

**ACCOUNTANCY BOARD OF OHIO  
MINUTES OF JUNE 13, 2014 MEETING**

The Accountancy Board met on June 13, 2014 in Room East B on the 31st floor of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio with the following members present: Robert Fay, CPA (Chair), Michael Comer, CPA (Vice-Chair), James Carroll, CPA (Secretary), W. Michael Fritz, CPA (Immediate Past-Chair), Margaret Houston, CPA (Past Chair), Adriana Sfalcin (Public Member), James Gero, CPA (Member) and James Gottfried, CPA (Member). Michael Guinigundo, CPA (Member) was absent.

Representing the Board staff was John E. Patterson, Executive Director and Tracey F. Fithen, Assistant Executive Director. Board counsel present was Rachel Huston, Esq., representing the office of the Attorney General. Mr. Fay opened the meeting with the Pledge of Allegiance.

Present in the audience was Laura Hay, Executive Vice President of the Ohio Society of Certified Public Accountants (OSCPA), Barbara Benton, Vice President for Governmental Affairs of the OSCP and Joe Skoda, CPA, representing the National Society of Accountants. Also, present were Ms. Greta Russell and Jerry Esselstein, former board members.

Mr. Fay called the meeting to order at 10:03 a.m., and welcomed the guests in the audience.

**APPROVAL OF THE APRIL 25, 2014 BOARD MEETING MINUTES**

Upon motion by Mr. Comer, seconded by Ms. Sfalcin, the Board voted to approve the minutes of the April 25, 2014 Board meeting. Motion carried 8-0.

***INFORMATION REPORTS AND UPDATES***

**BUDGET AND FINANCIAL REPORT**

Ms. Fithen noted that the Board as of June 11, 2014 was coming into the final weeks of closing for fiscal year 2014 and would balance with their allotted appropriations. Fiscal year 2015 will remain with the same allotted amount to operate.

**RENEWAL INFORMATION**

Ms. Fithen noted that the Tax Consulting Firm renewal, consisting of 538 firms, has been mailed out on May 30, 2014. Approximately 183 have renewed as of June 12, 2014 and are due on July 31, 2014.

**EDUCATION ASSISTANCE PROGRAM REPORT**

Elisabeth Newell, of the Accountancy Board, reported a total of \$208,005 was spent for education assistance in fiscal year 2014. Ms. Newell also noted that we would not be spending the complete allocation, but are within \$2,000 committed in appropriations for fiscal year 2014.

## ***INVESTIGATIONS REPORT***

Jesse Dixon, of the Accountancy Board, noted that 15 cases were opened since the last Board meeting, 29 cases closed and a total of 64 open investigations in 2014. There are currently 79 cases still open and 9 of those are in litigation.

### **NASBA REPORT**

Mr. Fay reported the NASBA Eastern Regional Meeting, held in Louisville, Kentucky, was attended by most of the board members as well as John Patterson and Tracey Fithen of the Board office. The main topic of the meeting was discussion of AICPA standards and peer review.

### ***OLD BUSINESS***

#### **STATUS OF PAST HEARINGS**

Mr. Patterson noted, per the April 25, 2014 Board meeting, the status of the hearings were processed and remedies were ordered.

### ***NEW BUSINESS***

#### **ROLAND MADISON – REQUEST FOR CPE CREDIT FOR PUBLICATIONS**

Mr. Dixon presented Roland Madison's request of CPE credit for publications of his biography. The Board does approve proper published articles, but felt this particular article did not meet that requirement. Motion to grant zero credits carried 8-0.

### **RULE FILINGS**

Mr. Patterson presented the rules that will be filed with the Joint Committee on Agency Rule Review (JCARR). A discussion was held regarding some additional changes to Chapter 15 of the Ohio Revised Code 4701.

Mr. Patterson and Ms. Newell, also went through the no-change rules that will be filed as well with minor, or no changes.

#### **CLOSE COMPLAINT APPEAL: WILLOUGHBY (CPA) vs. CONIGLIO**

Mr. Patterson recommended that the Board close the case of an appeal of a closed complaint against Willoughby and Company, Incorporated. Upon motion by Mr. Carroll, seconded by Mr. Gero, the Board voted to close the complaint.

### ***FORMAL HEARINGS***

#### **FORMAL HEARING: PATRIC A. DIPIETRO/DIPIETRO & GOTTESMAN LLC**

Mr. Fay opened a disciplinary hearing at 11:50 a.m. pursuant to Chapter 119 of the Revised Code. The Board charged Mr. DiPietro with a violation of section 4701.16(A) (2), (4)

and (10) of the Ohio Revised Code, concerning dishonesty, fraud, or gross negligence in the practice of public accounting; violation of a rule of professional conduct promulgated by the board (specifically Ohio Administrative Code 4701-9-03, Generally accepted auditing standards; and conduct discreditable to the public accounting profession. Mr. DiPietro was present and represented by legal counsel.

Ms. Huston called Faith Ottavi, Investigator, as a witness and introduced State's Exhibit A, 1 through 9 and Exhibit B, 1 through 272. Mr. DiPietro and his attorney then spoke and was questioned by the Board.

The Board admitted into evidence all exhibits. Mr. Fay concluded the hearing.

#### **FORMAL HEARING: BILLI J. COAKLEY CPA**

Mr. Fay opened a disciplinary hearing at 12:30 p.m., pursuant to Chapter 119 of the Revised Code. The Board charged Ms. Coakley with a violation of section 4701.16(A) (5) of the Ohio Revised Code, concerning conviction of a felony under the laws of any state or of the United States. Ms. Coakley was present and represented by legal counsel as well as character witnesses.

Ms. Huston called Ms. Ottavi as a witness and introduced State's Exhibit A, 1 through 5 and Exhibit B, 1 through 5. Ms. Coakley and her attorney then spoke and was questioned by the Board.

The Board admitted into evidence all exhibits. Mr. Fay concluded the hearing.

#### **FORMAL HEARING: PAUL R. ALEXEEFF CPA**

Mr. Fay opened a disciplinary hearing at 1:05 p.m., pursuant to Chapter 119 of the Revised Code. The Board charged Mr. Alexeeff with a violation of section 4701.16(A) (1) and (4) of the Ohio Revised Code, concerning fraud or deceit in obtaining an Ohio permit and failure to comply with the continuing education verification requirements. Mr. Alexeeff was present.

Ms. Huston called Ms. Ottavi as a witness and introduced State's Exhibits A, 1 through 43. Mr. Alexeeff then spoke and was questioned by the Board.

The Board admitted into evidence all exhibits. Mr. Fay concluded the hearing.

#### **REQUEST FOR WAIVERS OF LATE FILING FEES**

##### ***THOMAS R. SAUER***

Mr. Sauer requested a waiver of the \$200 late fee applicable to the late renewal of his Ohio permit, due by December 31, 2013.

##### ***MICHAEL W. GENTRY***

Mr. Gentry requested a waiver of the \$1,300 late fee applicable to the late renewal of his Ohio permit, due by December 31, 2012, because he was working in Chattanooga, Tennessee at the time of his renewal deadline.

## **EXECUTIVE DIRECTOR'S REPORT**

Mr. Patterson informed the Board that an extension of the Board's rule filing has been granted.

Mr. Patterson also discussed the changes to future meeting agendas, per the State's attorney general's office, requesting that Board hearings are not a part of the meeting and should be held prior to, or after the official Board meeting.

Mr. Patterson informed the Board of the case of Cassandra Wiltz vs. the Accountancy Board of Ohio. The case is pending before the Ohio Court of Claims and a motion to dismiss has been filed.

## **EXECUTIVE SESSION**

Upon motion by Mr. Fay, seconded by Mr. Comer, the Board voted to enter into quasi-judicial deliberations. Motion carried 8-0 on a roll call vote. After discussion, the Board returned to general session.

## **BOARD DECISIONS**

### ***DISCIPLINARY HEARING: PATRICK A. DIPIETRO***

Upon motion by Mr. Carroll, seconded by Mr. Comer, the Board voted to revoke the CPA certificate of Patrick A. DiPietro, but stay the revocation subject to the completion of the following requirements by August 31, 2014:

- Payment of a fine of \$1,000.
- Payment of any applicable late and penalty fees.
- Completion of a Board-approved Professional Standards and Responsibilities course emphasizing Ohio statutes and rules.

Motion carried 8-0 on a roll call vote.

### ***DISCIPLINARY HEARING: BILLI J. COAKLEY***

Upon motion by Mr. Carroll, seconded by Ms. Houston, the Board voted to revoke the CPA certificate of Billi J. Coakley, but stay the revocation pending the fulfillment of her pending court sanctions and a fine of \$1,000.

Motion carried 8-0 on a roll call vote.

***DISCIPLINARY HEARING: PAUL R. ALEXEEFF***

Upon motion by Mr. Carroll, seconded by Ms. Sfalcin, the Board voted to revoke the CPA certificate of Paul R. Alexeeff, but stay the revocation subject to the completion of the following requirements by August 31, 2014:

- Payment of a fine of \$5,000.
- Payment of any applicable late and penalty fees.
- Completion of a Board-approved Professional Standards and Responsibilities course emphasizing Ohio statutes and rules.

Motion carried 8-0 on a roll call vote.

Upon motion by Ms. Sfalcin, seconded by Mr. Gero, the Board voted to adjourn. Motion carried 8-0.

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**ROBERT F. FAY, CHAIR**

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**JAMES J. CARROLL, SECRETARY**