

BEFORE THE ACCOUNTANCY EXAMINING BOARD
OF THE STATE OF IOWA

Department of Commerce
Professional Licensing Bureau

FILED April 7 2011 (Date)

Accountancy
Board / Commission

Signature, Executive Officer

IN THE MATTER OF:

Case No. 10-083

Brian Geerts
CPA #O08725
Brian Geerts, CPA
2535 Tech Drive, Ste. 313
Bettendorf, IA 52722

COMBINED STATEMENT OF
CHARGES AND CONSENT ORDER
IN DISCIPLINARY CASE

Respondent.

A. Statement of Charges

1. The Iowa Accountancy Examining Board ("Board") has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 542 (2009).

2. Respondent was issued Iowa CPA certificate number O08725 on the 18th day of December, 1994. Respondent reported he completed the required continuing professional education for his 2010 renewal. Respondent phoned December 1, 2010, the deadline for completing the 2010 CPE Audit, stating he did not have the required CPE hours. Respondent was instructed to complete the audit. The Respondent's audit has not been received as of December 29, 2010.

3. The Board charges Respondent with failure to comply with the continuing education requirements necessary to remain qualified for continued certification in violation of Iowa Code sections 272C.2(1), 272C.10(3), 542.6(3), and 542.10(1)(a), (j), and 193A Iowa Administrative Code 5.5(7), 10.3, 10.7(4), 10.8.

4. The Board and Respondent have agreed to fully resolve these charges through the following Consent Order, rather than proceed to contested case hearing.

B. Settlement Agreement and Consent Order

5. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily entering into this Order. This Consent Order constitutes discipline against the Respondent, and is the final agency order in the contested case, pursuant to Iowa Code section 17A.10 and 193 Iowa Administrative Code 7.4.

6. Respondent agrees the State's counsel may present this Order to the Board and may have ex parte communications with the Board while presenting it.

7. This Order shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any future disciplinary action to be imposed in the event of any future violations.

8. This Combined Statement of Charges and Consent Order is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2009).

9. Failure to comply with the provisions of this Order shall be grounds for further disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2009). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

10. This Order is subject to approval of the Board:

(a) If the Board fails to approve this Order, it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter.

(b) If the Board approves this Order, it shall fully dispose of all issues in this case.

IT IS THEREFORE ORDERED:

- A. Respondent is reprimanded for reporting continuing education to the Board without proper documentation upon which to support the information provided as describe in the Statement of Charges.
- B. Respondent shall pay a civil penalty of \$250 no later than February 28, 2011.
- C. Respondent shall complete 64 hours of continuing professional education and an additional 8 hours of continuing professional education in Ethics, none of which may be used for the 2012 or future renewals. These hours must be completed by May 31, 2011 and documentation shall be sent to the Board office.
- D. Respondent shall have all courses claimed for continuing professional education credit documented and verified by the Board in 2012 and 2013 renewal cycles. Failure to comply may result in future disciplinary action by the Board. Respondent will be required to renew using a paper renewal.

AGREED AND ACCEPTED:

The Respondent

[Redacted Signature]

Brian Geerts

2-22-2011
Date

**The Iowa Accountancy
Examining Board**

[Redacted Signature]

By: Telford A. Lodden, CPA, Chair

2/2/11
Date