

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

IN THE MATTER OF:

**Kenneth Yeung,
Licensee.**

Certificate No. 2146

**FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND DECISION**

Case No. 111-25

An administrative hearing was held by video conference before the Board of Accountancy (Board) on March 19, 2025. Board Chair Deidre Budahl presided over the hearing. Jennifer Doubleddee, special assistant attorney general, appeared and prosecuted the matter. Nicole Kasin, executive director, appeared and testified as a witness for the Board office.

Based on the evidence presented at the hearing, the Board makes the following:

FINDINGS OF FACT

1. Kenneth Yeung (Yeung) is a certified public accountant (CPA) with the Board. Yeung has been certified since April 26, 2000, and his certificate number is 2146.
2. As a licensee of the Board, Yeung is required to report his continuing professional education (CPE) to the Board in accordance with Board requirements.
3. For the period commencing July 1, 2021 through June 30, 2022, Yeung reported 49 CPE hours.
4. For the period commencing July 1, 2022 through June 30, 2023, Yeung reported 24.5 CPE hours.
5. For the period commencing July 1, 2023 through June 30, 2024, Yeung reported 55 CPE hours.
6. On September 16, 2024, the Board office emailed to Yeung a letter notifying him that he was selected for a CPE audit for the three-year renewal period commencing July 1, 2021 through June 30, 2024. The letter informed Yeung that his deadline to submit documentation to verify his claimed CPE was October 31, 2024.
7. Yeung did not respond to the Board's September 16, 2024 correspondence requesting CPE documentation.
8. On November 6, 2024, the Board's Executive Director issued a complaint against Yeung alleging violations of SDCL 36-20B-40(6), ARSD 20:75:04:11, and ARSD

20:75:04:15. The complaint further requested a response from Yeung no later than December 9, 2024.

9. Yeung did not respond to the November 6, 2024 complaint.
10. On December 11, 2024, the Board's Executive Director sent Yeung a letter advising he had failed his CPE audit and advising, since Yeung had provided no documentation to verify his reported CPE courses, his CPE hours were adjusted as follows:
 - a. For the period commencing July 1, 2021 through June 30, 2022, Yeung provided documentation for 0 CPE hours.
 - b. For the period commencing July 1, 2022 through June 30, 2023, Yeung provided documentation for 0 CPE hours.
 - c. For the period commencing July 1, 2022 through June 30, 2023, Yeung provided documentation for 0 CPE hours.
11. For the three-year period ending June 30, 2024, Yeung has 0 CPE hours of the required 120 CPE hours.
12. On December 12, 2024, the Board attorney Doubledee emailed Yeung a formal complaint against him for failing the CPE audit. The formal complaint requested a response by January 1, 2025.
13. Yeung did not respond to the formal complaint.
14. This matter was noticed for an administrative hearing on January 21, 2025 with a hearing date March 19, 2025.
15. Based on the above findings of fact, the Board makes the following:

CONCLUSIONS OF LAW

1. The South Dakota Department of Labor and Regulation, Board of Accountancy (Board) has jurisdiction over this matter pursuant to SDCL Chapter 36-20B and 36-1C.
2. ARSD 20:75:04:11 requires Board licensees to submit verification of their continuing professional education (CPE) credits claimed during a reporting period, which includes cooperating with random audits.
3. ARSD 20:75:04:15 requires Board licensees to document their CPE credits.
4. SDCL 36-1C-3 states that the licensee shall send a response to the complaint within twenty business days after service of the complaint. Failure to respond is grounds for disciplinary action.

5. SDCL 36-1C-8 states the licensee shall file an answer with the board within twenty calendar days after service of the formal complaint.
6. SDCL 36-20B-27 requires a licensed CPA to complete 120 hours of continuing professional education (CPE) in each three-year renewal cycle.
7. SDCL 36-20B-40(3) authorizes the Board to impose discipline upon a licensee for failure to maintain compliance with the requirements for issuance or renewal of such license.
8. SDCL 36-20B-40(6) authorizes the Board to impose discipline upon a licensee for a violation "of any provision of this chapter or rule, promulgated by the board pursuant to chapter 1-26, or violation of professional standards."

Based on the above conclusions of law, the Board makes the following:

DECISION

1. Yeung's CPA license is suspended until he provides proof of continuing education in the amount of 124 CPE hours or provides support for the courses he reported from July 1, 2021 to June 30, 2024.
2. Yeung will pay a fine of \$1000 to the Board office.
3. Once reinstated, Yeung is ineligible for any CPE extensions for three years.
4. Yeung will pay the costs of the proceeding against him.
5. Yeung will be subject to an audit of his CPE for the year after the reinstatement of his license.

Dated the 1 day of April 2025.



Deidre Budahl
Board Chair

NOTICE: This is the final decision in this matter unless you appeal. You may appeal directly to circuit court within 30 days after the date of this decision. SDCL 36-20B-50 and 1-26-31.