

**BEFORE THE ACCOUNTANCY EXAMINING BOARD  
 OF THE STATE OF IOWA**

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<b>IN THE MATTER OF:</b>  Rodney D. Porter CPA #R03378  Respondent.	) ) ) ) ) ) ) ) )	Case No. 11-039       <b>CONSENT ORDER</b>
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**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 (2011).
2. Respondent was issued Iowa CPA certificate number O03379 on May 25, 1988. His certificate expired on June 30, 2005. While this certificate was lapsed, Respondent was in public practice and performed services requiring an active CPA certificate. Respondent has reinstated his certificate on December 12, 2011. The certificate is currently active and will next expire June 30, 2012.
3. The Board charged Respondent with practicing public accountancy on a lapsed certificate in violation of Iowa Code sections 272C.10(3), 542.10(1)(c), (d), and (j), and 542.13(4); and 193A Iowa Administrative Code 5.1(3), 5.5(8), 5.6(5), and 14.3(7)(k).
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 Consent Order is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2011).

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) (2011). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

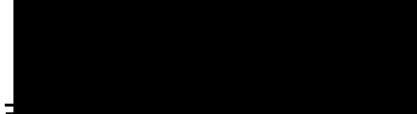
10. This Order is subject to approval of the Board: (a) If the Board fails to approve this Order, it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter; (b) If the Board approves this Order, it shall fully dispose of all issues in this case.

**IT IS THEREFORE ORDERED:**

- A. The Board issues Respondent a citation and warning for practicing on a lapsed Iowa CPA certificate.
- B. Respondent shall pay a civil penalty of \$1,000 within thirty (30) days of the date this Consent Order is signed by all parties.
- C. Respondent shall notify the Iowa clients for whom he provided tax, compilation or attest services (reviews, audits, agreed upon procedures) while his CPA certificate was lapsed that his certificate was lapsed during this period. Respondent shall send a copy of his proposed notification letter to the Board office for pre-approval prior to mailing. Within thirty (30) days of the date this Consent Order is signed by all parties, Respondent shall provide the Board a copy of the letter as mailed along with a list of clients to whom the letter was sent.

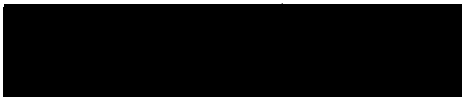
**AGREED AND ACCEPTED:**

The Respondent



Rodney D. Porter

The Iowa Accountancy Examining Board



By: Telford A. Lodden, CPA, Chair

Date

December 29, 2011

Date

1/9/2012