

STATE OF SOUTH DAKOTA
DEPARTMENT OF LABOR AND REGULATION
BOARD OF ACCOUNTANCY

In the Matter of:

ROBIN R. BOMMERSBACH,
CERTIFIED PUBLIC ACCOUNTANT

Certificate No. 1939

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CPE AUDIT
NEGOTIATED
CONSENT AGREEMENT

The above-named parties in the interest of resolving the action between them enter into this Consent Agreement upon the terms and conditions set forth below.

1. The South Dakota Board of Accountancy (Board) has jurisdiction of this matter pursuant to SDCL 36-20B.
2. Robin R Bommersbach (Bommersbach) is licensed as a certified public accountant (CPA) with the Board. Her certificate number is 1939.
3. As a licensee, Bommersbach is subject to the provisions of SDCL 36-20B and ARSD 20:75.
4. Pursuant to SDCL 36-20B-27 a licensed CPA is required to complete 120 hours of continuing professional education (CPE) in each three-year renewal cycle.
5. Pursuant to ARSD 20:75:04:11 the CPA is subject to verification of all CPE submitted to the board. A CPA selected for a review must provide documentation to verify attendance or completion of all courses reported to the board for CPE credit.
6. Pursuant to ARSD 20:75:04:15 the CPA is required to keep documentation as acceptable evidence of completion for claimed CPE courses.
7. On September 25, 2014, Bommersbach was sent a letter in regards to being selected for a CPE audit. Bommersbach was informed that the deadline for submission of the documentation to verify claimed CPE was October 31, 2014.

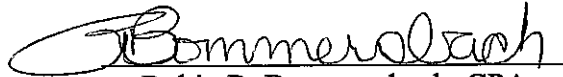
8. Bommersbach submitted partial CPE documentation to the board on October 28, 2014.
9. On December 2, 2014, Senior Secretary Iverson emailed Bommersbach in regards to the additional documentation needed to complete the CPE audit and to please submit the documentation by December 22, 2014.
10. On December 22, 2014, Bommersbach submitted additional documentation via email for the CPE audit. Senior Secretary Iverson replied to the email stating the documentation submitted was not valid to substantiate the CPE hours claimed.
11. On December 30, 2014 and January 6, 2015, partial documentation was submitted for the CPE audit.
12. On January 8, 2015, Executive Director Kasin emailed Bommersbach in regards to the additional documentation needed to complete the CPE audit and to please submit the documentation by January 14, 2015.
13. On January 14, 2015, Bommersbach emailed Executive Director Kasin that she was not able to obtain the requested documentation. Executive Director Kasin called and left a message informing Bommersbach that the course would be removed from her record.
14. Bommersbach acknowledges of the required 120 hours of CPE for period ending June 30, 2013, she is short 1 CPE hour.
15. Bommersbach acknowledges of the required 120 hours of CPE for period ending June 30, 2014, she is short 1 CPE hour.
16. Bommersbach acknowledges that she failed the CPE audit for the three year period ending June 30, 2014.
17. The above described conduct constitutes grounds for disciplinary action in South Dakota against Bommersbach.

18. Bommersbach is aware that she may choose to be represented by legal counsel in this matter.
19. Bommersbach 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.
20. Bommersbach admits that the violations described in this Consent Agreement are true and accurate, and Bommersbach admits to having violated South Dakota Law and Administrative Rules of South Dakota.
21. In return Bommersbach' 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.
22. Bommersbach agrees, in lieu of contesting this matter formally, to voluntarily accept the following terms and conditions for entry of this Consent Agreement:
 - a. Bommersbach will have 1 hour of CPE rolled back from the period ending June 30, 2014, into the period ending June 30, 2013. A CPE extension will be placed on her file for period ending June 30, 2013.
 - b. The Board shall grant Bommersbach an extension to complete 2 hours of CPE for period ending June 30, 2014. The hours must be completed within 90 days of the signed agreement by the Chair;
 - c. Bommersbach shall submit proof of completion for all claimed CPE courses taken through the extension timeframe and for the next three renewal periods;
 - d. Bommersbach will not be eligible for an extension to complete CPE for the next three renewal periods;
 - e. Bommersbach shall pay an administrative fee in the amount of \$75. The administrative fee must be paid within 30 days of the signed agreement by the Chair.

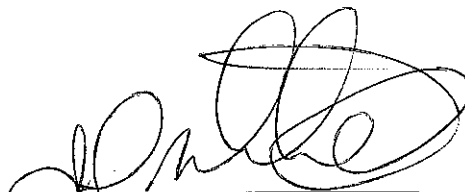
23. If Bommersbach fails to comply with the terms or conditions of this Consent Agreement, the Board may initiate formal disciplinary action against her.
24. Bommersbach understands that nothing in this Consent Agreement will be deemed to restrict the Board from raising facts in reference to either party 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.
25. Bommersbach 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, Bommersbach 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.
26. Bommersbach 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.
27. Bommersbach 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.
28. Bommersbach 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. Bommersbach is not relying on any other representations of any kind, verbal or otherwise.

29. If this Consent Agreement is approved by the Board, a copy of the executed Consent Agreement will be served by first class mail to Bommersbach, at the address 2336 Hoefer Avenue, Rapid City, SD 57701.

Dated this 2nd day of February, 2015.


Robin R. Bommersbach, CPA

Dated this 20 day of March, 2015.


John Mitchell, Chair
South Dakota Board of Accountancy