

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE ACCOUNTING EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

MARK J CASH,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
: ORDER 0001506

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Division of Enforcement Case No. 11 ACC 014

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

Mark J. Cash  
6666 Odana Rd, #127  
Madison, WI 53710

Wisconsin Accounting Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

Division of Enforcement  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

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

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Mark J. Cash (dob 11/17/1967) is licensed in the State of Wisconsin as a Certified Public Accountant, having license number 16489-1, first issued on 03/20/1998 and current through 12/14/2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 6666 Odana Rd., Madison, WI 53710.
2. In 2007, Respondent became the treasurer for the Regent Market Co-op (Co-op).
3. In 2008, Respondent failed to file W-2s and tax payments for the 3<sup>rd</sup> and 4<sup>th</sup> quarters for the Co-op.

4. The Certified Public Accountant hired by the Co-op in September 2010 found that between September 2009 and August 2010, there were discrepancies in deposits and unauthorized withdrawals totaling more than \$20,000.

5. Respondent admits he authorized expenditures that were not in the best interest of the Co-op, he did not timely file required federal and state reports including tax returns, sales tax reports, and payroll tax reports, and he did not accurately monitor the accounting process to insure accuracy or accurately repair records after the electronic accounting records were corrupted even though he represented he had.

6. Respondent suffers from a mental illness which has likely contributed to his failure to meet the standards of his profession.

#### CONCLUSIONS OF LAW

1. The Wisconsin Accounting Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 442.12(1), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § ACCY 1.201(1)(b) by failing to exercise due professional care in the performance of his engagement as the Co-op's treasurer.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § ACCY 1.401(1) by committing an act discreditable to the profession by not accurately making deposits and making unauthorized withdrawals which total more than \$20,000.

4. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. §§ 442.12(1)(b).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.

2. The certified public accountant license of Mark J. Cash, license number 16489-1, is hereby SUSPENDED for a period of no less than TWO YEARS and no more than FIVE YEARS, starting 15 days following the date of this Order.

3. Respondent will have the right to petition the Board for reinstatement of his certified public accounting license after he has served TWO YEARS suspension provided that he provide the Board with proof of successful treatment of his mental health condition including continued use of any prescribed medication, and subject to any other conditions for reinstatement as the Board deems necessary. Should Respondent choose not to petition the Board for earlier reinstatement, the suspension will end automatically five years and fifteen days following the date of this Order.

4. 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.

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

WISCONSIN ACCOUNTING EXAMINING BOARD

by: Lucinda Mattson  
A Member of the Board

Date 4/24/12