

Connecticut State Board of Accountancy
Meeting Agenda
Thursday, March 3, 2016 – 10:00 A.M.

Second Floor Conference Room
30 Trinity St., Hartford, CT 06106
860-509-6179
sboa@ct.gov

BOARD MEMBERS PRESENT:

John H. Schuyler, CPA, Chairman
Marcia L. Marien, CPA
Peter J. Niedermeyer, CPA
Dannell R. Lyne, CPA-Via Conference Call
Mark Aronowitz
Karla H. Fox, Esq. -Via Conference Call

BOARD MEMBERS ABSENT:

Timothy F. Egan, CPA
Martha S. Triplett, Esq.

STAFF MEMBERS PRESENT:

James Spallone, Deputy Secretary of the State
Sonia Worrell Asare, Legal Counsel
Stephanie Sheff, License and Application Analyst

OTHERS PRESENT:

Art Renner, CPA, Executive Director of CT Society of CPA
Leonard Belzer
Christopher Abbomante
Thomas Ariola

Chairman John H. Schuyler, CPA, called the meeting to order at 10:03 A.M. at the Connecticut State Board of Accountancy, Second Floor Conference Room, 30 Trinity Street, Hartford, CT.

OFFICE AND BOARD OPERATIONS AND ADMINISTRATION

1. **Action required** – Approve Minutes of the February 4, 2016 Board Meeting.
Ms. Marcia Marien made a motion to approve the minutes of the February 4, 2016 meeting with edits. The motion was seconded by Mark Aronowitz. All board members voted in favor.

INFORMATION REPORTS

2. Administrative Updates
 - a. Budget Discussion- Deputy Secretary James Spallone provided an update on the Governor's proposed budget, explaining that the bill transferring the Board of Accountancy to the Department of Consumer Protection has been transferred to the Appropriations Committee. Chairman Schuyler testified on February 29th on behalf of the board before the Government Administrative Election's Committee. Chairman Schuyler encouraged a letter writing campaign to state representatives on behalf of the board.

- b. Prometric, AICPA and NASBA exam fee changes- Attorney Asare provided communications from NASBA, Prometrics and AICPA disclosing scheduled exam fee increases.
3. SBA-12 Committee – The subcommittee met following the February’s board meeting and proposes to have changes to the SBA-12 form for discussion at the May retreat.
4. Peer Review Committee- Chairman Schuyler represented the board on February 15th before the Connecticut State Society of CPA’s board discussing potential establishment of a Connecticut Peer Review Oversight Committee.

PUBLIC COMMENT - Opportunity for members of the public to address the board.

Art Renner, the Executive Director of the Connecticut State Society of CPA’s discussed the following topics: (1) The CT CPA remains committed to supporting the Board of Accountancy during this time of budget constraints and plans to testify before the Appropriations Committee on behalf of the board; (2) The CT CPA offers its assistance in providing licensing services to the board; and (3) The Society recently received communication from the AICPA of a potential overhaul of the peer review process and will continue to keep the board abreast of any changes impacting the administration of the peer review process.

EXAM AND LICENSING

OLD BUSINESS

5. Action required – Industry, Government, or Self Employed experience, and Other Applications – none

NEW BUSINESS

6. Action Required - Industry, Government, or Self Employed experience, and Other Applications

Christopher Abbamonte - Initial CPA Certificate & Initial Certificate Registration, Non- confirming Industry Experience, Not working under the supervision of a CPA. Denied at the January 7, 2016 board meeting. Additional documents presented. Attending the meeting. Ms. Karla Fox made a motion to accept Mr. Abbamonte’s nonconforming experience thereby approving his application for licensure. The motion was seconded by Mr. Mark Aronowitz. Mr. Peter Niedermeyer recused himself from voting and discussion. Mr. Dannell Lyne opposed. All remaining board members voted in favor.

Meghan Iannucci - Initial CPA Certificate & Initial Certificate Registration
Industry Experience.

Mr. Peter Niedermeyer made a motion to approve the application for licensure. The motion was seconded by Mr. Dannell Lyne. All remaining board members voted in favor.

Lori Carpenter – Initial CPA Certificate & Initial CPA License, Industry Experience.

Ms. Marcia Marien made a motion to approve the application for licensure. The motion was seconded by Mr. Peter Niedermeyer. All remaining board members voted in favor.

7. REVIEW FIRM PERMITS FOR APPROVAL – List Provided

Ms. Marcia Marien made a motion to approve. The motion was seconded by Mr. Mark Aronowitz. All remaining board members voted in favor.

8. PCAOB Inspection Reports Received - None

9. EXAMINATION AND CPE EXTENSION –

John J. Cody- requesting refund of late renewal fee for 2015.

Ms. Marcia Marien made a motion to deny the request. The motion was

seconded by Mr. Peter Niedermeyer. All remaining board members voted in favor

Michael Jelormine-requesting extension of time to complete cpe, tabled at the August 4, 2015 board meeting. Additional documents presented.

Ms. Marcia Marien made a motion to grant the extension request until December 31, 2016. The motion was seconded by Mr. Mark Aronowitz. All remaining board members voted in favor.

OTHER BUSINESS

10. Enforcement Cases – Enforcement Overview

a. 2015-80 Dr. Tryphose Charles vs. Peter LaForte. Allegations: includes negligence in the practice of public accountancy; §20-281a (10) engaging in actions reflecting adversely on the profession of public accountancy; §20-281k failure to return client records; §20-281j failure maintain confidentially of client information; and §20-281a (5) negligence in filing tax returns.

Substantiated Violation: None. Complainant states that Respondent was hired to complete quarterly taxes and QuickBooks. Respondent states the 2014 returns were not filed. Complainant further claims that Respondent's negligence led to her identity being stolen. Complainant claims that her 2011 tax were filed without her consent. The Complainant claims Respondent continued to withdraw automatic payments without her expressed permission. Evidence was presented that Complainant completed an IRS e-file Signature authorization form permitting the Respondent to file the necessary taxes. Evidence submitted that the 2014 taxes were filed on or about May of 2015; however, the return was rejected due to ID issues. Respondent sent email communication to the Respondent regarding the ID issues, further providing the complainant with the necessary IRS contact information regarding fraud. Evidence submitted that the Respondent sent email notification to the Complainant notifying of all service payment withdrawals and ceased at the request of the Complainant. There is no evidence that the Respondent's action lead to the Complainant's identity being stolen. All errors found on the 2011 return were corrected within 30 days. No evidence presented that the Respondent failed to return records to the Complainant. Evidence submitted that the Respondent attempted to settle the matter, admitting no fault; however, the Complainant refused settlement discussion.

Mr. Peter Niedemeyer made a motion to dismiss the matter finding no probable cause to continue. Ms. Marcia Marien seconded the motion. All remaining board members voted in favor.

b. 2012-103764 Dr. C.J. Mozzochi vs. Leonard Belzer Allegations: §20-281g unauthorized use of the "CPA/PA" title and §20-281a(5) negligence in the practice of public accountancy and §20-281a (5) negligence in the practice of accountancy. Respondent appeared before the board.

Substantiated Violation: A compliance meeting was held on October 21, 2015. The Connecticut State Board of Accountancy takes administrative notice and Respondent consents that the Connecticut State Board of Accountancy has jurisdiction over Mr. Leonard Belzer, by virtue of evidence submitted and not contested by Mr. Belzer of the engaging in the §20-280 unauthorized use to the Public Accountant title. On January 21, 2016, the Connecticut State Board of Accountancy received written communication from the Complainant stating that the respondent "has made complete financial restitution to me, and he said at the last hearing he will cease and desist use the appellation 'Public Accountant.' In view of the dire state of his health I cannot in good faith pursue, further, my compliant against him."

Compliance Officer Dannell Lyne and Peter Niedermeyer findings:

- A. Respondent has received legal and proper notice of the proceedings.
- B. Respondent was given the opportunity to have counsel present, but chose to represent himself during the proceedings.
- C. Applying the preponderance of the evidence standard the board finds the evidence is sufficient to demonstrate that the Respondent did in fact violate §20-281g unauthorized use of the CPA/PA title.

D. Applying the preponderance of the evidence standard the board finds the evidence does not demonstrate a violation of §20-281a(5) negligence in the practice of accountancy.

Recommendation: As presiding Officers over matter number 2012-103764, C.J. Mozzochi vs. Leonard Belzer, we make the recommendation to dismiss this matter with prejudice. The board takes notice as submitted by the evidence in this matter that the Respondent, Mr. Belzer has taken the appropriate the steps to comply with the law regarding use of "PA" title.

Matter was tabled due to lack of quorum to take a vote on the matter. Recusal by Mr. Mark Aronowitz, Mr. Dannell Lyne and Mr. Peter Niedermeyer.

c. 2015-110 Connecticut State Board of Accountancy vs. Nestor & Clayton, LLP. Allegations: §20-281a practicing without a valid CPA firm permit; §20-281b failure to undergo and report peer review or waiver; §20-281a engaging in the unauthorized use of CPA title; §20-280c engaging in the unauthorized the practice of public accountancy; §20-280-16(n) engaging in false advertisement and § 20-280-16(p) engaging firm name violations.

Substantiated Violations: Respondent states they did not receive a renewal notice for the year 2015. Respondent states that an oversight resulted in the nonrenewal of the 2015 firm permit. Respondent submitted a late fee for the year 2015, but failed to submit the actual firm permit fee for the year 2015. Respondent submitted firm permit for 2016. Respondent submitted peer review acceptance letter for the year 2015, demonstrating compliance with peer review requirements.

Ms. Marcia Marien made a motion to settle the matter acknowledging that the Respondent's peer review status is in compliance and Respondent paid late fee for the year 2015; Respondent shall submit \$150.00 firm permit fee for the 2015 licensing year; Respondent's firm owner shall take and report 4 hours of ethics no later than June 30, 2016. The motion was seconded by Mr. Mark Aronowitz. All remaining board members voted in favor.

d. 2005014-2819 Thomas Ariola. Reinstatement Hearing Request. Respondent appeared requesting a hearing to reinstate his license, based on the fact that he has satisfied the orders prescribed by the board in his 2009 settlement of the matter, although 3 years remain on the suspension of license per the settlement agreement.

Mr. Mark Aronowitz made a motion to table the Respondent request for a reinstatement hearing. Ms. Marcia Marien seconded the motion. All remaining board members voted in favor.

PUBLIC COMMENT

Opportunity for members of the public to address the board. – None.

Adjourned:

Mr. Peter Niedermeyer made a motion to adjourn the meeting at 11:52 A.M. Ms. Marcia Marien seconded the motion. All voted in favor.

Next scheduled meeting: Tuesday, April 5, 2016 -10:00 AM- 2nd Floor, 30 Trinity Street, Hartford, CT