

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE ACCOUNTING EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINDINGS AND ORDER
KEVIN E. BLOOMER	:	
RESPONDENT	:	LS# 0505051ACC

Division of Enforcement Case No. 03 ACC 016

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Kevin E. Bloomer
8727 2nd Avenue
Pleasant Prairie, WI 53158

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Accounting Examining Board
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Accounting Examining Board. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Kevin E. Bloomer ("Bloomer") (DOB 08/30/1967) is duly licensed as a Certified Public Accountant in the state of Wisconsin (1-19423). This license was first granted on 03/24/2003.
2. Bloomer's most recent address on file with the Department of Regulation and Licensing is 8727 2nd Avenue, Pleasant Prairie, WI 53158.
3. In the fall of 2002 J.Y. was referred to Bloomer by her accountant for the purpose of refiling tax returns for the previous four years. The returns were given to Bloomer on or about November 18, 2002 by J.Y.
4. At least two years worth of tax returns were performed and the work was returned to J.Y. on or about December 4, 2002. Thereafter, J.Y. had the work reviewed by her tax attorney, who noted several errors.
5. J.Y.'s attorney called Bloomer on or about January 20, 2003, to request that the errors be corrected, and that the corrected returns be given to J.Y.
6. J.Y. attempted to communicate with Bloomer one or more times each month, via telephone, mail and certified mail, from March 7, 2003, through July of 2003. The purpose of the communications was to obtain copies of the corrected returns.
7. On or about July 21, 2003 a relative of J.Y. retrieved two years worth of corrected returns from Bloomer, but the remaining two years were not completed by Bloomer.
8. Per Wis. Admin. Code § Accy 1.201(1)(b), "A certified public accountant... shall exercise due professional care in the performance of an engagement."

CONCLUSIONS OF LAW

1. The Wisconsin Accounting Examining Board has jurisdiction to act in these matters, pursuant to Wis. Stat. § 442.12, and has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).
2. The conduct described in paragraphs 3-7, above, constitutes one or more violations of Wis. Admin. Code § 1.201(1)(b).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license of Kevin E. Bloomer (1-19423) to practice as a Certified Public Accountant in the state of Wisconsin, be, and hereby is REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent Kevin E. Bloomer shall attend continuing education coursework, the subjects of which shall include business ethics, for no less than sixteen (16) hours; said course to be pre-approved by the assigned case advisor. Proof of completion of the course shall be submitted to the Department Monitor at the address indicated below within one hundred (100) days after the date of signing of this order.
3. Respondent Kevin E. Bloomer shall, within thirty (30) days from the date of this Order, pay costs of this proceeding in the amount of five hundred (\$500.00) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor

Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935b
Telephone (608) 267-3817
Fax (608) 266-2264

4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent KEVIN E. BLOOMER fails to timely submit any payment of costs as set forth above, the Respondent's license(#1-19423) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order, and the period of suspension as set forth in this Order shall run consecutively.

5. This Order is effective on the date of signing.

ACCOUNTING EXAMINING BOARD

By: Norbert J. Johnson
A Member of the Board

May 5, 2005
Date