

STATE OF MINNESOTA
BOARD OF ACCOUNTANCY

In the Matter of
Thomas Abrahamian
Certificate 21471

ORDER FOR REVOCATION

The Minnesota Board of Accountancy ("Board") has been created under the authority contained in Minnesota Statutes. The Board is authorized, pursuant to the authority contained in Minn. Stat. § 326A.08, subd. 5(a)(1), to revoke an individual's certificate and permit if that individual fails to comply with an order issued by the Board. In accordance with the authority contained in Minnesota Statutes, the Board has created a complaint committee (the "Committee") to investigate, mediate or initiate administrative or legal proceedings on behalf of the Board with respect to complaints filed with or information received by the Board alleging or indicating violations of sections 326A.01-326A.14.

The Board has been presented credible information, including the Board's own records and files, that leads it to conclude that Thomas Abrahamian ("Respondent") has previously entered into and consented to the Board's issuance of a Stipulation and Consent Order approved by the Board on February 26, 2007 ("2007 Stipulation and Order"), a copy of which is attached hereto and incorporated herein by reference, and which contained certain conditions with which Respondent had agreed to and was required to comply. The Board has further been presented with: 1) credible information that leads it to believe that Respondent has failed to comply with all of the conditions contained in the 2007 Stipulation and Order; and 2) the recommendation of the Complaint Committee that Respondent's certificate to practice public accounting be revoked because of such failure to comply.

Pursuant to the provisions contained in paragraph 10 of the 2007 Stipulation and Order, this matter was brought before the Board on the 14th day of April, 2008. Respondent was duly notified of that this matter would be considered by the Board on such date and did not appear. Based upon the files and records of the Board, the attached Affidavit of Doreen Frost and the findings and recommendation of the Complaint Committee, the Board hereby makes the following findings of fact and conclusions.

FINDINGS OF FACT

1. Respondent, after being advised of his rights and being given the opportunity to consult with legal counsel, did voluntarily agree to enter into and execute the 2007 Stipulation and Order.

2. Two conditions contained in paragraph 9 of the 2007 Stipulation and Order with which Respondent agreed to comply were the requirements that Respondent (1) successfully complete and report to the Board 120 Continuing Professional Education ("CPE") hours by December 31, 2006; and (2) provide the Board with a copy of a quality review report of Respondent's practice for the year ended December 31, 2004.

3. Respondent has not, as of the date of this Order for Revocation, supplied any evidence or information to the Board indicating that he has successfully completed and reported 140 CPE hours, or submitted to the Board a copy of a quality review report of his practice, as referred to in paragraph 2 above.

4. The Complaint Committee has recommended to the Board that the 2007 Order be vacated and Respondent's public accounting certificate number 21471 be revoked because of his failure to comply with all of the conditions contained in the 2007 Stipulation and Order.

CONCLUSIONS

1. In paragraph 10 of the 2007 Stipulation and Order, Respondent waived any right he may have to a hearing before an administrative law judge, discovery, cross examination of adverse witnesses, and other procedures governing administrative hearings or civil trials regarding the matters covered under the Order for Revocation.

2. Respondent's failure to complete and report 120 CPE hours, and submit to the Board a copy of the quality review report of his practice for the year ended December 31, 2004, are in violation of the 21007 Stipulation and Order.

3. In accordance with the provisions contained in paragraph 10 of the 2007 Stipulation and Order, the Board may impose additional discipline as a result of his violation of the 2007 Stipulation and Order, pursuant to Minn. Stat §326A.08, subd. 5(a)(1).

4. The Complaint Committee's recommendation that the 2007 Stipulation and Order be vacated and Respondent's certificate as a public accountant be revoked is supported by the record and is appropriate and not excessive.

ORDER

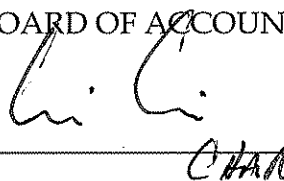
Based upon all of the information presented, the Board hereby adopts and incorporates herein the above-delineated Finding of Fact and Conclusions. Upon consideration of the foregoing Findings of Fact and Conclusion, the Board hereby orders that the 2007 Stipulation and Order be vacated and Respondent's certificate to practice accounting in the State of Minnesota is hereby immediately revoked as of this 14th day of April 2008, and Respondent is hereby ordered to immediately surrender his certificate to practice public accounting to the Board by delivering the originals thereof to the Board's office at Suite 125, Golden Rule Building, 85 East Seventh Place, Saint Paul, Minnesota 55101.

Respondent may reapply for licensure to the Board upon presenting a petition for reinstatement as provided in Minn. Stat § 326A.09. At a minimum, the petition shall include satisfactory evidence that he has successfully completed the 120 CPE hours, and submitted to the Board a copy of the quality review report of Respondent's practice as required in the 2007 Stipulation and Order. Upon consideration of the petition, the Board may, in its sole discretion, place any other conditions on reinstatement of Respondent's certificate that it deems appropriate and necessary to ensure that the purposes of Minn. Stat. § 326A are met.

Dated the 14th day of April, 2008.

MINNESOTA BOARD OF ACCOUNTANCY

BY: _____



Handwritten signature of a representative of the Minnesota Board of Accountancy, appearing to be "C. H. A. R.", written over a horizontal line.

**STATE OF MINNESOTA
BOARD OF ACCOUNTANCY**

**In the Matter of
Thomas Abrahamian,
Certificate No. 21471
No Firm Permit**

**STIPULATION AND
CONSENT ORDER
Board File No. 2006-027
& 2006-028**

It is hereby stipulated and agreed by Thomas Abrahamian, CPA ("Respondent") and the Complaint Committee ("Committee") of the Board of Accountancy ("Board") that without trial or adjudication of any issue of fact or law and without any evidence or admission by any party with respect to any such issue:

1. A Notice of Conference with the Board of Accountancy's Complaint committee was duly served upon Respondent, receipt of which is hereby acknowledged by Respondent.

2. On June 9, 2006, Respondent and appeared before the Board's Complaint Committee, composed of Board members Robert J. Hyde, Chair, Michael M. Vekich and Roger L. Reinhart, to discuss allegations made in the notice referenced above. Executive Director, Doreen Frost and Board Investigator, Steven Renville, were also present. Gregory P. Huwe, Assistant Attorney General, represented the Board at the conference.

3. For the purpose of this stipulation, Respondent waives all procedures and proceedings before the Board to which Respondent may be entitled under the United States and Minnesota constitutions, statutes, or the rules of the Board, including the right to dispute the allegations against Respondent and to dispute the appropriateness of discipline in a contested case hearing pursuant to Minnesota Statutes chapter 14. Respondent agrees that upon the ex parte application of the Committee, the Board may order the remedy specified in paragraph 9 below. Respondent waives the right to any judicial review of the order by appeal, by writ of certiorari, or otherwise. Although Respondent was reminded of the opportunity for counsel, Respondent voluntarily waived such right, stating that the Respondent understood that right and the waiver.

4. This Stipulation shall constitute the entire record of the proceedings herein

upon which the Consent Order is based. All documents in the Board's files shall maintain the data classification to which they are entitled under the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13. They shall not, to the extent they are not already public documents, become public merely because they are referenced herein.

5. In the event the Board in its discretion does not approve this Stipulation or a lesser remedy than specified in this Consent Order, this Stipulation and Consent Order shall be null and void and shall not be used for any purpose by either party. If this Stipulation is not approved and a contested case hearing is initiated by the Committee pursuant to Minnesota Statutes chapter 14, Respondent agrees not to object to the Board's initiation of the hearing and its hearing the case on the basis that the Board has become disqualified because of to its review and consideration of this Stipulation or of any records relating hereto.

FACTS

6. Respondent admits the facts referred to below and grants that the Board may, for the purpose of reviewing the record in paragraph 4 above, consider the following as true without prejudice to the Respondent in any current or future proceeding of the Board with regard to these or other allegations:

a. Respondent's active certificate expired on December 31, 2003 and the Respondent failed to renew the Respondent's certificate and engaged in activities requiring an active certificate and held out to the public as a certified public accountant since that date (MS 326A.10, Minnesota Rules 1105.2500, 1105.7800, 1105.5600).

b. 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 3, 2003, 2004 and 2005 (MS 326A.04, Minnesota Rules 1105.3000, 1105.5600, 1105.7800).

c. Respondent failed to obtain a valid Firm permit during 2003 through 2006 and during that period the firm engaged in activities which required such a permit. (MS 326A.10, MS 326A.05, Minnesota Rules 1105.5600, 1105.7800).

d. Respondent failed to submit the required quality review reports due June 30, 2003 and March 30, 2006. (MS 326A.05, Minnesota Rules 1105.4300, 1105.4500 – 1105.5600, 1105.7800).

e. Respondent failed to reply to communications from the Board. (Minnesota Rules 1105.1200).

STATUTES

7. Respondent admits that the facts and conduct specified in paragraph 6 above constitutes violation of Minnesota Statutes section 326A and Minnesota Rules chapter 1105 are sufficient grounds for the remedy specified in paragraph 9 below, and that proof at hearing of any one or more of the allegations set forth would empower the Board to take disciplinary action against Respondent's certificate.

8. This Stipulation shall not in any way or manner limit or affect the authority of the Board to proceed against Respondent by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Respondent justifying disciplinary action which occurred before or after the date of this stipulation and that is not directly related to the specific facts and circumstances set forth herein.

REMEDY

9. Upon this Stipulation and record, as set forth in paragraph 4 above, and without any further notice of proceedings, the Committee and Respondent agree that the Board may, in its discretion, issue an order to Respondent requiring compliance with the following:

a. Respondent's certificate is **CENSURED** and **REPRIMANDED**.

b. Concurrent with the submission of this Stipulation and Consent Order to the Board for its approval Respondent shall pay to the Board a total of \$1450 for the following:

1) A **CIVIL PENALTY** of \$500,

- 2) \$ 285 in CPA certificate renewal fees,
- 3) \$ 325 in continuing professional education noncompliance fees,
- 4) \$ 340 CPA sole proprietor firm permit renewal fees.

c. Respondent shall successfully complete and report to the board 120 hours of continuing professional education by December 31, 2006. Failure to successfully complete and report to the Board the required hours by the date specified shall be a violation of the Board's order and shall result in the automatic suspension of the Respondent's certificate until the hours are reported to the Board and the Board acknowledges receipt of the hours. The hours required shall be in addition to the continuing professional education hours required by Minnesota Rules 1105.3000.

d. Concurrent with the submission of this Stipulation and Consent Order to the Board for its approval, Respondent shall apply for and maintain an active certificate so long as the Respondent engages in activities requiring an active certificate.

e. Respondent is prohibited engaging in activities requiring an active certificate in this state without obtaining an active certificate.

f. Concurrent with the submission of this Stipulation and Order to the Board for its approval, Respondent shall provide a copy of a signed engagement letter with a reviewer to conduct a quality review of the Respondent's practice for the year ended December 31, 2004. Respondent shall provide the Board with a copy of the report issued as a result of that review. The Respondent shall not conduct audits, reviews and compilations until the required reports are submitted to the Board.

g. Respondent shall not engage in activities requiring a firm permit or hold the firm out as a CPA firm without obtaining an annual firm permit.

h. Respondent agrees that the Respondent will not violate in the future any statute, rule or order that the board has issued or is empowered to enforce.

10. Violation of this Stipulation and Consent Order shall be considered a violation of Minnesota Statutes section 326A.08, subdivision 5(1). If Respondent violates this Stipulation and Consent Order, Minnesota Statutes sections 326A.01-.14 or Minnesota Rules Chapter 1105, the Board may impose additional discipline pursuant to the following procedure:

a. The Complaint Committee shall schedule a hearing before the Board. At least ten days prior to the hearing, the Committee shall mail Respondent a notice of the violation alleged by the Committee and of the time and place of the hearing. Service of notice on Respondent is complete upon mailing the notice to Respondent's last known address. Within ten days after the notice is mailed, Respondent shall submit a response to the allegations. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

b. At the hearing before the Board, the Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Consent Order. Respondent waives a hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

c. At the hearing, the Board will determine whether to impose additional disciplinary action, which may include additional conditions or limitations on Respondent's practice or suspension or revocation of Respondent's certificate .

The Committee shall have the right to attempt to resolve an alleged violation of the Stipulation and Consent Order through the procedures of Minnesota Statutes section 214.10. Nothing herein shall limit (a) the Committee's right to initiate a proceeding against Respondent pursuant to Minnesota Statutes chapter 14, or (b) the Committee's and the Board's right to temporarily suspend Respondent's certificate pursuant to Minnesota Statutes section 326A.08, subdivision 6, based on a violation of this Stipulation and Consent Order or based on conduct of

Respondent before or after the date of this stipulation which is not specifically referred to in paragraph 6 above.

11. Any appropriate court of law may, upon application of the Board, enter its decree enforcing the order of the Board.

12. Respondent hereby acknowledges that the Respondent has read, understands, and agrees to this Stipulation and Consent Order and has freely and voluntarily signed the stipulation without threat or promise by the Board or any of its members, employees, or agents. When signing the stipulation, Respondent acknowledges that the Respondent is fully aware that the Stipulation and Consent Order must be approved by the Board. The Board may either approve the Stipulation and Consent Order as proposed, approve the order subject to specified change, or reject it. If the changes are unacceptable to Respondent or the Board rejects the stipulation, it will be of no effect except as specified herein.

13. This Stipulation and Consent Order is public data pursuant to Minnesota Statutes section 13.41, subdivision 4.

14. This Stipulation contains the entire agreement between the parties. Respondent is not relying on any other agreement or representation of any kind, verbal or otherwise.

15. If approved by the Board, a copy of this Stipulation and Consent Order shall be served personally or by first class mail on Respondent. The Order shall be effective and deemed issued when it is signed.

CONSENT:

BOARD OF ACCOUNTANCY
COMPLAINT COMMITTEE

Thomas Abrahamian
Thomas Abrahamian, C.P.A.
Respondent

Robert J. Hyde
Robert J. Hyde, C.P.A.
Chair

Dated: Sept. 15, 2006

Dated: 2/9, 2006

Respondent's Attorney

Gregory P. Huwe
Gregory P. Huwe
Assistant Attorney General

Dated: _____, 2006

Dated: 2/9, 2006 7

ORDER:

Upon consideration of the foregoing stipulation and based upon all the files, records and proceedings, herein,

1. **IT IS HEREBY ORDERED** that Respondent's certified public accountant certificate is CENSURED AND REPRIMANDED, and

2. **IT IS FURTHER ORDERED** that all other terms of this stipulation and consent Order are adopted and implemented this 26th day of

February, 2006.

STATE OF MINNESOTA
BOARD OF ACCOUNTANCY

Neil Lapidus
Neil Lapidus, Vice Chair