

ARKANSAS STATE BOARD OF PUBLIC ACCOUNTANCY

David Vaden CPA, President  
Deana Infield CPA, Secretary  
Richard Bell CPA, JD, Treasurer  
Shane Warrick, CPA, PhD



Christina Ellis, CPA  
Denton Woods, JD  
Kevin Canfield

Jimmy Corley, CPA  
Executive Director

## **Board Meeting Minutes January 8, 2021**

A regular meeting of the Arkansas State Board of Public Accountancy was held via Zoom with David Vaden, President, presiding. Other members of the Board in attendance were Deana Infield, Kevin Canfield, Richard Bell, Denton Woods, Christina Ellis, and Shane Warrick. Members of the staff in attendance were Jimmy Corley, Executive Director, Dale Edge, Investigator; Tim Montgomery, Investigator; Sara Farris, Legal Counsel; Alan Fortney, Trista Browning, Melissa Hamric, and Kathrine Stone. Also, in attendance were Chris Fletcher, the Governor's Office Liaison, Marsha Moffit of the ARCPA, and Brian Thompson of the ASA.

### **CALL TO ORDER**

Mr. Vaden officially called the meeting to order at 9:05 a.m. A quorum was found to be present.

### **APPROVAL OF MINUTES**

A motion was made and seconded to approve the minutes of the November 2020 Board meeting. The motion passed unanimously.

### **TREASURER'S REPORT**

A motion was made and seconded to approve the November 2020 Treasurer's Reports, as presented. The motion passed unanimously.

### **COMMITTEE REPORTS**

#### **COMPLIANCE**

The Compliance Committee has met once since November.

#### **Nineteen (19) New Complaints:**

One Licensee sanctioned by AICPA.

Two licensees requesting reinstatement.

Four licensees answered yes 2021 renewal regarding undisclosed disciplinary issues.

Twelve licensees with Practice Review issues.

**Requesting closure of twelve (12) complaints, three (3) by consent order**

1. **C20-018 – (Cert. #8629)** – Licensee with unlicensed firm. Licensee, who is also an attorney, has removed CPA from firm name. The Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on licensee removing CPA from firm name.
2. **C20-036 – (Non-Licensee)** – Non-Licensee holding out as an accountant. Respondent has added disclaimer language to website. The Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure based on the respondent’s corrective action.
3. **C20-083 – (Cert. #1074)** – Licensee has requested to withdraw from Peer Review, has taken retired status. The Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure with no further action.
4. **C20-098 – (Cert. #9671)** – Appeared to be inconsistencies in CPE used for 2020 renewal. After further review, CPE was found to be acceptable. The Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure with no further action.
5. **C20-119 – (Cert. #138P/779)** – Licensee disciplined by AICPA regarding issues found in 2015 Peer Review. Licensee has resolved matter with AICPA. The Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure with no further action.

A motion was made and seconded to accept the Compliance Committee’s recommended findings and proposed resolutions as to items 1 through 5, listed above. The motion passed.

**Complaints 6 through 9 - Licensees who answered yes on 2021 renewal regarding disciplinary issues.**

6. **C20-121 – (Firm Cert. #68LP)** – Out of State Firm answered yes on 2021 renewal regarding disciplinary issues. After further review, matter involved partner (not licensed in AR) with a DUI. The Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure with no further action.
7. **C20-122 – (Firm Cert. #943C)** – Out of State Firm answered yes on 2021 renewal regarding disciplinary issues. After further review, AICPA has a pending complaint with regard to firm. Complaint involves actions not relevant to Arkansas. The Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure with no further action.
8. **C20-123 – (Cert. #9805R)** – Licensee answered yes on 2021 renewal regarding disciplinary issues. After further review, licensee has a pending DUI. The Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure with no further action.

9. **C20-124 – (Firm Cert. #37LP)** – Out of State Firm answered yes on 2021 renewal regarding disciplinary issues. After further review, Oregon Board of Accountancy has a pending complaint with regard to firm partner. Complaint involves partner performing an audit without having a municipal auditors license. The Compliance Committee recommends a finding of no probable cause to proceed with disciplinary proceedings and closure with no further action.

A motion was made and seconded to accept the Compliance Committee's recommended findings and proposed resolutions as to items 6 through 9, listed above. The motion passed.

### **CONSENT ORDER**

- 1) C20-085- Consent Order (Cert. # 3699) – Applicant surrendered CPA certificate December 31, 2014. Applicant has requested to reinstate to a license to practice. Applicant has completed 122 hours of CPE, 5 hours A&A, 7 hours of Ethics, 94 hours of Tax and 16 hours of Other. The study type consists of 24 hours of group and 98 hours self-study. Applicant has signed consent order and agreed to pay 2021 licensure year fee of \$110. Requesting closure by Consent Order.

A motion was made and seconded to accept the Compliance Committee's recommended finding and proposed resolution as to C20-085. The motion passed.

- 2) C20-104- Consent Order (Cert. # 4888) – Applicant's CPA certificate became void January 1, 2012. Applicant has requested to reinstate to inactive status. Applicant has signed consent order and agreed to pay 2021 inactive fee of \$55.00 and \$525.00 for prior year fees (\$55, 2009, \$55 2010, \$55 2011 and \$360 late fees) for a total of \$580.00. Requesting closure by Consent Order contingent upon receipt of money and acceptable FBI background check.

A motion was made and seconded to accept the Compliance Committee's recommended finding and proposed resolution as to C20-104. The motion passed.

C20-105- Consent Order (Cert. # 8682R) – Applicant's CPA certificate was revoked July 30, 2012. Applicant has requested to reinstate to a license to practice. Applicant has completed 209 hours of CPE, 92.5 hours A&A, 6 hours of Ethics, and 110.5 hours of Other. The study type consists of 168.5 hours of group and 40.5 hours self-study. Applicant has signed consent order and agreed to pay 2021 licensure year fee of \$110.00. Requesting closure by Consent Order contingent upon receipt of money.

A motion was made and seconded to accept the Compliance Committee's recommended finding and proposed resolution as to C20-105. The motion passed.

### **REQUEST FOR NOTICE OF HEARING**

**These five (5) requests for a Notice of Hearing are identical.**

- 1) C20-109 – (Cert. # 119LP) – Licensee is required to respond to the Board's 2020 Practice Review Survey. Licensee has failed to respond. Committee recommends a

finding of probable cause to proceed with disciplinary proceedings and issuance of a notice to the licensee for a formal hearing before the Board.

- 2) C20-114 – (Cert. # 6860) – Licensee is required to respond to the Board’s 2020 Practice Review Survey. Licensee has failed to respond. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and issuance of a notice to the licensee for a formal hearing before the Board.
- 3) C20-115 – (Cert. # 740) – Licensee is required to respond to the Board’s 2020 Practice Review Survey. Licensee has failed to respond. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and issuance of a notice to the licensee for a formal hearing before the Board.
- 4) C20-117 – (Cert. # 9953R) – Licensee is required to respond to the Board’s 2020 Practice Review Survey. Licensee has failed to respond. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and issuance of a notice to the licensee for a formal hearing before the Board.
- 5) C20-118 – (Cert. # 9976R) – Licensee is required to respond to the Board’s 2020 Practice Review Survey. Licensee has failed to respond. Committee recommends a finding of probable cause to proceed with disciplinary proceedings and issuance of a notice to the licensee for a formal hearing before the Board.

A motion was made and seconded to grant permission to issue Notices of Hearing if needed in the matters 1 through 5, listed above. The motion passed.

### **DISCUSSION ITEM**

The Board discussed Charles Wigginton’s request for additional time to pay the \$20,000 penalty assessed in Board Hearing H19-035 issued on December 4, 2019 that was due by December 31, 2020. It was noted that Mr. Wigginton had completed 180 hours of CPE which satisfied the 100 CPE make-up hours assessed by the Order as well as his required CPE hours needed for his 2019 and 2020 license renewal. A motion was made and seconded to assess an additional \$500 for failure to pay the monetary penalties assessed in Board Hearing H19-035, grant an additional year to pay the total penalties of \$20,500 (now due 12/31/2021), keep Mr. Wigginton’s license on suspended status until \$10,500 has been paid, automatically suspend Mr. Wigginton’s license effective 01/01/2022 if the remaining \$10,000 is not paid by 12/31/2021, and audit Mr. Wigginton’s CPE for the next five years. The motion passed.

### **CPE**

The Board agreed to keep the CPE audit at 5 percent for the 2021 CPE audit.

### **QUALITY REVIEW**

The Board briefly discussed the quality review report that was presented in the September 25, 2020 board meeting, and the possibility of doing a more in-depth review of licensees Accounting/Attest CPE.

## **PERSONNEL**

Introduction of Kathrine Stone, Licensing Specialist.

## **NEW BUSINESS**

### **Financial Interest Statements**

Director Corley provided the required Financial Interest Statements for Board members and will provide any further documentation needed.

### **2020 PROC Report**

A motion was made and seconded to accept the PROC report sent by Steve Davis.

### **Expense Reimbursement Authorization**

A motion was made and seconded to authorize reimbursement expenses for Board members during 2021. The motion passed.

### **CPE Medical Hardship Waiver Request**

A motion was made and seconded to grant a CPE extension to March 31, 2021 for both Charles Bonds license #1627, and Steve Mitchell license #156. The motion passed.

### **Firm Name Request**

A motion was made and seconded to allow John Latour to license his firm under the name “The Latour Law Firm” as a CPA firm. The motion passed.

The Board agreed that Lee & Company, PA was grandfathered in, and could retain their firm name.

The Board reviewed CPA firm name proposals and agreed that the firm names “Touchstone Tax & Accounting” and “Infinity Tax & Accounting” did not present as false, misleading, or deceptive, and were acceptable firm names. However, the firm name “Premier Tax & Accounting” could be in violation of Rule 403 – Advertising and Other Forms of Solicitation, and therefore not acceptable.

### **Exam Credit/NTS Extensions**

The Board revisited the prior exam credit extensions that expired on December 31, 2020 and determined that further blanketed extensions were not necessary. Any future extensions will be addressed on a case-by-case basis.

Exam candidate Sandra Tyson requested an extension of her REG credit that expired on December 31, 2020 due to a death in the family, and multiple Prometric cancellations due to Covid. The motion was made and seconded to grant Ms. Tyson’s REG credit extension to February 15, 2021. The motion passed.

Exam candidate Sarah Klun requested an extension of her AUD credit that on expired on December 31, 2020 due to multiple issues involving scheduling, and the release of her grade. The motion was made and seconded to grant Ms. Klun’s AUD extension to April 15, 2021. The motion passed.

Exam candidate Matthew Beyer requested an extension of his AUD, BEC, and REG credits that expired on December 31, 2020 because of his inability to test on his scheduled appointment with Prometric due to a Covid positive family member. The motion was made and seconded to grant Mr. Beyer's AUD, BEC, and FAR credits to January 31, 2021. The motion passed.

### **LICENSURE ACTIVITY REPORT**

Mr. Corley presented to the Board the Licensing Activity Report.

### **ADJOURNMENT**

A motion was made and seconded to adjourn. The motion passed. The meeting adjourned at 11:02 a.m.