

8. Pursuant to SDCL 36-20B-36 the board may require as a condition of renewal of firm permits, that an applicant undergo peer review conducted in such manner and producing such satisfactory result as the board may specify.
9. In accordance with ARSD 20:75:03:03 an application for a renewal of a certificate must be received by the board by August 1.
10. In accordance with ARSD 20:75:03:08 an application for renewal of a firm permit must be received by the board by August 1.
11. On April 16, 2018, Guthmiller Accounting Ltd. was sent a letter in regards to requiring the firm to undergo peer review.
12. On June 4, 2018 the board received a letter dated May 30, 2018, from the AICPA Peer Review Program Oklahoma Society of CPAs, that effective immediately the firm Guthmiller Accounting, Ltd., had been terminated from the AICPA Peer Review Program.
13. On June 19, 2018, Guthmiller Accounting Ltd., was sent a second letter in regards to requiring the firm to undergo peer review.
14. On July 17, 2018, Guthmiller Accounting Ltd., was sent an email in regards to requiring the firm to undergo peer review.
15. On August 13, 2018, Wendy Guthmiller was sent a letter in regards to not completing her individual license renewal for period ending July 31, 2019.
16. On August 14, 2018, Guthmiller Accounting Ltd. was sent a letter in regards to not completing a firm renewal for the period ending July 31, 2019.
17. On September 13, 2018, Wendy Guthmiller was sent a second letter in regards to not completing her individual license renewal for period ending July 31, 2019.
18. On November 7, 2018, Wendy Guthmiller submitted an application for renewal of her individual license. Wendy Guthmiller performed services for the public from August

- 1, 2018 to November 6, 2018 without a valid individual certificate. On the renewal form she indicated that she worked at Guthmiller Accounting Ltd.
19. Guthmiller Accounting Ltd., has not completed a renewal application for the firm permit. Guthmiller Accounting Ltd., has been performing services for the public from August 1, 2018 to current date without a valid firm permit.
 20. The above described conduct constitutes grounds for disciplinary action in South Dakota against Guthmiller.
 21. Guthmiller is aware that she may choose to be represented by legal counsel in this matter.
 22. Guthmiller is aware of and understands the nature of these matters and has been informed of her right to counsel, notice, hearing, and appeal, and that by agreeing to and signing this Consent Agreement, she waives all procedures and proceedings before the Department to which she may be entitled under state or federal law.
 23. Guthmiller admits that the violations described in this Consent Agreement are true and accurate, and Guthmiller admits to having violated South Dakota Law and Administrative Rules of South Dakota.
 24. In return Guthmiller's agreement to the provisions of this Consent Agreement, the Board agrees not to proceed to hearing and agrees that this Consent Agreement will constitute the final agency disposition of this matter.
 25. Guthmiller agrees, in lieu of contesting this matter formally, to voluntarily accept the following terms and conditions for entry of this Consent Agreement:
 - a. Guthmiller shall submit a completed firm renewal application for period ending July 31, 2019 and pay the applicable fee of \$50 plus the number of owners fee and the late fee of \$50; The renewal fee and late fee must be paid within 30 days of the agreement being signed by the Chair.

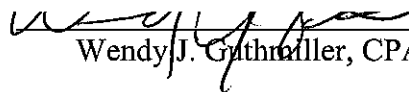
- b. Guthmiller will not be eligible to perform or offer to perform attest services until the firm is in good standing with the AICPA peer review program. A letter detailing the good standing from the AICPA will need to be received in the board office prior to services being offered;
 - c. If the firm offers attest services to the public, the firm will be subject to the peer review requirements of the Board;
 - d. The Board will issue a public reprimand to Guthmiller Accounting Ltd; and
 - e. Guthmiller shall pay an administrative fee in the amount of \$1000. The administrative fee must be paid within 30 days of the agreement being signed by the Chair.
26. If Guthmiller fails to comply with the terms or conditions of this Consent Agreement, the Board may initiate formal disciplinary action against her or the firm.
27. Guthmiller understands that nothing in this Consent Agreement will be deemed to restrict the Board from raising facts in reference to either party outside of those set forth in this Consent Agreement, if there are other material facts related to the matters under investigation that have not been set forth or disclosed herein.
28. Guthmiller consents, agrees, and acknowledges that this Consent Agreement must be submitted to the Board for acceptance or rejection. In the event the Board rejects the recommendations for resolution by Consent Agreement, Guthmiller waives any right to claim prejudice of the Board by reason of any factual basis submitted to the Board in an effort to resolve this matter by Consent Agreement rather than by formal proceeding.
29. Guthmiller understands that the terms of this Consent Agreement will be public, which includes publishing a summary of the action taken on the Board's website.
30. Guthmiller understands that this Consent Agreement may be considered in any future licensing procedures with the Board and for the purposes of determining the appropriate sanctions in any future actions by the Board for any violations of laws or

regulations of the State of South Dakota or for failing to abide by any order of the Board.

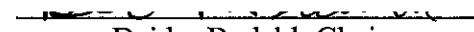
31. Guthmiller has read, understands, and agrees to this Consent Agreement and is freely and voluntarily signing it. This Consent Agreement contains the entire agreement between the parties relating to the matters referenced in the Consent Agreement. Guthmiller is not relying on any other representations of any kind, verbal or otherwise.

32. If this Consent Agreement is approved by the Board, a copy of the executed Consent Agreement will be served by first class mail to Guthmiller, at the address

Dated this 28 day of December, 2018


Wendy J. Guthmiller, CPA

Dated this 14 day of January, 2019.


Deidre Budahl, Chair
South Dakota Board of Accountancy