

BEFORE THE IOWA ACCOUNTANCY EXAMINING BOARD

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IN RE:	)	Case No. 99-14
	)	
RANDEL J. HARDY	)	CONSENT ORDER
	)	

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The Iowa Accountancy Examining Board (Board), and Randel J. Hardy, (Respondent) enter into this Settlement Agreement and Consent Order (Order), pursuant to Iowa Code section 17A.10 (1999) and 193A IAC 12.7:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 542C, and 272C (1999).
2. The Board filed a Statement of Charges on September 29, 1999, concerning an audit Respondent performed in 1997. Hearing is set for November 9, 1999.
3. Respondent has previously been subjected to discipline in connection with his audit practice in 1992 and 1994. In 1998, Respondent voluntarily ceased performing audits.
4. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including the right to appeal, by freely and voluntarily agreeing to this Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following contested case hearing.

5. Respondent agrees the State's counsel may present this Order to the Board and may have ex parte communications with the Board while presenting it.

6. This Order shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

7. This Order and the Statement of Charges are public records available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (1999).

8. Failure to comply with the provisions of this Order shall be considered prima facie evidence of a violation of Iowa Code section 542C.21(4) (1999), and shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (1999). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

9. This Agreement is subject to approval of the Board:

(a) If the Board fails to approve this Agreement, it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter.

(b) If the Board approves this Agreement, it shall fully dispose of all issues in this case.

**IT IS THEREFORE ORDERED:**

A. **Practice Restriction.** Respondent shall refrain from performing or offering to perform audits or reviews in the practice of public accounting. Respondent shall not be prohibited from performing compilations. If Respondent continues to perform compilations, he will remain subject to the peer review provisions of Iowa Code section 542C.7 (1999).

B. **Reinstatement.** Respondent may, on or after two years from the date this Order is signed by the Board, apply to reinstate his authorization to perform non-governmental audits or reviews, using the procedure set forth in 193A IAC 12.41. If Respondent files such an application to reinstate, the Board retains full discretion on whether and on what conditions reinstatement shall be allowed. In making that determination, the Board may consider the nature and seriousness of the charges, continuing education Respondent has completed, and such other factors as the Board deems relevant to protect the public's interest. If reinstatement is allowed at any point in the future, Respondent understands that at a minimum he will be required to develop a desk review consultation agreement with an Iowa CPA on such terms as the Board deems reasonably necessary at that time.

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Addendum to Consent Order, Case No. 99-14

If the Board approves an application to reinstate under Paragraph B,  
Respondent must pay a \$500 reinstatement fee before his authorization to perform  
non-governmental audits or reviews can be reinstated.

[Redacted Signature]

Randel J. Hardy, Respondent

November 10, 1999  
Date

[Redacted Signature]

David A. Vaudt, Chair

11/9/99  
Date