 2009)	Reinstatement Application Fee
April 20, 2012	W. Thomas Brunberg Cert. #C1998	12/31/08	2009-2012	5/13/2011	$750.00	$40.00	$200.00	$10.00	$20.00
	Kason David Klumpyan Cert. #20472	12/31/06	2007-2012	4/21/2009	$750.00	$80.00	$300.00	$15.00	$20.00
	Steven I. Levey Cert. #23163	12/31/08	2009-2011	5/13/2011	$750.00	$60.00	$150.00	$15.00	$20.00
	Joel Robert Maxfield Cert. #12557	12/31/06	2007-2012	4/21/2009	$750.00	$80.00	$300.00	$15.00	$20.00
May 14, 2012	John Charles Berglund Cert. #16387	12/31/06	2007-2012	4/21/2009	$750.00	$60.00	$200.00	$10.00	$20.00
	Richard William Shimota Cert. #09895	12/31/08	2009-2013	5/13/2011	$750.00	$50.00	$150.00	$15.00	$20.00
	Rodney Boyd Uecker Cert. #18056	12/31/00	2001-2012	6/24/2003	$750.00	$130.00	$600.00	$15.00	$20.00
July 16, 2012	Alan Ross Busacker Cert. #06417	12/31/07	2008-2012	4/5/2010	$750.00	$50.00	$150.00	$10.00	$20.00
	Lisa Ellen Cox Cert. #09346	12/31/08	2009-2012	5/13/2011	$750.00	$40.00	$100.00	$10.00	$20.00
	David John McKee Cert. #16934	12/31/08	2009-2014	5/13/2011	$750.00	$60.00	$150.00	$15.00	$20.00
August 17, 2012	Barbara Joan Diekmann Cert. #11292	12/31/03	2004-2012	5/23/2006	$750.00	$90.00	$450.00	$10.00	$20.00
	Douglas Edward Neeser Cert. #12997	12/31/08	2009-2014	5/13/2011	$300.00	$60.00	$150.00	$15.00	$20.00

Failure to Renew Certificate	Facts	Remedy
	- Respondent's certificate expired and Respondent failed to renew the certificate or notify the Board that the Respondent was electing exemption from renewal under MN Stat. § 326A.04, subp 2 (b)(2010). - Respondent has not engaged in activities requiring an active certificate since the date of expiration. - Respondent violated MN Stat. §326A.10 (2010) and MR 1105.2500, 1105.7800, 1105.5600 (2011).	- Respondent's certificate is CENSURED and REPRIMANDED. - Respondent shall pay the fees listed below. - Respondent shall apply for an inactive certificate. - Respondent shall not engage in activities requiring an active certificate in this state, including but not limited to the performance of attest services, nor shall Respondent hold out to the public in any manner so as to suggest that the Respondent holds an active certificate. - Respondent shall comply with MN Stat. §326A.04, subd. 4 (2010). - Respondent agrees to not violate in the future any statute, rule or order that the Board has issued or is empowered to enforce.

Date Stipulation and Order Issued	In the Matter of:	Certificate Expired on:	Failed to Renew Certificate for Years:	Date Revoked	Civil Penalty	Inactive Certificate Renewal Fee ($10 per year)	Annual Delinquency Fee ($50 per year)	License Surcharge Fee ($5 per year after 2009)	Reinstatement Application Fee
September 17, 2012	Beverly JoAnn Fiferlick Cert. #22734	12/31/05	2006-2012	4/14/2008	$750.00	$70.00	$250.00	$10.00	$20.00
	Timothy Francis Leingang Cert. #11789	12/31/07	2008-2014	4/5/2010	$750.00	$70.00	$200.00	$15.00	$20.00
	Teresa Mary Lennon Cert. #06610	12/31/02	2003-2014	2/11/2005	$750.00	$120.00	$450.00	$15.00	$20.00
October 15, 2012	Madeline Sandra Martin Haller Cert. #10592	12/31/04	2005-2012	4/14/2008	$750.00	$80.00	$300.00	$10.00	$20.00
	William David Van Keulen Cert. #16666	12/31/06	2007-2013	4/21/2009	$750.00	$70.00	$250.00	$15.00	$20.00
November 13, 2012	Megan Noreen Balis Cert. #24897	12/31/09	2010-2012	8/17/2012	$750.00	$30.00	$50.00	$5.00	$20.00
	Melissa Ann Kaiser Cert. #24212	12/31/07	2008-2014	4/5/2010	$750.00	$70.00	$200.00	$15.00	$20.00
	Alecia Anne Maag Cert. #18605	12/31/04	2005-2014	4/27/2007	$750.00	$100.00	$350.00	$15.00	$20.00
	James Lloyd Muehlbauer Cert. #09824	12/31/08	2009-2014	5/13/2011	$750.00	$60.00	$150.00	$15.00	$20.00
January 18, 2013	Michael J. Havala Cert. # 09276	12/31/09	2010-2012	8/17/2012	$750.00	$30.00	$50.00	$5.00	$20.00
	Dean William Hensel Cert. #25108	12/31/09	2010-2012	8/17/2012	$750.00	$30.00	$50.00	$5.00	$20.00
	James R. Blackman Cert. # 19891	12/31/02	2003-2010	2/15/2005	$750.00	$100.00	$500.00	$10.00	$20.00

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- Respondent passed the CPA Exam on August 31, 2010 and was notified by the Board on November 18, 2010.
- Respondent's *Initial Application for an Active CPA Certificate* was received on July 29, 2011.
- Respondent was required to apply no later than April 23, 2011, sixty days after receiving the Board's notification of passing the exam.
- Respondent failed to apply for an active certificate when required to do so.

Remedy:

- Respondent's CPA certificate is CENSURED and REPRIMANDED and Respondent shall pay a CIVIL PENALTY of $250.00.

On July 16, 2012, the Board issued the following orders:

In the Matter of John D. Agre
Certificate #23443

The Board issued a Stipulation and Consent Order.

Facts:

- Respondent currently holds an active CPA certificate from the Board.
- Respondent failed to comply with the Board's continuing professional education rules by failing to complete 120 hours of mandatory continuing professional education during the years ended June 30: 2009, 2010 and 2011.

Remedy:

- Respondent's certificate shall be SURRENDERED to the Board.
- Respondent shall cease and desist from holding himself out as a CPA in Minnesota, practicing as a CPA in Minnesota, or engaging in activities requiring an active CPA certificate in Minnesota.
- Concurrent with any future application for reinstatement of his CPA certificate, Respondent shall successfully complete and report to the Board 120 hours of continuing professional education for 2009, 2010 and 2011, representing previously required hours not reported to the Board. In addition, Respondent shall report to the Board 120 continuing professional education hours for subsequent years as required by Minn. Stat. §326A.09 (2010).
- Concurrent with any future application for reinstatement of his CPA certificate, Respondent shall pay the Board's Continuing Professional Education Noncompliance Fee that will be calculated by the Board at that time, based upon M.R. part 1105.3000 G (2011) and the Continuing Professional Education information that Respondent reports to the Board pursuant to this Order.
- Respondent shall cease and desist from violating any statute, rule or order that the Board has issued or is empowered to enforce.

In the Matter of Brady Wessel Anderson
Certificate #24473

The Board issued a Stipulation and Consent Order.

Facts:

- Respondent currently holds an active CPA certificate from the Board.
- Respondent failed to comply with the Board's continuing professional education rules by failing to complete 120 hours of mandatory continuing professional education during the years ended June 30: 2009, 2010 and 2011.

Remedy:

- Respondent's certificate shall be SURRENDERED to the Board.
- Respondent shall cease and desist from holding himself out as a CPA in Minnesota, practicing as a CPA in Minnesota, or engaging in activities requiring an active CPA certificate in Minnesota.
- Concurrent with any future application for reinstatement of his CPA certificate, Respondent shall successfully complete and report to the Board 120 hours of continuing professional education for 2009, 2010 and 2011, representing previously required hours not reported to the Board. In addition, Respondent shall report to the Board 120 continuing professional education hours for subsequent years as required by Minn. Stat. §326A.09 (2010).
- Concurrent with any future application for reinstatement of his CPA certificate, Respondent shall pay the Board's Continuing Professional Education Noncompliance Fee that will be calculated by the Board at that time, based upon M.R. part 1105.3000 G (2011) and the Continuing Professional Education information that Respondent reports to the Board pursuant to this Order.
- Respondent shall cease and desist from violating any statute, rule or order that the Board has issued or is empowered to enforce.

In the Matter of Kimberly M. Black
Certificate #24686

The Board issued a Stipulation and Consent Order.

Facts:

- Respondent currently holds an active CPA certificate from the Board.
- Respondent failed to comply with the Board's continuing professional education rules by failing to complete 120 hours of mandatory continuing professional education during the years ended June 30: 2009, 2010 and 2011.

Remedy:

- Respondent's certificate shall be SURRENDERED to the Board.
- Respondent shall cease and desist from holding herself out as a CPA in Minnesota, practicing as a CPA in Minnesota, or engaging in activities requiring an active CPA certificate in Minnesota.
- Concurrent with any future application for reinstatement of her CPA certificate, Respondent shall successfully complete and report to the Board 120 hours of continuing professional education for 2009, 2010 and 2011, representing previously required hours not reported to the Board. In addition, Respondent shall report to the Board 120 continuing professional education hours for subsequent years as required by Minn. Stat. §326A.09 (2010).
- Concurrent with any future application for reinstate-

ment of her CPA certificate, Respondent shall pay the Board's Continuing Professional Education Noncompliance Fee that will be calculated by the Board at that time, based upon M.R. part 1105.3000 G (2011) and the Continuing Professional Education information that Respondent reports to the Board pursuant to this Order.
- Respondent shall cease and desist from violating any statute, rule or order that the Board has issued or is empowered to enforce.

In the Matter of Ricker and Associates, Ltd.
Firm Permit #01526

AND

In the Matter of Pamela Jean Ricker
Certificate #14676

The Board issued a Stipulation and Consent Order.
Facts:
- The Board issued a CPA firm permit to Respondent Firm on November 17, 2006.
- Respondent Firm is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation.
- Respondent Firm's CPA firm permit expired on December 31, 2010.
- Respondent Firm practiced public accounting and held out as a CPA Firm during the time that Respondent Firm's CPA firm permit had expired.
- Respondent Firm's CPA firm name is not in compliance with M.R. 1105.6300 and 1105.6400 (2011).
- Respondent Firm failed to timely file MN sales tax returns and pay MN sales taxes for a client for three months in 2010 and thus, performed substandard work that reflects adversely on Respondent Firm's ability or fitness to provide professional services.
- Respondent Ricker failed to comply with the Board's continuing professional education rules by failing to complete 120 hours of mandatory continuing professional education during the years ended June 30: 2009, 2010 and 2011 as required by M.R. 1105.3000 (2011).

Remedy:
- Respondent Ricker's CPA certificate is SUSPENDED for a period of six (6) months. During the period of the six month suspension of Respondent Ricker's CPA certificate:
  1. Respondent Ricker shall not offer to perform or perform services required by law to be performed by a CPA as set forth in Minn. Stat. Chapter 326A (2010) and M.R. Chapter 1105 (2011); **and**
  2. Respondent Ricker shall not use the designations "Certified Public Accountant" nor "CPA" in connection with her name, nor shall Respondent hold herself out as a Certified Public Accountant or CPA in any manner in the State of Minnesota.
- Respondent Firm shall pay to the Board a CIVIL PENALTY of $2,000.00.

- The six month suspension of Respondent Ricker's CPA certificate and payment of the $2,000.00 civil penalty by Respondent Firm are hereby STAYED until December 31, 2012, PROVIDED THAT Respondent Firm and Respondent Ricker comply with ALL of the following terms and conditions ON OR BEFORE DECEMBER 31, 2012:

  a. Respondent Ricker shall successfully complete and report to the Board continuing professional education hours required by M.R. 1105.3000 (2011) for each year ended June 30: 2009, 2010, 2011 and 2012. Respondent shall also pay all applicable Continuing Professional Education noncompliance fees per M.R. 1105.3000 (G) (2011).
  b. Respondent Firm shall bring Respondent's CPA firm permit into compliance by renewing the firm permit for the years 2011 and 2012 and paying all applicable renewal fees and delinquency fees.
  c. Respondent Firm shall bring Respondent's CPA firm name into compliance with the requirements of M.R. 1105.6300 and 1105.6400 (2011) and promptly provide documentation satisfactory to the Board of such compliance.
  d. If Respondent Firm and Respondent Ricker **fail to comply with all of the aforementioned conditions on or before December 31, 2012, the Stay will be lifted** and Respondent Ricker's CPA certificate will be SUSPENDED for a period of six (6) months and Respondent Firm shall pay to the Board a CIVIL PENALTY of $2,000.00 pursuant to the remedy above.

<u>On October 15, 2012, the Board issued the following orders:</u>

In the Matter of Grant Albert Kirgis
Certificate #04742

The Board issued a Stipulation and Consent Order.
Facts:
- Respondent currently holds an active CPA certificate, number 04742, issued by the Board.
- During the years 2007-2009, Respondent diverted funds of a client, Dorothy Day Hospitality House, Rochester, Minnesota, for Respondent's personal use without the approval of the board of directors of Dorothy Day Hospitality House.

Remedy:
- Respondent's CPA certificate is REVOKED.
- Respondent shall not offer to perform or perform services required by law to be performed by a CPA as set forth in Minn. Stat. Chapter 326A (2012) and M.R. Chapter 1105 (2011)).
- Respondent shall not use the designations "Certified Public Accountant" nor "CPA" in connection with his name, nor shall Respondent hold himself out as a Certified Public Accountant or CPA in any manner in the State of Minnesota.
- Respondent agrees that he will not petition the Board for reinstatement of his CPA certificate for at least five years.

Other Actions:

In the Matter of Steven Allen Schleif
Certificate #04269

On May 3, 2012, the Board issued an Order for

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Suspension of CPA Certificate. On April 30, 2012, the Board received a letter of License Revocation/Suspension from the Minnesota Department of Revenue, which advised the Board that Respondent has an overdue tax liability. Under Minn. Stat. §270C.72 (2010), the Board must suspend Respondent's certificate as a CPA.

Order:
It is hereby ORDERED that Respondent's CPA Certificate #04269 shall be SUSPENDED pursuant to Minn. Stat. §270C.72, subd. 1 (2010). During the period of suspension, Respondent shall not offer to perform or perform any services in this State that require certification as a CPA, including holding himself out to the public as a CPA.

It is FURTHER ORDERED that during the period of suspension, Respondent shall remove the designation of CPA from all Respondent's advertisements, business cards, business forms, and signage.

It is FURTHER ORDERED that the suspension shall take effect immediately and shall remain in effect until the Board receives a Tax Clearance Certificate from the Minnesota Department of Revenue indicating that Respondent does not owe the State any uncontested delinquent taxes, penalties, or interest and has filed all required returns. If a Tax Clearance Certificate is received, the Board shall then issue an Order to rescind this suspension of Respondent's CPA certificate.

In the Matter of Fred Allan Ehlert
Certificate #18214

On August 17, 2012, the Board issued an Order for Suspension of CPA Certificate. On August 16, 2012, the Board received a letter of License Revocation/Suspension from the Minnesota Department of Revenue, which advised the Board that Respondent has an overdue tax liability. Under Minn. Stat. §270C.72 (2010), the Board must suspend Respondent's certificate as a CPA.

Order:
It is hereby ORDERED that Respondent's CPA Certificate #18214 shall be SUSPENDED pursuant to Minn. Stat. §270C.72, subd. 1 (2012). During the period of suspension, Respondent shall not offer to perform or perform any services in this State that require certification as a CPA, including holding himself out to the public as a CPA.

It is FURTHER ORDERED that during the period of suspension, Respondent shall remove the designation of CPA from all Respondent's advertisements, business cards, business forms, and signage.

It is FURTHER ORDERED that the suspension shall take effect immediately and shall remain in effect until the Board receives a Tax Clearance Certificate from the Minnesota Department of Revenue indicating that Respondent does not owe the State any uncontested delinquent taxes, penalties, or interest and has filed all required returns. If a Tax Clearance Certificate is received, the Board shall then issue an Order to rescind this suspension of Respondent's CPA certificate.

Order for Automatic Revocation
of CPA Certificate

Pursuant to Minnesota Statutes 326A.04, subdivision 11 (2012), the CPA certificates of persons who have failed to renew their certificates for a period of more than two years shall be automatically revoked. IT IS HEREBY ORDERED that Respondents' CPA certificates in the State of Minnesota are automatically REVOKED pursuant to Minnesota Statutes 326A.04, subdivision 11 (2012). Respondents shall not in any manner practice or hold themselves out as certified public accountants in this state. The revocation shall take effect immediately. If Respondents wish to seek reinstatement of Respondents' CPA certificates, Respondents shall petition the Board pursuant to Minnesota Statutes 326A.09 (2012). The Board's consideration of and action upon any petition for reinstatement will be governed by Minnesota Statutes 326A.09 (2012) and applicable Board rules.

Adopted and Implemented on August 17, 2012:

Abrahamson, Wayne #14389
Ahern, Philip #08180
Allen, Brian #04625
Anderly, Ronald #21494
Anderson, Damon #16765
Anderson, Karen #08650
Andrews, Gregory #03251
Aronson, Shawn #25215
Bailey, Chad #21025
Baker, Kenton #06397
Bakko, Larry #04201
Balis, Megan #24897
Bares, Roger #05660
Bennes, Lowell #21583
Bergeron, Debbie #13241
Berglund, Brenda #19788
Black, Craig #11191
Bloomquist, Andrew #25534
Borash, Gregory #16443
Bowman, Ana #22469
Brackett, Mark #09254
Brink, Stephen #15196
Brinker, Candice #23650
Brost, Betty #05982
Brown, Carrie #16448
Buss, Robert #04130
Cagle, James #23814
Carlson, Monica #19855
Chamings, Lindsay #23713
Chapman, Pamela #18788
Cho, Sanghyun #19371
Christianson, Nicholas #16798
Chuckuemeka, Chuck #20976
Churchill, Dale #02905
Collins, Dennis #05192
Conway, James #19895
Cottington, Nyle #20462
Crandall, David #02236
Dahlmeir, Michael #02309
Deluca, Lori #22206
De Witt, Jeffrey #13511
Dinsmore, Steven #21500
Domine, David #11294
Doyle, Ryan #24491
Durkot, Richard #13274
Ferris, Tikhon #04553
Findley, Dennis #04730
Fitzmorris, Chris #19396
Flaiz, David #25695
Fox, Frederick #22038
Fritsche, Steven #07220
Frojd, Tim #05588
Geeslin, Daryl #21505
Gorman, Jeffrey #16066
Gould, William #18827
Graczyk, Philip #11333
Grodahl, Steven #08914
Gross, Christopher #15268
Hageman, Jeremy #24828
Halla, Shannon #21984
Hartley, Ione #05472
Havala, Michael #09276
Hearnen, Karen #24029
Helmbrecht, Brett #24601
Hendrickson, Bridget #25107
Hensel, Dean #25108
Hilgenberg, Chag #25416
Hissom, Russell #23023
Holt, John #22408
Hovey, David #15691
Hovsepian, Teri #24239
Humboldt, Christine #05592
Hutchison, Robert #25627

Adopted and Implemented on October 15, 2012:

Johnson, Kenneth #02083
Joralmon, Dian #22231
Kapitzke, David #19446
Kartawidjaya, Eveline #23089
Kerin, Todd #14517
Kinkeade, Joshua #20633
Kinsman, Donna #08750
Kleppen, David #04949
Kocourek, Christopher #17627
Koehn, Brian #21137
Koland, Dennis #05768
Kolkind, David #06068
Kramer, Joann #05252
Kreuger, Richard #06878
Lammers, Randolph #03153
Laqua, Ruthanne #13142
Larson, Scott G. #12169
Leininger, Patrick #03891
Leither, Leon #04743
Linder, John #18300
Lukaska, Patricia #15897
Maas, Robert #03630
Maddox, Dennis #15351
Madoffe, Heri #24856
Mahon, Leo #15756
Manthey, Mark #05797
Martin, Charles #05800
Mayala, Anita #18317
McAnnany, Terry #C1839
McAreavy, Brian #10393
McCabe, Matthew #22983
McClurg, Theresa #23641
McConnell, Gordon #04117
McCue, Nancy #17025
McGuire, Patrick #02989
McPhail, Jason #19592
Merical, Burton #08195
Meyer, Alvin #03119
Meyer, John R. #21797
Mickelson, Arnold #C1752
Miller, Colleen #11088
Miller, Steven A. #14580
Moon, Kathryn #19189
Moose, Myrtle #08442
Moriarty, Joseph #23091
Mouw, Andrea #25493
Mulder, Cara #20421
Myers, Michael J. #08795
Neal, Julia #16739
Nelson, Jeanne R. #19491
Nyhus, Thomas #17320
Olabisi, Michael #24740
Olson, Anita R. #11599
Ostrem, Per #22318
Paslawski, Steven #10744
Pearson, Donald #04649
Pohlman, Marcy #07745
Poirier, Kevin #11576
Rafik, Faiyaz #22216
Ragan, Randy #19053
Richardson, Charles #21833
Sari, Lydia #24727
Schaefer, Linda #09885
Schnier, Clinton #04847
Shiratori, Munetaka #21902
Siegle, Stacy #16593
Sigakis, Matthew #20911
Simonet, Stephen #02446
Snyder, Paul #10395
Sontag, Cynthia #08338
Spicer, Paul #16639
St. Pierre, Scott #24058
Stewart, Lauren #23172
Stier, Cary #22546
Suel, James #07389
Sundby, Lawrence #04071
Swenson, Douglas #18391
Theisen, Deborah #07398
Topiwala, Shamim #24816
Travis, John #15469
Truhe, Alicia #22453
Ulrich, Charles #02036
Verma, Priti #20992
Voigtlander, Sherree #23789
Vopat, Kent #06185
Wadleigh, Mary #18972
Wagner, John P. #11163
Wagner, Jr., Thomas A. #15485
Wahlin, Jay #03410
Weber, Bradley #24192
Weitz, Joel #09528
Wikenheiser, Dean #21015
Wikenheiser, Lexy #21015
Willgohs, Timothy #09533
Wolf, John J. #02100
Woodbeck, David #12347
Xiong, Bob #25447
York, Ryan #21465
Youngquist, Kenneth #03651
Zafar, Mustafa #24398
Zehr, Jennifer #10170
Zimmerman, Mark #09964
Zuraff, David #17480

2013 Board Calendar

All Board meetings are subject to time change.
Contact the Board office for specific meeting times.

February
7 Complaint Committee Meeting
14 Board Meeting

March
No Board Meeting will be held.
22 Complaint Committee Meeting

April
11 Complaint Committee Meeting
19 Board Meeting

May
13 Board Meeting
(TBD) Complaint Committee Meeting

June
No Board meeting will be held.
(TBD) Complaint Committee Meeting

July
15 Board Meeting
(TBD) Complaint Committee Meeting

August
9 Board Meeting
(TBD) Complaint Committee Meeting

September
16 Board Meeting
(TBD) Complaint Committee Meeting

October
21 Board Meeting
(TBD) Complaint Committee Meeting

November
12 Board Meeting
(TBD) Complaint Committee Meeting

December
9 Board Meeting
(TBD) Complaint Committee Meeting

Summary of Key Foreign Account Tax Compliance Act Provisions

By Carole Smith, Stakeholder Liaison, IRS

The Foreign Account Tax Compliance Act (FATCA), enacted in 2010 as part of the Hiring Incentives to Restore Employment (HIRE) Act, is an important development in U.S. efforts to combat tax evasion by U.S. persons holding investments in offshore accounts.

Under FATCA, certain U.S. taxpayers holding financial assets outside the United States must report those assets to the IRS. In addition, FATCA will require foreign financial institutions to report directly to the IRS certain information about financial accounts held by U.S. taxpayers, or by foreign entities in which U.S. taxpayers hold a substantial ownership interest.

Reporting by U.S. Taxpayers Holding Foreign Financial Assets

FATCA requires certain U.S. taxpayers holding foreign financial assets with an aggregate value exceeding $50,000 to report certain information about those assets on a new form (Form 8938) that must be attached to the taxpayer's annual tax return. Reporting applies for assets held in taxable years beginning after March 18, 2010. For most taxpayers this will be the 2011 tax return they file during the 2012 tax filing season. Failure to report foreign financial assets on Form 8938 will result in a penalty of $10,000 (and a penalty up to $50,000 for continued failure after IRS notification). Further, underpayments of tax attributable to non-disclosed foreign financial assets will be subject to an additional substantial understatement penalty of 40 percent.

Reporting by Foreign Financial Institutions

FATCA will also require foreign financial institutions ("FFIs") to report directly to the IRS certain information about financial accounts held by U.S. taxpayers, or by foreign entities in which U.S. taxpayers hold a substantial ownership interest. To properly comply with these new reporting requirements, an FFI will have to enter into a special agreement with the IRS by June 30, 2013. Under this agreement a "participating" FFI will be obligated to:

(1) undertake certain identification and due diligence procedures with respect to its accountholders;

(2) report annually to the IRS on its accountholders who are U.S. persons or foreign entities with substantial U.S. ownership; and

(3) withhold and pay over to the IRS 30-percent of any payments of U.S. source income, as well as gross proceeds from the sale of securities that generate U.S. source income, made to (a) non-participating FFIs, (b) individual accountholders failing to provide sufficient information to determine whether or not they are a U.S. person, or (c) foreign entity accountholders failing to provide sufficient information about the identity of its substantial U.S. owners.

Notice 2011-53 provides the phased-in timeline of key FATCA implementation dates for FFIs. It is important to note that many details of the new reporting and withholding requirements pertaining to FFIs must be developed through Treasury regulations. Proposed regulations were issued on Feb. 8, 2012. Published IRS Notices accessible from this FATCA internet site provide currently available information and guidance.

Elijah Watt Sells Award Winner

BJ Dinter of Eagan, Minnesota, received the American Institute of Certified Public Accountants (AICPA) Elijah Watt Sells Award. This award is presented to the three CPA candidates who obtain the highest combined grades when taking all four sections of the Uniform Certified Public Accountant Examination at one administration.

The Award was created in 1923 to honor Elijah Watt Sells, a founding partner of Haskins & Sells, which was a predecessor to the international firm Deloitte & Touche. In 1986, Mr. Sells became one of the first CPAs under the provisions of a New York State law enacted that year. He was active in the creation of the AICPA and served at different times as an officer and member of its governing council.

Mr. Dinter is a 2011 graduate of the University of St. Thomas in Minneapolis, Minnesota with a Master's of Business Administration degree. He was licensed as a CPA in Minnesota on October 15, 2012.

Congratulations to Mr. Dinter on achieving this award!