

**PROCEEDINGS BEFORE THE  
WASHINGTON STATE BOARD OF ACCOUNTANCY**

In the Matter of the Certified Public  
Accountant (CPA) Certificate and/or  
Licenses to Practice Public Accounting of:

Kevin G. Breard  
License No. 25691

Individually and as Owner of,  
Breard & Associates, Inc.  
Firm License No. 4971

Respondents.

No. ACB-1505

CONSENT AGREEMENT

The Washington State Board of Accountancy (Board) and Kevin G. Breard  
(Respondent), stipulate and agree as follows:

**Section 1: Procedural Stipulations**

- 1.1 Respondent understands that the Board has issued a Statement of Charges in this matter and may proceed to a hearing before the Board upon the merits of said charges. The Board has not proceeded to a hearing in order to facilitate resolution of this matter in accordance with the legislative intent endorsed in RCW 34.05.060 and the provisions of WAC 4-30-140.
- 1.2 Respondent has the right to defend against a Statement of Charges by demanding a hearing and presenting evidence on the Respondent's behalf. Respondent voluntarily waives the right to a hearing and all other rights that may be accorded the Respondent by the Administrative Procedures Act, chapter 34.05 RCW, and the laws of Washington, including the right to petition the courts for judicial review.

- 1.3 Respondent understands that should the Board prevail at hearing based on the Statement of Charges that the Board has the power and authority to deny, suspend, revoke, or refuse to renew the Respondent's CPA certificate or any individual or firm licenses to practice public accounting as a CPA or CPA firm in Washington and may impose a fine plus the Board's investigative and legal costs in bringing charges or impose conditions precedent to renewal of the certificate or license, or impose full restitution to injured parties.
- 1.4 Respondent wishes to expedite the resolution of this matter by means of this Consent Agreement and does not desire to proceed to a formal hearing based on the issuance of a Statement of Charges.
- 1.5 Respondent understands that the terms of this Consent Agreement are not binding unless approved by the Board and fully executed.
- 1.6 Should this Consent Agreement be rejected by the Board and the Board proceeds with the issued Statement of Charges, the Respondent waives any objection to the participation of any members of the Board at a hearing on this matter, other than the consulting Board member in this proceeding.

The parties further stipulate to the following Stipulated Facts, Conclusions of Law, and Agreed Order:

### **Section 2: Stipulated Facts**

- 2.1 At all times material hereto, Kevin G. Breard, the Respondent herein, held an individual Certified Public Accountant (CPA) license to practice as a CPA in the state of Washington, No. 25691.

- 2.2 At all times material hereto, Respondent owned and operated Breard & Associates, Inc., the Respondent Firm herein. Respondent Firm held a CPA firm license to practice as a CPA firm in the state of Washington, No. 4971.
- 2.3 On August 9, 2018, the PCAOB issued Release No. 105-2018-018 ("Order"). The Order was against Respondent and Respondent Firm (collectively, "Respondents") for failure to comply with Auditing Standard 1220 Engagement Quality Review, with respect to 135 audit and attestation engagements. Respondent Firm failed to obtain an engagement quality review and concurring approval of issuance. The Order censured Respondent and Respondent Firm, revoked Respondent Firm's registration to practice before the PCAOB, and barred Respondent from being an associated person of a PCAOB registered accounting firm. The Order also fined Respondent Firm a civil penalty of \$75,000.
- 2.4 On August 21, 2018, Respondents timely self-reported the Order to the Board.
- 2.5 Respondents have no current clients in Washington State, and do not intend to practice in Washington State.

### **Section 3: Conclusions of Law**

- 3.1 The Board has jurisdiction over the Respondent and the subject matter of this proceeding.
- 3.2 Failure to comply with standards issued by the PCAOB, as set out above, constitutes cause for Board sanction under RCW 18.04.295, RCW 18.04.305, and WAC 4-30-048(15).
- 3.3 An order by the PCAOB finding that a licensee committed an act of negligence, as set out above, is prima facie evidence that a person has engaged in negligence, and is basis for Board sanction under RCW 18.04.295, RCW 18.04.305, and WAC 4-30-142(6).

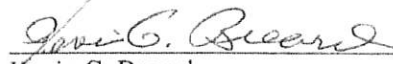
#### **Section 4: Agreed Order**

- 4.1 Respondent consents to the entry of this Agreement and has waived any right to a hearing.
- 4.2 Pursuant to RCW 18.04.295, the Board has the power to impose discipline. Based on the preceding Stipulated Facts and Conclusions of Law, the Board and Respondent agree that:
  - 4.2.1 Respondent's individual CPA license is suspended for three (3) years.
  - 4.2.2 The suspension of Respondent's individual CPA license shall be stayed. Should the respondent fail to meet any requirement of this Consent Agreement, the stay shall be immediately vacated and the three year suspension shall be imposed in its entirety. Additionally, if it is determined, after due notice and opportunity for hearing, that during the stayed suspension period Respondent violates or fails to comply with Chapter 18 RCW, or Title 4 WAC, the Board may vacate the stay and impose any sanctions deemed appropriate by the Board.
  - 4.2.3 If the stay on Respondent's individual CPA license is vacated in accordance with Paragraph 4.2.2 of this Consent Agreement, then Respondent's firm CPA license shall be dissolved.

I, Kevin G. Breard, individually and as owner of Breard & Associates, Inc., certify that I have read this Consent Agreement in its entirety, and that I fully understand and agree to all of it and that it may be presented to the Board without my appearance. If the Board accepts the Consent Agreement, I understand that I will receive a signed copy.

DATED this 20 day of March, 2019.


RESPONDENT

  
\_\_\_\_\_  
Kevin G. Breard

The Board accepts and enters this Consent Agreement.

DATED this 5 day of APRIL, 2019.

WASHINGTON STATE  
BOARD OF ACCOUNTANCY

  
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Mark Hugh, CPA  
Chair