



ARKANSAS STATE BOARD of PUBLIC ACCOUNTANCY

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GOVERNOR

Sarah Huckabee Sanders

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BOARD MEMBERS

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Magnolia, AR

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Secretary
Hot Springs, AR

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Treasurer
Little Rock, AR

Megan Turner CPA
Little Rock, AR

Richard Bell CPA, JD
North Little Rock, AR

Don Curdie JD
Little Rock, AR

Marty Gunaca
Little Rock, AR

BOARD STAFF

Tim Montgomery CPA
Executive Director

Dale Edge CPA
Investigator

Mary Roberts
Exam Specialist

Kathrine Stone
Licensing Coordinator

Board Meeting Minutes

November 17, 2023

A regular meeting of the Arkansas State Board of Public Accountancy was held with Shane Warrick, President, presiding. Other members of the Board in attendance were Richard Bell, Megan Turner, Barrett Belew – Treasurer (via Zoom), and Don Curdie (via Zoom). Members of the staff in attendance were Tim Montgomery - Executive Director, Dale Edge - Investigator, Kathrine Stone - Licensing Coordinator, and Jessica Hamric – CPE Coordinator. Additionally in attendance was Marty Gunaca.

CALL TO ORDER

Mr. Warrick officially called the meeting to order at 9:08 a.m. A quorum was found to be present.

APPROVAL OF MINUTES

A motion was made and seconded to approve the minutes of the September 26, 2023 Board meeting. The motion passed.

TREASURER'S REPORT

A motion was made and seconded to approve the Treasurer's Report. The Motion passed.

A motion was made to allow Mr. Montgomery to contract Jimmy Corley to come in advise with AASIS. The motion was seconded, and passed unanimously.

Open Investigator Position: There remains an open position for an Investigator for the ASBPA. The Board briefly discussed ways to expedite the filling of this opening. A motion was made to have Mr. Montgomery contact the Secretary to discuss a contractor to temporarily fill the vacancy. The motion was seconded and passed unanimously.

COMMITTEE REPORTS

Twenty (20) New Complaints:

Three complaints, violation Code of Professional Conduct.



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Seventeen licensees failed to respond to the 2023 Practice Review Survey.

Requesting closure of six (6) complaints:

1. **C23-071 – (Firm Cert. #344P)** – External complaint regarding amount CPA firm charged to complete a tax return. After further review, complainant provided no additional follow up regarding any other issues. The Compliance Committee recommends closure with no further action.
2. **C23-072 – (Cert. #7140)** – Sole Proprietor Owner has been dropped from Peer Review. Licensee took retired status 12/31/2022. Licensee's last PEER Review was performed in 2019 and was accepted. I was not able to determine the rating. It will be noted in his file, licensee must agree to pre-issuance review before being allowed to upgrade back to LTP. The Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings but recommends closure with no further action.
3. **C23-076 – (Firm Cert. #342LC)** – Licensee firm had requested to withdraw from Peer Review. Sole Proprietor Owner will no longer perform attest work. Last PEER Review was a Pass for a November 30, 2020-year end. No attest performed since January 1, 2021. Compliance Committee recommends closure with no further action.
4. **C23-083 – (Firm Cert. #732C)** – Licensee firm had requested to withdraw from Peer Review. Sole Proprietor Owner will no longer perform attest work. Last PEER Review was a Pass with a December 31, 2022-year end. No attest performed since August 31, 2021. Compliance Committee recommends closure with no further action.
5. **C23 -039– (Cert. #1411R)** – Licensee failed to timely renew for 2023 licensure year and became lapsed. Licensee has since contacted the Board and requested to reinstate with a medical based CPE wavier. Licensee request for a medical based CPE wavier was approved at the June Board meeting contingent on receipt of documentation from licensee's Dr. Documentation has now been received. The Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. A Compliance Statement requiring licensee to pay \$235 (\$110 2023 LTP fee, \$125 late fees,) has been signed and monies collected.
6. **C23-060– (Cert. #288LC)** – Firm owner failed to timely renew for 2023 licensure year and became lapsed (See C23-039 above). Firm Owner has since reinstated his individual CPA certificate and is now able to license his sole practitioner firm. The Compliance Committee recommends a finding of probable cause to proceed with disciplinary proceedings and closure via the proposed compliance statement. A Compliance Statement requiring licensee to pay \$235 (\$110 2023 LTP fee, \$125 late fees,) has been signed and monies collected.

A motion was made and seconded to accept the Compliance Committee's recommended findings and proposed resolutions to items 1 through 6 as listed above. The motion carried.

OTHER MATTER:



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Looking for guidance from the Board.

- Revoked licensee who lives in AR is holding out as a CPA on LinkedIn and a local utility website. He is their CFO. AR CPA certificate was revoked over 20 years ago. FL, original state of licensure shows his CPA certificate is null and void. His response to the Board letter asking him to cease and desist was “he passed the CPA exam so he can use CPA title”.

The Compliance Committee feels that there are two options available to the Board:

1. Request AG office to send him a letter telling him to cease and desist.
2. Request an injunction from the Courts.

Under Arkansas Code annotated section 17-12 106-a1, the licensee is in violation of the law. A Motion was made to certify findings to the Attorney General’s office and request the AG’s office to pursue action on this issue. The motion was seconded and passed.

- A potential examinee committed a felony that may permanently disqualify him from holding a professional license. The following suggestion was put forward: 1; That the petitioner’s criminal record as set forth in the petition will disqualify the petitioner from licensure under the Arkansas Code annotated section 17-3 102, 2; that the petitioner could not obtain a waiver on the basis of the record presented, and 3; that there is no other basis for qualification under the statute as presented in the petition.

A motion was made as described in the suggestion above. Motion seconded and passed unanimously. The motion carries.

Megan Turner left the meeting at 11:03 am.

QUALITY REVIEW

Three (3) licensees failed the 2023 Practice Review and will be sent to compliance.

RULE CANGES

The exam credit window has been expanded from 18 months to 30 months and goes into effect on 1/1/2024.

NEW BUSINESS

- Individual licensee wants to perform an Agreed-Upon Procedure and attempted to enroll in Peer Review with the AICPA. However, she was told that because she was attempting to enroll as an individual and not as a firm, she could not enroll. Tim will speak with the licensee to obtain more information before a decision is made in this case.
- Board Scholarship Program: The Board briefly discussed a potential Board Scholarship Program.
- Legislative Audit findings: A motion was made to accept the Legislative Audit findings into the Board Minutes. The motion was seconded and passed unanimously.



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- Fictitious Name request: The firm name “Strikeforce Advisory Group LLP” had previously been determined unacceptable on the grounds of being misleading. The licensee instead presented “Strikeforce Advisory LLP”. A motion was made to deny the request on the grounds of it being misleading. The motion was seconded and passed unanimously.
- January 12th Board Meeting: The January 12th Board Meeting will be held at 9:00 am via Zoom.

ADJOURNMENT

A motion was made and seconded to adjourn. The motion passed. The meeting adjourned at 12:15 pm.