

**STATE OF MINNESOTA  
BOARD OF ACCOUNTANCY**

In the Matter of the CPA Firm Permit of

Collins & Associates, SC  
CPA Firm Permit No. F1689

**STIPULATION AND  
CONSENT ORDER**

Board File No. 2023-149

**STIPULATION**

Collins & Associates, SC ("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. F1689, is CENSURED and REPRIMANDED pursuant to Minn. Stat. § 326A.08 (2024).
- B. Respondent shall pay to the Board a CIVIL PENALTY of Five Thousand dollars (\$5,000). Respondent shall submit the civil penalty by check to the Board within sixty (60) days of the Board's approval of this Stipulation and Consent Order.
- C. Respondent shall comply with all statutes and rules within the Board's jurisdiction. See Minn. Stat. ch. 326A (2024) and Minn. R. ch. 1105 (2023).
- D. Respondent shall report in writing within ten days any 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. The Board issued Respondent a CPA firm permit on August 13, 2009.
2. Respondent received a peer review rating of “fail” on April 27, 2023, for the period under review ended September 30, 2022.
3. The Reviewer found two significant deficiencies:
  - a. While the Respondent required firm personnel to meet continuing professional education requirements from the AICPA and regulatory agencies, the education taken was insufficient. As a result, two local government audits performed under Government Auditing Standards, an employee benefit plan audit, and a Statement on Standards for Accounting and Review Services (SSARS) Review that did not conform to professional standards in all material respects.
  - b. The Respondent’s performance of its monitoring procedures did not provide it with reasonable assurance that errors within its system of quality control would be detected and corrected timely.
4. Respondent was required by its Report Acceptance Body to complete four remedial actions as a result of the “fail” peer review rating and the significant deficiencies found by the Reviewer. These included:
  - a. Having all staff who work on audit engagements complete the AICPA’s “Risk Assessment Today” course.
  - b. The Respondent joining the Governmental Audit Quality Center.

- c. All of Respondent's partners participate in at least one hour of continuing professional education in the Respondent's System of Quality Control or Quality Management.
- d. Hiring an outside party to perform a post-issuance review of the report, financial statements, and working papers for one Single Audit engagement issued subsequent to the Respondent's peer review.

5. This was the firm's second consecutive "fail" rating with significant deficiencies being found.

6. Respondent's completed peer review documentation was due to the Board no later than December 30, 2023, but Respondent did not submit peer review documentation by the due date.

7. Respondent's completed peer review documentation was submitted on June 3, 2024, five months and four days after it was due to the Board. The peer review documentation was also received by the Board three months after the peer review was completed and not within 30 days after the firm received the completed peer review documentation as required in 1105.5400(A).

### **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 (2024).

- c. All of Respondent's partners participate in at least one hour of continuing professional education in the Respondent's System of Quality Control or Quality Management.
- d. Hiring an outside party to perform a post-issuance review of the report, financial statements, and working papers for one Single Audit engagement issued subsequent to the Respondent's peer review.

5. This was the firm's second consecutive "fail" rating with significant deficiencies being found.

6. Respondent's completed peer review documentation was due to the Board no later than December 30, 2023, but Respondent did not submit peer review documentation by the due date.

7. Respondent's completed peer review documentation was submitted on June 3, 2024, six months and three weeks after it was due to the Board. The peer review documentation was also received by the Board three months after the peer review was completed and not within 30 days after the firm received the completed peer review documentation as required in 1105.5400(A).

### **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 (2024).

2. Respondent violated Minn. R. 1105.0250(B)(3) and (5), 1105.5400(A), 1105.5600, subp. 1(C)(6),(7), and (D), and 1105.7800(A), (F), and (I) (2023).
3. Respondent is subject to discipline pursuant to Minn. Stat. §§ 326A.08, subd. 5(a)(1), (3), and (10) (2024).
4. 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 (2024).
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 (2024) (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 (2024), 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 (2024), 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.

Collins & Associates

Collins & Associates, SC

By: Marc A. Roon - Marc A. Roon CPA

Its: Manager/Shareholder

STATE OF Wisconsin

COUNTY OF La Crosse

This instrument was acknowledged before me on 12/20/2024 by Collins & Associates, SC.

(stamp)



[Signature]

(Signature of notary officer)

My commission expires: 11/14/2028

#### COMPLAINT COMMITTEE

[Signature]


ANN ETTER, CPA  
Chair

Dated: Feb 5, 2024<sup>25</sup>

### 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 hereby ADOPTS the stipulation and issues the ORDER described above.

STATE OF MINNESOTA  
BOARD OF ACCOUNTANCY

  
Gordon Sewatt

Dated: 02/05, 2024

For: \_\_\_\_\_  
CHARLES SELCER, CPA  
Board Chair