PUBLIC SESSION MINUTES  
North Carolina State Board of CPA Examiners  
October 29, 2014  
Ballantyne Hotel  
Charlotte, NC

MEMBERS ATTENDING: Miley (Bucky) Glover, CPA, President; Michael H. Womble, CPA, Vice President; Wm. Hunter Cook, CPA, Secretary-Treasurer; Tawannah G. Allen, Ed.D; Murchison (Bo) Biggs, CPA; and George W. Rohe, CPA.

STAFF ATTENDING: Robert N. Brooks, Executive Director; David R. Nance, CPA, Deputy Director; Frank Trainor, Esq., Staff Attorney (via telephone); and Noel L. Allen, Legal Counsel.

GUESTS: James T. Ahler, CEO, NCACPA; Sharon Bryson, COO, NCACPA; Dave Horne, Esq., Legal Counsel, NCACPA; Cindy Brown, CPA, NCACPA; Cal Christian, CPA, NCACPA; Joan Pharr, CPA, NCACPA; Rollin Groseclose, CPA, NCACPA; Michael Massey, CPA, NCACPA; Austin Wachten, CPA, NCACPA; Sammy Williams, CPA, NCACPA; Jared Plummer, CPA, NCACPA; Kate Hinson, CPA, NCACPA; Mark Soticheck, CPA, NCACPA; Susan Barrett, CPA, NCACPA; Ben Hamrick, CPA, NCACPA; Andrea Eason, CPA, NCACPA; Preetu von Achter, CPA, NCACPA; Dan Purvine, CPA, NCACPA; Art Winstead, CPA, NCACPA; Marci Thomas, CPA, NCACPA; Lorrie Leonhardt, NCACPA Staff; Alison Mendys Abousselewan, NCACPA Staff; Amanda Davis, NCACPA Staff; Jennifer Rowell, NCACPA Staff; Holly Bazemore, NCACPA Staff; Alexis Verbic, NCACPA Staff; and Nikki Vann, NCACPA Staff.

CALL TO ORDER: President Glover called the meeting to order at 10:06 a.m.

MINUTES: The minutes of the September 22, 2014, meeting were approved as submitted.

FINANCIAL AND BUDGETARY ITEMS: The September 2014 financial statements were accepted as submitted.

LEGISLATIVE AND RULE-MAKING ITEMS: President Glover led a discussion on the CPE time rule with presentations by Dr. Allen and Joan Pharr. President Glover also led a discussion on the firm name rule with presentations by Mr. Cook and Ben Hamrick.

NATIONAL ORGANIZATION ITEMS: Messrs. Womble and Biggs moved to approve the draft response to the AICPA Discussion Paper, Enhancing Audit Quality, after Messrs. Glover, Cook, and Nance concurred on changes.
REPORT OF THE PROFESSIONAL STANDARDS COMMITTEE: Mr. Cook moved and the Board approved the following recommendations of the Committee:

Case No. C2012259-2 and Case No. C2012415 - George M. Gabler - Approve the signed Consent Order (Appendix I) for the voluntary permanent surrender of NC CPA Certificate No. 29752 issued to George M. Gabler with six (6) affirmative and zero (0) negative votes.

Case No. C2013045 - Ernst & Young, LLP - Approve the signed Consent Order (Appendix II). Mr. Cook did not participate in the discussion of this matter nor did he vote on this matter.

Case No. C2013230 - Susan F. Ureda - Approve the signed Consent Order (Appendix III).

Case No. C2013167-2 - David R. Dracup, CPA, PA - Approve the signed Consent Order (Appendix IV).

Case No. C2014086 - Christina M. Rivera - Approve the signed Consent Order (Appendix V) for the permanent revocation of NC CPA Certificate No. 32413 issued to Christina M. Rivera with six (6) affirmative and zero (0) negative votes.

Case No. UT20141111 - Daniel J. Brady - Approve the signed Notice of Apparent Violation and Demand to Cease and Desist (Appendix VI).

Case No. C2013271-1 - Close the case without prejudice and with a Letter of Warning.

Case No. C2013274 - Close the case without prejudice and with a Letter of Warning.

REPORT OF THE PROFESSIONAL EDUCATION AND APPLICATIONS COMMITTEE: Dr. Allen moved and the Board approved the following recommendations of the Committee:

Transfer of Grades Applications - The Committee recommended that the Board approve the following:

Charlotte Pait Brewer K. Kyle Phillip Nygaard
Trang Hien Nguyen Sylvia Ruxandra Seaver

Original Certificate Applications - The Committee recommended that the Board approve the following:

Briarlee D. Barrow Ryan David Beckstead
Reciprocal Certificate Applications - The Committee recommended that the Board approve the following:

Cynthia Diane Austen
Sharon Ann Bernacki
Meredith Leigh Guelbert
Jeffrey Robert Johnson

Temporary Permits - The Committee recommended that the Board approve the following temporary permits that were approved by the Executive Director:

Robert Allen Gindes, T8094
Lisa LeAnn Jones, T8095
Craig J. Adams, T8096
Brandon Scott Miller, T8100
Kathy L. Allen, T8101
Christopher Paul Stock, T8102

Matthew Robert Miller
William Markham Montgomery
Kaitlyn Hunter Moore
Jeffrey Lee Nakayama
Thomas Charles Natale
Trang Hien Nguyen
Robert Clayton Nicholson, II
Kyle Phillip Nygaard
John Charles Payne
Andrew Fredrick Pearson
Sharon Wine Pratto
Teresa Hope Redman
Daniel Robert Schillaci
Laura Suzanne Scott
John Avery Scotton, Jr.
Sylvia Ruxandra Seaver
Courtney Shanice Smith
Sally-Anne Tabora
Anthony Dominic Tallarico
Adam Edward Taylor, Sr.
Jaclyn Austin Taylor
Alan Lane Toler
William Bradley Tucker
Travis Clint VanHoy
Dan Wangendo Ndikwe, T8167  
Jeremy Grier Dunn, T8168  
Sara Elizabeth Bryan Hutter, T8169  

Reinstatements - The Committee recommended that the Board approve the following:

Sonal Thakkar Amin, #28740  
Anne Trammell Bartholomew, #20266  
Debra Jo Bradsher, #16493  

Kenneth Everett Johnson, #18518  
Ericka Faye Kranitz, #31595  
Sarah English Pinion, #18242

Firm Registrations - The Committee recommended that the Board approve the following professional corporations, professional limited liability companies, and limited liability partnerships that were approved by the Executive Director:

Larry A. Clark, CPA, PLLC  
Sovereign CPA Services, PLLC

Extension Requests - The Committee recommended that the Board approve the following individuals for extension for completion of CPE until the dates noted:

Phyllis Sanders, #20385 (6/30/14)  
Jayme Shoop, #32348 (1/31/14)

Letter of Warning - The Committee recommended that the Board approve the requests to rescind the letters of warning awarded to the individuals listed below:

James E. Harrison, #19145  
Rachel H. Jordan, #22056  
Janet Monaghan, #30092

Examinations - The Committee recommended that the Board approve the following staff-approved applicants to sit for the Uniform CPA Examination:

Israel Abitbol  
Allison Adkins  
Layla Alhashim  
Stephen Allen  
Ahmad Altaher  
Christopher Anderson  
Garnett Antle-Kara  
LaTisha Ashley  
Catherine Ayers  
Theodore Bacote  
Jess Bankhead  
Nicolas Barnes  
Brian Bartholomew  

David Batkiewicz  
Mary Beets  
Cory Billings  
Alexander Bishop  
Seth Bishop  
Melanie Bissonnette  
Benjamin Blackmon  
Nicholas Bost  
Audrey Bostic  
Sara Boswell  
Ryan Bourg  
Jackelyn Branco  
Madeline Bray
Darien Brockington
Patrick Brooks
Rebecca Brooks
David Broome
Joshua Brown
Evan Buckingham
Mark Bumper
Christina Burnett
Matthew Bustamante
Andrew Cafarella
Daniel Carter
Danielle Carty
Joel Chambers
Felix Chang
Chun-Yuh Chou
Ryan Christians
Ruth Chu
Tyler Cima
Stephen Cobb
Aikaterini Coker
Kelsey Conner
Charlene Cook Controne
Jacob Cooper
John Copley
Hallie Corday
Ryan Cote
Brittany Cowan
Elizabeth Coy
Anna Crawford
Bryce Creedon
Raven Cross
Scott Crysel
Andrew Cullinan
Natalie Cuzmenco
Corey Dalton
Lauren Daughtry
Monica Davis
Vivian Denoyer
Elizabeth Dinndorf
Rebecca DiPalazzo
Holly Disbrow
Melissa Dodson
Amanda Doiron
Lauren Donadio
Garret Drogosch
Daniel Drouin
Nicholas Dunbar
Kelsey Dunn
Marcus Dyer
Kellie Earnhardt
Felicia Edwards
Susan Eisenhardt
Sarah Eljabaly
Maria Errazo
Hisham Fahim
Sean Feeley
David Ferguson
Michael Fillmer
Mary Fischer
Heather Ford
Sarah Forman
Steven Foster
Nathan Francis
George Freeman
Matthew Fussell
Rachel Gable
Christopher Gaddy
Rafaela Gaines
James Gambill
Wenyu Gao
Carolyn Gile
Preston Giles
Jamie Gillan
Brent Gillespie
Joel Gillie
Benjamin Goodwin
Mihaela Gorciu
Taylor Gray
Kristen Griffith
Caleb Grim
Cynthia Grose
Robert Hales
Mallory Hammett
Michael Hancock
Paul Hardin
Geri Hare
James Nobles
Maxwell Ofori
Eric Ogilvie
Adaora Onkonwo
Anthony Okunak
Miles Onafowora
David Padykula
Nicholas Pagano
Meagan Parrott
Karla Patel
Blake Patterson
Mallery Patterson
Brandy Perry
Lynda Peterson
Drew Phillips
Morgan Phillips
Whitney Phillips
Maribel Pinol
Taylor Pittman
Kerry Porter
Alexander Prytyskach
Donnell Raye
John Reece
Natalie Reed
Melissa Reeger
Ann Reinking
Phoebe Roberts
Jonathan Robinson
Nicole Rocco
Mary Rockecharlie
Tracey Rogers
Kimberly Rohr
Holden Rudd
Tracy Rumfelt
Sarah Rupp
Shaurnetta Russell
Kenrick Samuelson
Jonathan Sawyer
Amanda Scott
Elizabeth Senczy
Pamela Seward
Kushal Shah
Samip Shah
Allison Simmons
Karine Simonyants
Jyoti Singh
Misti Skinner
Lanita Slaughter
Joseph Smith
Julie Smith
Kelsey Smith
Rhonda Smith
Riley Smith
Suzanne Smith
Grady Smyth Gilbert
Eric Sommermann
Tammy Southerland
Garry Spence
Neil Spence
Alyssa Starnes
Stephanie Stidham
Steven Strickland
Michael Strom
Edward Summersill
Jenni Swartout
Andrew Swint
Kayla Sykes
Jeremiah Tate
Rebekah Taylor
Tamara Temple
Brittany Tetlow
Christopher Thompson
Sabrina Thompson
Jamie Thornburg
Jeremy Tomlinson
Kaleb Tucker
Rebecca Urquhart
Jonathan Virgie
Christopher Walker
Kandi Walls
Yue Wang
Cherise Washington
Stephen Watts
Amanda Webb
Binbin Weng
Elizabeth Whitaker
Rescind Form of Practice Statement – The Committee recommended that the Board approve a request from Randy Keith Jordan (#19241) to rescind his Form of Practice Statement.

Hypothetical Firm Name – The Committee referred this matter to the full Board, where it was discussed in Closed Session.

CLOSED SESSION: Messrs. Womble and Cook moved to enter Closed Session to discuss a legal matter and an application. Motion passed.

PUBLIC SESSION: Messrs. Cook and Biggs moved to re-enter Public Session to continue with the agenda. Motion passed.

EXECUTIVE STAFF AND LEGAL COUNSEL REPORT: The Board approved the proposed 2015 Board meeting dates.

The Executive Staff and Staff Attorney were instructed to respond to the request by the Attorney General regarding a complaint.

ADJOURNMENT: Messrs. Cook and Biggs moved to adjourn the meeting at 2:38 p.m. Motion passed.

Respectfully submitted:

Attested to by:

Robert N. Brooks
Executive Director

Miley W. Glover
President
IN THE MATTER OF:
George M. Gabler, #29752
Respondent

CONSENT ORDER

THIS CAUSE, coming before the North Carolina State Board of CPA Examiners ("Board") at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N.C. Gen. Stat. § 150B-41, the Board and Respondent stipulate to the following:

1. George M. Gabler (hereinafter "Respondent") is the holder of North Carolina certificate number 29752 as a Certified Public Accountant.

2. Respondent acted as an escrow agent for clients in a project in which he had a related pecuniary interest by way of ownership in a limited liability company.

3. Respondent pleaded guilty to one count of knowingly concealing the felony of others to unrelated real estate transactions.

4. Respondent wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board ex parte, whether or not the Board accepts this Consent Order as written. Respondent understands and agrees that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

BASED upon the foregoing, the Board makes the following Conclusions of Law:

1. Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.

2. If proven, Respondent’s actions, as set forth above, could constitute violations of 21 NCAC 08N .0202, .0203, .0303(a) and .0212.
3. Per N.C. Gen. Stat. § 93-12(9), and also by virtue of Respondent's consent to this order, Respondent is subject to the action set forth below.

BASED on the foregoing and in lieu of disciplinary action or further proceedings, the Board and Respondent agree to the following Order:

1. Respondent voluntarily surrenders his North Carolina CPA certificate without the ability to apply for reissuance, reinstatement, or modification of discipline. As such, Respondent shall not offer or render services as a CPA or otherwise trade upon or use the CPA title in this State whether through CPA mobility provisions or substantial equivalency practice privileges or in any other manner.

2. Respondent waives any rights, privileges, or protections that may be afforded by 21 NCAC 08J .0105, .0106, 08I .0104, or N.C. Gen. Stat. § 93-10.

CONSENTED TO THIS THE 16th DAY OF SEPTEMBER 2014

Respondent

APPROVED BY THE BOARD THIS THE 29th DAY OF OCTOBER 2014

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

BY: Millicent S. Jene
President
IN THE MATTER OF:
Ernst & Young LLP
Respondent

CONSENT ORDER

THIS CAUSE, coming before the North Carolina State Board of CPA Examiners ("Board") at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N.C. Gen. Stat. § 150B-41, the Board and Respondent stipulate to the following:

1. Ernst & Young LLP (hereinafter "E&Y" or "Respondent Firm") is a registered certified public accounting limited liability partnership in North Carolina.

2. Respondent Firm entered into a Non-Prosecution Agreement ("NPA") with the United States Department of Justice on February 26, 2013.

3. As described in the Statement of Facts attached to the NPA, from the period of 1999 through 2002, E&Y, in conjunction with various law firms, banks and investment advisors, developed, marketed, and implemented certain tax shelters that were intended to assist high net worth individuals to defer, reduce, or eliminate their income taxes. A small number of the tax shelters were sold to North Carolina clients.

4. Also, as set forth in the Statement of Facts:

A small group within E&Y known as the Strategic Individual Solutions Group ("SISG") was primarily responsible for supervising and coordinating the marketing, implementation and defense of E&Y’s tax shelter products.

*  *  *

Unlike certain other accounting firms that marketed similar tax shelter products, the senior management of E&Y did not participate in the criminal wrongdoing of the SISG members. Indeed, certain members of SISG withheld important information from E&Y’s senior management.

*  *  *

NC BOARD OF
CPA EXAMINERS
OCT 15 2014
The wrongdoing in this case by a small group of professionals at E&Y represented a deviation from the more than 100-year history of ethical and professional conduct by E&Y and its partners.

5. E&Y has confirmed that SISG was disbanded in early 2003 and that no North Carolina licensees were members of SISG.

6. E&Y has also produced evidence showing that it has undertaken an extensive program to ensure that similar conduct cannot be repeated. In fact the NPA notes that at the time that E&Y implemented its program, it “was praised by the IRS and recognized as a good working model for agreements with practitioners.”

7. Respondent Firm wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board ex parte, whether or not the Board accepts this Consent Order as written. Respondent Firm understands and agrees that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

BASED upon the foregoing, the Board makes the following Conclusions of Law:

1. Respondent Firm is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.

2. The actions of the SISG members, as set forth above, violated 21 NCAC 08N .0201, .0203(a), .0207, .0211(b) and .0301(b). Although there is evidence in the record that SISG intentionally withheld material information from E&Y’s senior management and none of those SISG members were North Carolina licensees, E&Y is nevertheless responsible for the actions taken by its employees per 21 NCAC 08N .0103.

3. Per N.C. Gen. Stat. § 93-12(9), and also by virtue of Respondent’s consent to this order, Respondent is subject to the discipline set forth below.

BASED on the foregoing and in lieu of further proceedings, the Board and Respondent agree to the following Order:

1. Respondent Firm is censured.

NC BOARD OF
OCT 15 2014
CPA EXAMINERS
2. Respondent Firm shall remit, with this signed Order, a civil payment of twelve thousand dollars ($12,000.00).

3. Respondent Firm shall reimburse the Board for one thousand seven hundred twenty-five dollars ($1,725.00) in administrative costs incurred by the Board in its investigation of this matter. Said administrative costs must be remitted to the Board with this signed Order.

CONSENTED TO THIS THE 6th DAY OF October 2014

Bruce M. Corrigan
Individual authorized to sign on behalf of Respondent Firm

APPROVED BY THE BOARD THIS THE 29 DAY OF October 2014

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

BY: Miley W. Jones
President
NORTH CAROLINA  
BEFORE THE NORTH CAROLINA STATE BOARD OF 
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS  
CASE #: C2013230

IN THE MATTER OF:  
Susan F. Ureda, #28881  
Respondent

CONSENT ORDER

THIS CAUSE, coming before the North Carolina State Board of CPA Examiners ("Board") at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N.C. Gen. Stat. § 150B-41, the Board and Respondent stipulate to the following:

1. Susan F. Ureda, CPA (hereinafter "Respondent"), is the holder of North Carolina certificate number 28881 as a Certified Public Accountant.

2. The Board received a complaint from one of Respondent’s clients ("Client") alleging that Respondent had provided inaccurate tax advice and that the Client’s tax returns were inaccurate as a result.

3. The issue had some complexity and involved the tax treatment of the sale of a business with related shareholder loan transactions.

4. Respondent has noted the complexity of the transactions and has stated that she consulted with the Client and other tax professionals prior to finalizing the Client’s taxes.

5. Respondent was unable to produce the documentation and information required to fully substantiate the tax position taken on the Client’s returns.

6. Respondent wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board ex parte, whether or not the Board accepts this Consent Order as written. Respondent understands and agrees that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

BASED upon the foregoing, the Board makes the following Conclusions of Law:

NC BOARD OF

OCT - 3 2014

CPA EXAMINERS
Consent Order - 2  
Susan F. Ureda, CPA

1. Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.

2. Respondent's actions as set out above constitute a violation of 21 NCAC 08N .0211.

3. Per N.C. Gen. Stat. § 93-12(9) and also by virtue of Respondent's consent to this order, Respondent is subject to the discipline set forth below.

   BASED on the foregoing and in lieu of further proceedings, the Board and Respondent agree to the following Order:

   1. Respondent is censured.

CONSENTED TO THIS THE 29 DAY OF September 2014
   (Day)   (Month)   (Year)

   [Signature]

Respondent

APPROVED BY THE BOARD THIS THE 29 DAY OF OCTOBER
   (Day)   (Month)

2014
   (Year)

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

   [Signature]

President

NC BOARD OF  
OCT - 3 2014  
CPA EXAMINERS
IN THE MATTER OF:
David R. Dracup, CPA, PA
Respondent

CONSENT ORDER

THIS CAUSE, coming before the North Carolina State Board of CPA Examiners ("Board") at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N. C. Gen. Stat. § 150B-41, the Board and the Respondent stipulate to the following:

1. David R. Dracup, CPA, PA (hereinafter "Respondent firm"), is a registered certified public accounting corporation in North Carolina.

2. Respondent firm received a "fail" on its most recent system peer review, with an acceptance letter date of September 5, 2013.

3. The failed system peer review noted a material departure from Generally Accepted Auditing Standards ("GAAS") by Respondent firm due to a failure to have quality control policies and procedures for reviewing engagements and a failure to document audit procedures.

4. Respondent’s principal was the only person working on audits at the time covered by the audit when Respondent did not have quality control policies and procedures for reviewing engagements written down.

5. Respondent took prompt action to remedy the procedural deficiencies identified before receiving any request to do so.

6. Respondent’s principal has been licensed as a CPA in New York and then North Carolina for over 20 years collectively and has no prior disciplinary action.

7. Respondent firm wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board ex parte, whether or not the Board accepts this Consent Order as written. Respondent firm understands and agrees that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

NC BOARD OF CPA EXAMINERS

OCT 15 2014
Consent Order - 2
David R. Dracup, CPA, PA

BASED upon the foregoing, the Board makes the following Conclusions of Law:

1. Respondent firm is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.

2. Respondent firm’s failure to comply with GAAS is a violation of 21 NCAC 08N.0403.

3. By virtue of Respondent firm’s consent to this order, Respondent firm is subject to the discipline set forth below.

BASED on the foregoing and in lieu of further proceedings, the Board and Respondent firm agree to the following Order:

1. Respondent firm is censured.

2. Each of Respondent firm’s professional staff participating in engagements subject to peer review shall take a minimum of eight (8) hours of group study Accounting and Auditing CPE related to Auditing, as part of their annual forty (40) hour CPE requirements, until such time as Respondent firm receives a pass on a system peer review.

CONSENTED TO THIS THE 8 DAY OF OCTOBER 2014.

Individual authorized to sign on behalf of Respondent Firm

APPROVED BY THE BOARD THIS THE 29 DAY OF OCTOBER 2014.

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

BY: [Signature]
President

[Stamp]
NORTH CAROLINA
WAKE COUNTY
BEFORE THE NORTH CAROLINA STATE BOARD OF
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS
CASE #: C2014086

IN THE MATTER OF:
Cristina Madrinan Rivera, #32413
Respondent

CONSENT ORDER

THIS CAUSE, coming before the North Carolina State Board of Certified Public Accountant Examiners ("Board") at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N. C. Gen. Stat. § 150B-41, the Board and Respondent stipulate to the following:

1. Respondent is the holder of North Carolina certificate number 32413 as a Certified Public Accountant.

2. Respondent was employed by a non-profit corporation ("Employer") beginning in late 2011. The Employer registered as a Referendum Committee with the State Board of Elections and was, by design, only in operation for a limited period of time. Respondent was hired to, among other things, maintain the Employer’s books and records, and create financial reports.

3. By 2012, the Employer was prepared to wind down operations. In October 2012, the Employer requested that Respondent perform final accounting and tax services for a specified amount of compensation. Respondent was paid by the Employer in October 2012 and performed the services.

4. Respondent’s services to the Employer continued for longer than expected through calendar year 2013. During that time, the Employer and Respondent had no understanding regarding Respondent’s compensation. Due to the non-profit nature of the Employer, other individuals had dedicated their services for free to the Employer.

5. During the latter part of 2012 and through 2013, Respondent dispersed at least an additional $9,000.00 to herself. Respondent has admitted that the dispersals were made without authorization from the Employer.

6. Respondent promptly repaid the Employer $10,000.00 when confronted by the Employer’s Treasurer.

7. Respondent wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board ex parte, whether or not the Board accepts this Consent Order as written. Respondent understands and agrees that this Consent Order is subject to OCT - 1 2014
Consent Order 2
Cristina Mandrinan Rivera

review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

BASED upon the foregoing, the Board makes the following Conclusions of Law:

1. Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.

2. Respondent's actions as set out above constitute violations of 21 NCAC 08N .0202 and .0203.

BASED on the foregoing and in lieu of further proceedings, the Board and Respondent agree to the following Order:

1. The Certified Public Accountant certificate issued to Respondent, Cristina Madrinan Rivera, is hereby permanently revoked.

2. Respondent shall not offer or render services as a CPA or otherwise trade upon or use the CPA title in this State either through CPA mobility provisions or substantial equivalency practice privileges or in any other manner, nor shall Respondent claim or attempt to use any practice privileges in any other state based upon her permanently revoked North Carolina certificate.

CONSENTED TO THIS THE 30 DAY OF September, 2014

[Signature]
Respondent

APPROVED BY THE BOARD THIS THE 29 DAY OF OCTOBER, 2014

[Signature]
President

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

[Seal]
THE NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

IN THE MATTER OF:
Daniel J. Brady
Respondent, File #UT2014111

NOTICE OF APPARENT VIOLATION & AGREEMENT TO CEASE AND DESIST

TO THE ABOVE NAMED RESPONDENT:

WHEREAS, the North Carolina State Board of Certified Public Accountant Examiners ("Board") is authorized by N. C. Gen. Stat. § 93-12 (16) to enforce the provisions of the North Carolina Certified Public Accountant Act ("Act") through actions for injunctive relief regarding "a single violation" of this Chapter; and,

WHEREAS, pursuant to N. C. Gen. Stat. § 93-1, "A 'certified public accountant' is a person who holds a certificate as a certified public accountant issued to him under the provisions of this Chapter."

WHEREAS, pursuant to N. C. Gen. Stat. § 93-3, "It shall be unlawful for any person who has not received a certificate of qualification or not been granted a practice privilege under N.C.G.S. §93-10 admitting the person to practice as a certified public accountant to assume or use such a title, or to use any words, letters, abbreviations, symbols or other means of identification to indicate that the person using same has been admitted to practice as a certified public accountant."

WHEREAS, pursuant to N. C. Gen. Stat. § 93-6, "It shall be unlawful for any person to engage in the public practice of accountancy in this State who is not a holder of a certificate as a certified public accountant issued by the Board, unless such person uses the term 'accountant' and only the term 'accountant' in connection with his name on all reports, letters of transmittal, or advice, and on all stationery and documents used in connection with his services as an accountant, and refrains from the use in any manner of any other title or designation in such practice."

WHEREAS, Respondent Daniel J. Brady (hereinafter "Respondent Brady") is not now nor has he ever been licensed as a certified public accountant in North Carolina or otherwise authorized by the Board to use the CPA title in this state, but his principal place of business is in North Carolina; and

WHEREAS, Respondent Brady, while working in North Carolina, signed an Independent Auditor's Report as a CPA. Respondent Brady's use of the title "CPA" or "Certified Public Accountant" conveys the false impression that he is authorized to use a title other than 'accountant' when, in fact, he is not lawfully authorized to use the title "certified public accountant" or "CPA" in this State. Such a representation is misleading and contrary to N. C. Gen. Stat. §§ 93-1, 93-3, and 93-6.

SEP 29 2014
NC BOARD OF CPA EXAMINERS
THEREFORE, Respondent Brady is hereby notified and the North Carolina State Board of Certified Public Accountant Examiners hereby agree that Respondent shall immediately cease and desist from offering or using in any manner the title "CPA" or "Certified Public Accountant" in North Carolina unless and until licensed as a CPA by the North Carolina State Board of Certified Public Accountant Examiners.

North Carolina State Board of Certified Public Accountant Examiners

BY: Robert N. Brooks
Executive Director

DATE: 5/29/14

In lieu of civil proceedings authorized by N. C. Gen. Stat. § 93-12(16), the Board will accept Respondent's consent to this Notice.

Consented to

BY: Daniel J. Brady

DATE: 6/4/14

North Carolina State
Bunswick County

Sworn to (or affirmed) and subscribed before me this day by 6-4-2014. [I have personal knowledge of the identity of the principal(s)] [I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a NC ID ] [a credible witness has sworn to the identity of the principals]

Notary Public Signature

Notary Public Printed Name

Date

My Commission Expires 9-28-2018

NC BOARD OF CPA EXAMINERS

SEP 29 2014