

MAINE BOARD OF ACCOUNTANCY
Minutes of July 9, 2024

Call to Order

Board Chair Todd Desjardins called the meeting of the Board of Accountancy to order at 9:00 a.m.

MEMBERS PRESENT

Todd Desjardins, Chair
Robert Brown, Jr.
Thomas Cyr
Alison Lorenz
Yolanda “Lannie” Moffatt, Public Member

STAFF PRESENT

Penny Vaillancourt, Board Manager
Teneale Johnson, Executive Secretary
Nicole Sawyer, Assistant Attorney General

Introduction and Explanation of Meeting

As authorized by Title 1 section 403-B(1) of the Maine Revised Statutes and the Board member Remote Participation Policy adopted by the Board on May 9, 2023. The agenda for this meeting consists of various items for the Board.

AGENDA MODIFICATIONS AND APPROVAL:

- A motion was made by Ms. Moffatt to approve the agenda as written. Mr. Cyr seconded the motion. Vote 5-0 in favor.

MINUTES REVIEW AND APPROVAL:

- *May 14, 2024:* Following a review of the draft minutes, Ms. Moffatt made a motion to approve the minutes. Mr. Cyr seconded the motion. Vote 4-0 in favor (Ms. Lorenz abstained).

CHAIR REPORT:

- No report provided

INITIAL COMPLAINT PRESENTATIONS: *AAG Sawyer provided an overview of the complaint presentation process.*

- 2024-ACC-19937: A complaint was filed against a licensee alleging lack of responsiveness on performing taxes for a business and an individual. After a review and discussion of the complaint materials, Ms. Moffatt made a motion to table the matter, and

to request additional information from the licensee as to whether there were any statutory deadlines not met with regards to this complaint. Mr. Brown seconded the motion. Vote 4-0 in favor. (Mr. Cyr, complaint officer, abstained)

- 2024-ACC-19955: A complaint was filed against a licensee alleging lack of communication with tax related preparation/submission, closing the practice without appropriate communication to clients, and releasing a tax return without consent.
- 2024-ACC-19855: A complaint was filed against a licensee alleging lack of communication from the licensee, and after agreeing to perform a service, the practice closed without proper notification.
- 2024-ACC-19956: A complaint was filed against a licensee alleging lack of communication and unprofessionalism for not notifying clients of a practice closure.
- 2024-ACC-20001: A complaint was filed against a licensee alleging lack of communication and unprofessionalism when abruptly closing the practice without notification to clients.

Following presentation of the above four complaints (19955, 19855, 19956, 20001), Ms. Moffatt made a motion to dismiss the complaint and issue the licensee a letter of guidance which would remain on file for five years. The purpose of the letter would be to educate the licensee on the principle of due care and the codes of professional conduct which licensees must adhere. Ms. Lorenz seconded the motion. Vote 4-0 in favor. (Mr. Cyr, complaint officer, abstained)

- 2024-ACC-19854: A complaint was filed against a licensee alleging that they were having difficulty obtaining their prior year records. Following presentation of the complaint materials, Ms. Moffatt made a motion to dismiss the complaint. Mr. Brown seconded the motion. Vote 4-0 in favor. (Mr. Cyr, complaint officer, abstained)
- 2024-ACC-20013: A complaint was filed against a licensee who had sold their firm alleging that the licensee did not provide clients with information regarding the sale. Following review of the complaint materials, Ms. Moffatt made a motion to dismiss the complaint. Mr. Brown seconded the motion. Vote 4-0 in favor. (Mr. Cyr, complaint officer, abstained)

APPLICATION REVIEWS:

Initial:

- Noah Ferrante, CP11894: An online application was filed on June 10, 2024 and included a Verification of Work Experience form, which board staff requested guidance whether the demonstration meets the licensure requirements. Following their review of the

application materials, Ms. Moffatt made a motion to approve the application. Mr. Cyr seconded the motion. Vote 5-0 in favor.

After reviewing the above application, the Members provided guidance to Board Staff regarding the requirement of “Issuing reports on financial statements” can be tied to accounting or auditing skills; such as pro forma financial statements.

- Priya Kumari, CP11766: An online application was filed on June 10, 2024 and included a Verification of Work Experience form, which board staff requested guidance whether the demonstration meets the licensure requirements. Following their review of the application materials, Ms. Moffatt made a motion to approve the application. Mr. Brown seconded the motion. Vote 5-0 in favor.
- Soyoun Park, CP11796: An online application was filed on June 10, 2024 and included a Verification of Work Experience form, which board staff requested guidance whether the demonstration meets the licensure requirements. Following their review of the application materials, Ms. Moffatt made a motion to approve the application. Mr. Brown seconded the motion. Vote 5-0 in favor.

Renewal:

- Autumn K. Alexander, CP10564: An online application was filed on August 17, 2023 and the licensee answered “no” to meeting the continuing education requirements, indicating “Retired CPA. Inactive status”. Following their review of the application materials, Ms. Moffatt made a motion to preliminarily deny the application based on failure to meet the continuing professional education (“CPE”) requirements for renewal and offer the licensee the option to withdraw their application. Mr. Cyr seconded the motion. Vote 5-0 in favor.
- Rita Y. Lahoud, CP11263: An online application was filed on September 30, 2023 and the licensee answered “no” to meeting the continuing education requirements. Following their review of the application materials, Ms. Moffatt made a motion to preliminarily deny the application based on failure to meet the CPE requirements for renewal and offer the licensee the option to withdraw their application. Mr. Cyr seconded the motion. Vote 5-0 in favor.
- Cohnreznick, LLP, FMF10001031: An online application was filed on September 15, 2023 and answered “yes” to the disciplinary action question, disclosing a June 26, 2023 Stipulated Settlement and Disciplinary Order issued by the California Board of Accountancy. This agency also previously reported the same to the Board on June 5, 2023 pursuant to Title 10 §8003-G. Following their review and discussion of the application materials, Ms. Moffatt made a motion to approve the renewal application. Mr. Cyr seconded the motion. Vote 5-0 in favor.

Late Renewal:

- Kirk M. Allen, CP886: An online application was filed on December 28, 2023 and the applicant answered “no” to meeting the continuing education requirements, and identified medical issues and that the CPE hours were completed on December 25, 2023. Board staff requested certificates of completion, and to date the applicant has not responded. Following their review and discussion of the application materials, Ms. Moffatt made a motion to preliminary deny the application based on the applicant’s failure to complete CPE requirements and offer the licensee thirty (30) days to withdraw their renewal application. Mr. Cyr seconded the motion. Vote 5-0 in favor.

- Bruce Downs, CP8978: An online application was filed on October 2, 2023 and the applicant answered “no” to meeting the continuing education requirements, requesting that their license be made inactive as they had retired. Following a review and discussion of the application materials, Ms. Moffatt made a motion to preliminary deny the application based on the applicant’s failure to complete CPE requirements and offer the licensee thirty (30) days to withdraw their renewal application. Mr. Cyr seconded the motion. Vote 5-0 in favor.

- Laila B. Mignone, CP905: An online application was filed on October 1, 2022 and the applicant answered “no” to meeting the continuing education requirements, requesting a temporary renewal until October 14, 2022, when they intended to complete the remaining 18 hours of CPE. The applicant also indicated that they were considering not practicing after 2022. Following a review and discussion of the application materials, Ms. Moffatt made a motion to preliminary deny the application based on the applicant’s failure to complete CPE requirements and offer the licensee thirty (30) days to withdraw their renewal application. Mr. Cyr seconded the motion. Vote 5-0 in favor.

- NDU Consulting Services, LLC, FMF20000523: An online application was filed on November 24, 2023 and the applicant answered “yes” to providing defined service other than compilations which requires documentation of a recent peer review. Board staff attempted to obtain the documentation and to date, the applicant has not submitted the required peer review. Following a review and discussion of the application materials, Ms. Moffatt made a motion to preliminary deny the application for failure to complete the conditions to renew a firm license when providing services other than compilations. Mr. Cyr seconded the motion. Vote 5-0 in favor.

Reinstatement:

- McLeod, Ascanio & Company, FM10000725: The firm’s license expired on October 1, 2022, and after an exchange with board staff on November 9, 2023, a reinstatement application was filed November 20, 2023. The file is unclear why the reinstatement application was neither addressed by board staff, nor presented to the Board for review. More recent communications have revealed that the firm license is no longer needed as

the firm was bought out effective January 1, 2024. Following a review and discussion of the application materials, Mr. Brown made a motion to approve the request to withdraw the reinstatement application. Ms. Moffatt seconded the motion. Vote 5-0 in favor.

CREDIT RELIEF INITIATIVE:

- Ratification of Board Staff Approved Requests: Following a review and discussion of the approved requests for extensions under the Credit Relief Initiative, Ms. Moffatt made a motion to ratify the approvals. Mr. Cyr seconded the motion. Vote 5-0 in favor.

BOARD MANAGER’S REPORT: Ms. Vaillancourt reported the following information to the Board:

- Legislative Update: No update provided.
- Proposed Rulemaking Update: Ms. Vaillancourt will present the Members with a list of proposed rulemaking items at a future meeting.
- Report on Work Experience Research: Ms. Vaillancourt provided data collected on state specific requirements for the work experience regarding initial licensure of CPA’s.

LICENSING REPORTS: The reports were reviewed and accepted as an FYI.

- Active, Inactive, and Issued licenses

OTHER ITEM(S):

The following agenda items were accepted as an FYI:

- Preliminary Agenda for Future Meetings
- Case Management Reports

PUBLIC OPPORTUNITY TO COMMENT:

- No comments received.

ADJOURNMENT: Ms. Moffatt made a motion to adjourn the meeting at 11:29 a.m. Mr. Cyr seconded the motion. Vote 5-0 in favor.