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Jefferson County Tax Return Preparer Sentenced to Prison for Tax Fraud and Theft

David W. Zehnder, 55, a Fort Atkinson accountant, was sentenced to five years in the Wisconsin State Prison System for four felony counts of filing fraudulent Wisconsin income tax returns and one felony count of theft.

On January 2, 2020, a Jefferson County Court sentenced Zehnder to two years confinement in state prison, followed by three years supervision by the Department of Corrections.

According to the criminal complaint, Zehnder operated A-Z Productivity, Inc., a tax preparation firm. As a tax return preparer, Zehnder knowingly filed at least 83 false Wisconsin income tax returns by overstating the itemized deduction credits on his customers' returns. In doing so, Zehnder overstated the credits by \$73,910. Zehnder also stole, or attempted to steal, \$32,312 of customers' refunds by diverting a portion of the tax refunds into accounts he controlled without the customers' consent.

Zehnder pled guilty to all five counts on September 19, 2019. During the sentencing hearing, it was stated that Zehnder used the stolen refunds and tax preparation fees to finance payments to a prostitute and for illegal controlled substances. As part of the justification for the prison sentence, the judge stated that the victims were conned and the public needs to be protected from the egregious fraud.

Zehnder was ordered to pay restitution of \$130,222. The restitution is for repayment of tax losses, monies stolen, fees paid to Zehnder for tax preparation services, and other costs. He was ordered not to prepare other people's tax returns or work in a fiduciary role handling finances of others.

The case was investigated by the Wisconsin Department of Revenue, Office of Criminal Investigation and prosecuted by the Wisconsin Department of Justice, which was acting as a Special Prosecutor for Jefferson County.

As tax filing season approaches, the Wisconsin Department of Revenue offers the following tips to taxpayers when selecting a tax return preparer:

- **Check the Preparer's Qualifications.** Use the [IRS Directory of Federal Tax Return Preparers with Credentials and Select Qualifications](#) to find a tax return preparer with specific qualifications.
- **Check the Preparer's History.** Ask the Better Business Bureau about the preparer. Check for disciplinary actions and the license status for credentialed preparers.
- **Ask about Costs and Service Fees.** Avoid preparers who base fees on a percentage of the refund or who boast bigger refunds than their competition.

- **Ask to E-File. The quickest way to receive a refund is to electronically file and use direct deposit.**
- **Provide Records and Receipts.** Preparers should ask to see a taxpayer's records and receipts.
- **Review Before Signing.** Before signing a tax return, review it. Ask questions if something is not clear. Taxpayers should also make sure that their refund goes directly to them.
- **Ensure the Preparer Signs and Includes Their PTIN.** All paid tax preparers must have a Preparer Tax Identification Number. By law, paid preparers must sign returns and include their PTIN.

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