STATE OF MINNESOTA
BOARD OF ACCOUNTANCY

In the Matter of the CPA Certificate of	**STIPULATION AND CONSENT ORDER AND CEASE AND DESIST ORDER**
Cheryl Ann Pestello CPA Certificate No. 12228 and Cheryl A Pestello CPA CPA Firm Permit No. 12228 (Expired)	Board File No. 2024-191 And 2025-004

STIPULATION

Cheryl Pestello ("Respondent"), Cheryl A Pestello CPA ("Respondent Firm"), and the Minnesota Board of Accountancy's Complaint Committee stipulate that, subject to Board's review and discretionary approval, the Board may issue a consent order that imposes the following sanctions:

A. Respondent Firm shall Cease and Desist from practicing as CPA Firm in Minnesota until such time as it becomes licensed as a CPA Firm in the State of Minnesota.

B. Respondents shall pay to the Board a joint-and-several CIVIL PENALTY of $500. Respondents shall submit the civil penalty by check to the Board within 60 days of the Board's approval of this Stipulation and Consent Order.

C. Respondent shall comply with all statutes and rules within the Board's jurisdiction. *See* Minn. Stat. ch. 326A (2024) and Minn. R. ch. 1105 (2023).

D. Respondent shall report in writing within ten days any violations of this stipulation and consent order to the Board's Executive Director.

Respondent and the Committee enter into this stipulation based on the following findings of fact, conclusions of law, and other stipulated provisions:

Findings of Fact

1. The Board issued Respondent a CPA certificate on April 18, 1989.

2. The Board issued Respondent Firm a CPA sole proprietor firm permit on January 4, 2005.

3. Respondent Firm's CPA sole proprietor firm permit expired on December 31, 2021.

4. On Respondent's 2025 CPA certificate renewal, Respondent listed Respondent Firm as their primary employer, despite not having a current firm permit and using the CPA designation in the firm name.

5. Respondents held out without a firm permit with the Board by using the CPA designation in the firm name. The use of the CPA designation in a firm name requires a firm permit with the Board.

6. Respondents also advertised as being a CPA firm on a professional website by using the CPA designation in the firm name.

7. Per Respondent, Respondent's Firm does not perform attest services.

Conclusions of Law

1. The Board has authority to license and regulate certified public accountants and to take disciplinary action as appropriate. Minn. Stat. ch. 326A (2024).

2. Respondent violated Minn. Stat. §§ 326A.05, subd. 1(a)(3), 326A.10(d) (2024) and Minn. R. 1105.4000(A), 1105.5600, subp. 1(C)(1), and 1105.7800(A) and (D) (2023).

3. Respondent is subject to discipline pursuant to Minn. Stat. §§ 326A.08, subds. 4, 5(a)(1) and (8), and 7 (2024).

4. This stipulation and consent order is in the public interest.

Other Stipulated Provisions

1. This stipulation and consent order must be approved by the Board to become effective.

2. Respondent agrees that the Committee may move the Board *ex parte*, with or without advance notice to the Respondent, to approve this stipulation and consent order. Respondent understands that the Board may either approve the stipulation and consent order or not approve it. This stipulation and the files, records, and proceedings associated with this matter may be reviewed by the Board in its consideration of the Committee's motion.

3. If approved by the Board, this stipulation and consent order shall be classified as public data. Minn. Stat. § 13.41, subd. 5 (2024).

4. If the Board does not approve this stipulation and consent order, then the matter remains unresolved and the Committee may either seek to negotiate a revised stipulation and consent order with Respondent to present to the Board or issue an order commencing a contested-case hearing before an Administrative Law Judge at the Office of Administrative Hearings. *See* Minn. Stat. §§ 14.57–.62, 214.10, subd. 2 (2024) (describing administrative hearing process).

5. Respondent agrees that if this case comes before the Board again after it reviews and discusses this stipulation and consent order, Respondent waives any claim that the Board was prejudiced by its review and discussion of this stipulation and consent order and any records relating to it.

6. Respondent acknowledges that they were advised by the Committee of their right to a contested-case hearing in this matter before an Administrative Law Judge, to file exceptions and make argument to the Board after the hearing, and to seek judicial review from any adverse

decision rendered by the Board. Respondent hereby expressly waives those rights. Respondent was further advised by the Committee of their right to be represented by counsel and that they knowingly waive that right.

7. Respondent has read, understands, and agrees to this stipulation and has voluntarily signed it. It is expressly understood that this stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise. If approved by the Board, a copy of the final stipulation and consent order shall be served personally or by first class mail on Respondent. The Board's order shall be effective when it is signed by the Chair of the Board or the Chair's designee.

8. Pursuant to Minn. Stat. § 16D.13 (2024), any civil penalty imposed by this stipulation and consent order shall begin to accrue simple interest in accordance with that section thirty days after the civil penalty is due. Pursuant to Minn. Stat. § 16D.17 (2024), thirty days after any civil penalty imposed by this stipulation and consent order is due, the Board may file and enforce any unpaid portion of the civil penalty as a judgment against Respondent in district court without further notice or additional proceedings.

Cheryl Ann Pestello, CPA
Cheryl A Pestello CPA
By: CHERYL A PESTELLO
Its: OWNER ?

STATE OF Minnesota

COUNTY OF Ramsey

This instrument was acknowledged before me on 09/12/2025 by Cheryl Pestello.

(stamp)

NURY JAILIN CABRERA PINO
Notary Public
Minnesota
My Commission Expires Jan. 31, 2029

(Signature of notary officer)

My commission expires: 01/31/2029

COMPLAINT COMMITTEE

ANN ETTER, CPA
Chair

Dated: Oct. 8, 2025

CONSENT ORDER

Upon consideration of this stipulation and consent order, and based upon all the files, records, and proceedings herein, all terms of the stipulation and consent order are approved. Accordingly, the Board hereby ADOPTS the stipulation and issues the ORDER described above.

STATE OF MINNESOTA
BOARD OF ACCOUNTANCY

Dated: October 8, 2025

CHARLES SELCER, CPA
Board Chair