

STATE OF MINNESOTA  
BOARD OF ACCOUNTANCY

**In the Matter of  
Jeffrey P Sweetser, CPA  
CPA Firm Permit No. 07391**

**STIPULATION AND  
CONSENT ORDER  
Board File 2019-353**

The Minnesota Board of Accountancy is authorized pursuant to Minn. Stat. §§ 214.10, 326A.02, subds. 4, 6, and 326A.08, subd. 1 (2018) to review complaints against certified public accountants and to take disciplinary action whenever appropriate.

The Board received information concerning Jeffrey P Sweetser, CPA, 19450 Shady Hills Road, Shorewood, Minnesota 55331 ("Respondent"). The Board's Complaint Committee reviewed that information.

It is hereby stipulated and agreed by Respondent and the Committee that without trial or adjudication:

1. For the purpose of this stipulation and consent order, 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 Minn. Stat. ch. 14 (2018), and to dispute any civil penalty imposed by this Stipulation. Respondent agrees that upon the *ex parte* application of the Committee, without notice to or appearance by Respondent, the Board may order the remedy specified in paragraph 7 below. Respondent waives the right to any judicial review of the order by appeal, by writ of certiorari, petition for review, or otherwise.

2. This stipulation shall constitute the entire record of the proceedings herein upon which the consent order is based.

3. In the event the Board in its discretion does not approve this stipulation and consent order or propose a lesser remedy than specified herein, this stipulation and consent order shall be null and void and shall not be used for any purpose by either party. If this stipulation and consent order is not approved and the Committee initiates a contested case hearing pursuant to Minn. Stat. ch. 14 (2018), Respondent agrees not to object to the Board hearing the case on the basis that the Board has become disqualified because of its review and consideration of this stipulation and consent order or of any records relating hereto.

### FACTS

4. This stipulation and consent order is based upon the following facts. Respondent admits the facts referred to below and grants that the Board may, for the purpose of reviewing the record in paragraph 2 above, consider the following as true:

- a. The Board issued a Certified Public Accountant Firm Permit ("CPA Firm Permit") to Respondent on February 27, 2014. Respondent's CPA Firm Permit expired on December 31, 2016. Respondent renewed the CPA Firm Permit on July 22, 2019. Respondent currently holds a CPA Firm Permit from the Board. Respondent is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation and Consent Order.
- b. Respondent's firm permit expired on December 31, 2016. In a letter to the Board on October 11, 2018, Respondent indicated it was performing audits and compilations during the time the firm permit was expired.
- c. Respondent failed to complete a peer review completed of its audit and compilation work for the period ending September 30, 2014, by

the December 30, 2015 due date. Respondent also failed to complete a peer review for the period ending September 30, 2017, which was due December 30, 2018.

- d. On July 19, 2019, Respondent submitted a peer review report for the period ending September 30, 2014, with a rating of *pass with deficiency*, and a peer review report for the period ending September 30, 2017, with a rating of *pass with deficiency*.
- e. On July 22, 2019, Respondent submitted the 2017, 2018, and 2019 firm permit renewal forms.
- f. Respondent held itself out as a CPA Firm and performed audits without a valid firm permit from January 1, 2017, to July 22, 2019.

5. Respondent admits that the facts and conduct specified in paragraph 4 above constitute violations of Minn. Stat. § 326A.08, subds. 5 (a)(1) and 5(a)(8), and 326A.10 (a), (d), and (e) (2018) and Minn. R. 1105.5600, subp.1 C. (1) and 1 C. (7), and 1105.7800 A., C., and D. (2017), are sufficient grounds for the remedy specified in paragraph 7 below, and that proof at hearing of any one or more of the allegations set forth would empower the Board to take disciplinary action pursuant to Minn. Stat. § 326A.08 (2018).

6. This stipulation and consent order shall not limit the authority of the Board to proceed against Respondent by appropriate means on the basis of any conduct justifying disciplinary action which occurred before or after the date of this stipulation and consent order and that is not directly related to the specific facts and circumstances set forth herein.

## REMEDY

7. Upon this Stipulation and record, as set forth in paragraphs 2 and 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 CPA Firm Permit is **CENSURED** and **REPRIMANDED**.

b. Respondent shall pay to the Board a CIVIL PENALTY of One Thousand Dollars (\$1,000.00). Respondent shall submit a Civil Penalty of One Thousand Dollars (\$1,000.00) by check to the Board within sixty (60) days of the Board's approval of this Stipulation and Consent Order.

8. Respondent's representative hereby acknowledges that he or she has read, understands, and agrees to this stipulation and consent order and is freely and voluntarily signing the stipulation on behalf of Respondent without threat or promise by the Board or any of its members, employees, or agents. When signing the stipulation, Respondent acknowledges that he or she are fully aware that the stipulation and consent order must be approved by the Board. The Board may approve the stipulation and consent order as proposed, approve the order subject to specified change, or reject it. If the proposed changes are unacceptable to Respondent or the Board rejects the stipulation, it will be of no effect except as specified herein.

9. Under the Minnesota Government Data Practices Act, this Stipulation is classified as public data upon its issuance by the Board. Minn. Stat. § 13.41, subd. 5 (2018). All documents in the record shall maintain the data classification to which they are entitled under the Minnesota Government Data Practices Act, Minn. Stat. ch. 13 (2018). They shall not, to the extent they are not already public documents, become public merely because they are referenced herein. A summary of this order will appear in the

Board's newsletter. A summary will also be sent to the national discipline data bank pertaining to the practice of public accounting.

10. 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.

11. Respondent is aware that they may choose to be represented by legal counsel in this matter. Respondent knowingly waived legal representation.

12. 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 by the Board Chair or designee of the Chair.

13. Pursuant to Minn. Stat. § 16D.17 (2018), ninety days after the Board's approval of this stipulation and consent order, the Board may file and enforce any unpaid portion of the civil penalty imposed by this order as a judgment against the Respondent in district court without further notice or additional proceedings.

CONSENT:

RESPONDENT

Jeffrey P. Sweetser, CPA  
JEFFREY P SWEETSER, CPA  
By: Jeffrey P. Sweetser, CPA  
Its: OWNER  
Dated: 10/28/2019, 2019

SUBSCRIBED and sworn to before me on  
this the 28 day of October, 2019.

Darshana Patel  
(Notary Public)



My Commission Expires: Jan 31, 2024

COMPLAINT COMMITTEE

Sharon A. Jensen  
SHARON A. JENSEN, CPA  
Chair  
Dated: December 5, 2019

**ORDER:**

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

1. **IT IS HEREBY ORDERED** that all other terms of this Stipulation and Consent Order are adopted and implemented this 5 day of December, 2019.

STATE OF MINNESOTA  
BOARD OF ACCOUNTANCY

  
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GREGORY S. STEINER, CPA  
Chair

**AFFIDAVIT OF SERVICE BY MAIL**


RE: Jeffrey P Sweetser, CPA; Firm Permit No. 07391

STATE OF MINNESOTA        )  
  ) ss.  
COUNTY OF RAMSEY        )


Matt Kaehler, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on this the 9<sup>th</sup> day of December, 2019, he served the attached Stipulation and Consent Order, by depositing in the United States mail at said city and state, a true and correct copy thereof, properly enveloped, with first class and certified postage prepaid, and addressed to:

Jeffrey P Sweetser, CPA  
Jeffrey P Sweetser  
19450 Shady Hills Rd  
Shorewood, MN 55331

  
\_\_\_\_\_  
Matt Kaehler

Subscribed and sworn to before me on  
this the 9<sup>th</sup> day of December, 2019.

  
\_\_\_\_\_  
(Notary Public)

