PUBLIC SESSION MINUTES  
North Carolina State Board of CPA Examiners  
April 23, 2018  
1101 Oberlin Road  
Raleigh, NC 27605

MEMBERS ATTENDING:  L. Samuel Williams, Jr., CPA; President; Arthur M. Winstead, Jr., CPA, Secretary-Treasurer; Cynthia B. Brown, CPA; Justin C. Burgess; Wm. Hunter Cook, CPA, and Michael H. Womble, CPA.

STAFF ATTENDING:  Robert N. Brooks, Executive Director; David R. Nance, CPA, Deputy Director; Frank Trainor, Esq., Staff Attorney; Lisa R. Hearne, Communications Manager; Julia L. Mayo, Professional Standards Assistant; Jean Marie Small, Professional Standards Specialist; Buck Winslow; Licensing Manager; and Noel L. Allen, Esq., Legal Counsel.

GUESTS:  Sharon Bryson, CEO, NCACPA; Shawana Karkouki, CPA, NCACPA; Nathan Standley, Esq., Allen & Pinnix, P.A.; Henry B. Mangum, Jr.; Fredrick Sharpless, Esq.; Charles Gregory Porter, CPA; Terri Sharpe; Judson T. Minyard, Jr.; Brenda Minyard; and Officer Ethan Patton, Raleigh Police Department.

CALL TO ORDER:  President Williams called the meeting to order at 9:57 a.m.

PUBLIC HEARING:  President Williams called the Public Hearing to order to hear Case No. C2016176 – Charles Gregory Porter, NC CPA No. 14605. Mr. Porter was present at the Hearing and was represented by Frederick K. Sharpless, Esq. David R. Nance, CPA; Charles Gregory Porter; Henry B. Mangum, Jr.; and Judson T. Minyard, Jr.; were sworn in and presented testimony. Mr. Porter played a video containing testimonials by Rick Kelly, Bill Jackson, and Derrick Kelly. Messrs. Williams and Winstead moved to enter Closed Session to discuss the case without the Executive Staff or the Staff Attorney present, but with Noel L. Allen, Esq., Legal Counsel, present. Motion passed. Upon re-entering the Hearing, Messrs. Burgess and Womble moved that North Carolina CPA Certificate No. 14605 issued to Charles Gregory Porter be revoked for three years (Appendix I). Motion passed with six (6) affirmative votes and zero (0) negative votes. The Public Hearing is a matter of public record.

MINUTES:  The minutes of the March 21, 2018, meeting were approved as submitted.

FINANCIAL AND BUDGETARY ITEMS:  The March 2018 financial statements were accepted as submitted.
REPORT OF THE PROFESSIONAL STANDARDS COMMITTEE: Ms. Brown moved and the Board approved the following recommendations of the Committee:

Case No. C2017136 - Joseph S. Atwell CPA - Approve the signed Consent Order (Appendix II).

Case Nos. C2017210-1 and C2017210-2 - Andrew K. Harris, CPA, PLLC - Approve the signed Consent Order (Appendix III).

Case Nos. C2017216-1 and C2017216-2 - Larry E. Carpenter, CPA, PA - Approve the signed Consent Order (Appendix IV).

Case Nos. C2017254-1 and C2017254-2 - Anthony M. Sclafani, CPA and Anthony M. Sclafani, CPA PC - Approve the signed Consent Order (Appendix V).

Case No. C2017273 - Darren Brady, CPA - Approve the signed Consent Order (Appendix VI).


Case No. C2018012 - Patrick J. Coleman, CPA - Approve the Signed Consent Order (Appendix VIII).

Case No. C2017261 - Victor L. Williams, CPA - Approve a Notice of Hearing for July 23, 2018, at 10:00 a.m.

Case No. C2017139 - Close the case without prejudice.

Case No. C2017310 - Close the case without prejudice.

Case No. C2018008 - Close the case without prejudice and with a Letter of Warning.

Case No. C2018052 - Close the case without prejudice.

Case No. C2018019 - Send the case to the Office of Administrative Hearings for mediation.

REPORT OF THE PROFESSIONAL EDUCATION AND APPLICATIONS COMMITTEE: Mr. Burgess moved and the Board approved the following recommendations of the Committee:
Transfer of Grades Applications - The Committee recommended that the Board approve the following:

William Joseph Gruspier
Kelly Ann Hanlon

Tyler Wilson Miles

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

Ashley Anderson Adams
Anthony Warner Allen
Larry Daniel Allen
Brian Russell Crutchfield
Andrew Joseph Farris
Victoria Garnett Ford
Laura Beth Frazier
Trevor Clay Gardner
William Joseph Gruspier
Lisa Kimberly Hall
Kelly Ann Hanlon
Allison Joyce Harden
Carolyn Ann Harvey
Rachel Suzanne Hebden
Lindsay Marie Johnson
Jonathan Nicholas Keller

Brittany Lynne King
Evan Eugene Kropp
Justin Michael Locklear
Patricia Elizabeth Mann
Sarah Frances McKinney
Tyler Wilson Miles
Tri Nhu Nguyen
Alexander Hall Niblock
Ricci Lee Pelland
Bradley James Peterson
Carter Thomas Roberts
Zoe Alexis Scheller
Josepha Segbefia
Steven Braxton Sumner
Ryan Christopher Sutton
Kristin Vernelle Wilkerson

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

Philip Emmanuel Bazikian
Amanda Leigh Bergantino
Bridget Jennifer Bergin
Dennis Keith Berry
Lakshminarayana Bhaskar
Steven Howard Brown
Georgette Liana Chastang
Juan Carlos Cruz
Michelle Gail D’Amico
Lyman Douglas Dehner
Karl Francis Fisher
Keith Thomas Gearthery
Jacob Lawrence Green
Brandon David Hall

Robert Alan Henry
Paul Edward Huckle
Russell Lowell Hunter
Shaun Farhad Kazemian
Marissa Ann Kenn
Svitlana Mykolayivna Loomis
Jeanne Louise Martin
Laurel Provitola McAtee
Terrance Mark McCaffery
Jeffrey Brian Moore
Iryna V. Moysova
Terry Wayne Mullins
Mary Therese Murphy
Patricia Ann Nass
Jessica Sarah Neal  Kshitija Prashant Shah  Andrew Alexander Steel  Robert Stockel
Christopher Neal Parker  Joseph Strawinski  David Thomas Tunstall
Amelia Carrie Minna May Patel  Aimee Lynne Turner
Larry Matthew Pritchett  Alan Erik Turovlin  Theresa L. Walner
Marie Alexandra Quintana  Michelle Marie Wells
Samantha Shafiqa Rabi  Kara Lynn White
Tory Jay Raether  Lisa Allen White
AnnMarie Renze  Yuhui Zeng
Dennis Christopher Rippey  Helene Roth
Philip Ross Santner  Philip Ross Santner
Joanne Marie Seward  Philip Ross Santner

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

Theresa L. Walner, T10375  David Michael Pickett, T10391
Lyman Douglas Dehner, T10376  Matthew Copeland Laney, T10392
Patricia Ann Nass, T10377  Meredith Scott Harris, T10393
Dennis Christopher Rippey, T10378  Ryan Patrick Trent, T10395
Elaina Christine Brock, T10379  E‘Meka Shirrell Davis, T10396
Emlyn Marie Neuman-Javornik, T10380  Megan Claire Hicks, T10397
Candace Quanah Johnson, T10381  Edward Paul Thill, T10398
Stavros Bakirtzis, T10382  Chad Bert Muhlestein, T10399
David Thomas Tunstall, T10383  Ryan Peter Petrone, T10400
Steven Howard Brown, T10384  Melissa Van Acker Scanlon, T10401
Tony Lamar Rowland, T10390

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

Amy Elizabeth Wellman Barrett, #19635  Sonia Michie Sesta, #35049
Minh Truong Graham, #29267  Christy Alexander Tyndall, #18205

Reissuance of New Certificate - The Committee recommended that the Board approve the following applications for reissuance of new certificate:

Kelly Thornton Hughlet, #29609  Chase Corbin Sommer, #41107
Yuliya Sergeyevna Morris, #37859

Firm Registrations - The Committee recommended that the Board approve the professional limited liability company, Jamie Jonas CPA, PLLC, that was approved by the Executive Director.
**Extension Requests** - The Committee recommended that the Board approve Joan E. Jones, NC CPA No. 39329, for extension for completion of CPE until May 25, 2018.

**Letters of Warning** - Staff reviewed the random CPE audits submitted by the individuals listed below which listed 2016 CPE taken between January 1 and June 30, 2017, without an approved extension. Staff recommended Letters of Warning for a first offense pursuant to 21 NCAC 08G .0406(b)(1). The Committee recommended that the Board approve staff recommendation:

Stuart Marc Kurtz, #38950  
Meghan Colleen Seifert, #39989

The Committee recommended that the Board approve the requests to rescind the Letter of Warnings issued to the following individuals:

Koreen Herald Bennett, #35609  
David K. Finby, #21578

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

William Abee  
Christine Allen  
Drew Alley  
Alex Anderson  
Christopher Angiolino  
Christine Asciutto  
Lauren Aten  
William Austin  
Elizabeth Baccala  
Margaret Baird  
Ina Balentine  
Madison Ballard  
Alicia Barbour  
Elizabeth Bass  
Beth Baumunk  
Anthony Bechtel  
Emily Bedsole  
Benjamin Belk  
Gabriella Bellezza  
Sydney Bennett  
Shefali Bhalla  
Travis Blackmon  
Andrew Blalock  
Stephanie Blonchek  
Lynn Bodine  
Emily Boggs  
Natalie Bolick  
Robert Bolin  
Julianna Bond  
Taylor Bonds  
Anthony Bui  
James Bumgardner  
Nicholas Bunner  
Stephanie Burgess  
Wendy Burnes  
Michael Caffarello  
Thomas Camp  
Alan Cardoso  
George Carter  
Xiaoyun Casella  
Justin Casey  
Jacob Casper  
Drew Caterinicchio  
Marina Chaconas  
Rashida Chang  
Anna Chapman  
Nicholas Clark  
Casey Cleffi
Tracey Clements
Andrew Clukey
Cody Collins
Margaret Collins
Marlen Collins
Mark Comerford
Amber Conley
Lynn Couturier
Monique Craig
Tanesha Crewes
Sherry Cribb
Anthony Crisera
Jenifer Crocco
Georgia Cruthis
Eva Cruz Rivera
Brendan D'Amato
Taylor Dahlstrom
Adam Dailey
Christopher Davidson
Casey Davis
Charles Davis
Shelby Davis
Adam Dedie
Catherine Del Casino
Lara Delfino
Bridget Demery
Jaclyn Derham
Jackson Diab
Allison Diaz
Daniel DiLeone
Maria Donahue
Dwayne Dowden
Brandon Dylewski
Catherine Eastwood
Mollie Eckert
Brice Edwards
Oscar Ehivue
Kendall Einbinder
Matthew Epley
Kristen Ernest
Rebecca Filion
Katherine Fitchett
Miguel Flores
Chelsea Forman
Daniel Fox
Meredith Freeman
Amanda Gadd
Berta Galicia
Karmen Gardner
Rachel Gaster
John Gibbens
Janeane Gibson
Sascha Gibson
Brittney Godwin
Kelly Gooderham
Kelly Goodfellow
Martha Goodman
Ashley Gorman
Danez Green
Robert Gregar
Cynthia Grose
Monica Gutierrez-Altenhof
Chelsi Haefele
Brittany Hamilton
Michael Hardy
Benjamin Harrison
Ashley Hawkins
Juan Hernandez
Courtney Hickland
Joshua Hincher
Grace Hobson
Claudia Holland
Nicholas Holmes
Elizabeth Holmgren
Summer Holt
Callie Houff
Staci Huffman
Candace Hughes
Christopher Hui
Brandon Hunter
Mary Hutchings
Ashton James
David Jennings
Daniel Jo
Michael Johnsen
John Johnson
Jasmine Roach
LeTeya Robinson
Matthew Rodewald
Richard Rodriguez
Grace Rogers
Wilson Roseman
Anastasia Rusakova
Jessica Saggus
Brook Sakowski
Kyle Salvaterra
Marshalll Sams
Reyna Sawyer
Kara Schell
Allison Schill
Anna Schoeman
Jeanette Serena
Anne Settlemyre
Alan Sharpe
Conner Shaw
James Shoemaker
Raven Simon
Brie Sisak
Cameron Smith
ShaQuita Smith
Shannon Spillane
Daniel Stack
Hannah Starkey
Kerry Steed
Allison Stevens
Nicholas Steward
Philip Stokes
Jerrilyn Story
Robert Straughn
Samuel Straw
Courtney Stroud
Shanique Sumter
Christoph Taggart
Yosef Teffera
Travis Thaxton
Jordan Thomas
Casper Timberlake
Jordan Towler
Savannah Townsend
Christopher Trevathan
Gus William Trolle
Sherry Truax
Linda Tucker
Olivia Turnbull
Joshua Tyree
Blake Underwood
Meredith Underwood
Laura Valdes
Matthew VanDyne
Jennifer Venuti
Jayasri Vijayabhaskar
Melissa Villarreal
Kerry Walker
Erica Walters
Mary Waterer
Stephanie Watts
William Whittington
Taylor Wiley
Mitchell Woodard
Miranda Wronecki
Lauren Wystup
Jonathan Yavorsky
Alexander Zapalac
Deyu Zeng
Aaron Zerke
Elizabeth Zurawel

The Committee reviewed a hypothetical Exam application. The applicant believed that the limit on principles courses did not apply to them because their principles courses were taken as part of a graduate program. The Committee recommended that the Board disapprove the hypothetical.

The Committee reviewed a sample of emails from CPA Exam candidates.
**Firm Renewal and Peer Review Matters** – The firms listed below submitted a renewal or termination notice less than 60 days after the deadline. Staff recommended referral to the Professional Standards Committee. The Committee recommended that the Board approve staff recommendation:

- Anthony & Tabb, P.A.
  - Jason B. Creel, #35401
- Gerald M. Baggish CPA, #8647
- William K. Bailey CPA #30653
- J. Davis Blount, III, CPA PA
  - James Davis Blount, #17475
- Paul L. Constantino CPA, #31863
- Anthony M. Gagliardi CPA, #36842
- Earl Ray Honeycutt, Jr., #16744
- J K Jones CPA PC
  - Jeffrey Kistler Jones, #34000
- Joseph Reid CPA PLLC
  - Joseph Denard Reid, #36846
- Starling CPA
  - James Linton Starling, #31705
- Amy D. Waddell CPA, #24457

**EXECUTIVE STAFF AND LEGAL COUNSEL REPORT:** The monthly operational metrics and the Executive Staff report were provided.

**CLOSED SESSION:** Messrs. Cook and Womble moved to enter Closed Session to hear the report of the Personnel Committee and to discuss a Professional Standards case matter. Motion passed.

**PUBLIC SESSION:** Messrs. Cook and Winstead moved to re-enter Public Session. Motion passed.

**PERSONNEL COMMITTEE:** Mr. Womble moved and the Board approved the Report of the Personnel Committee.

**ADJOURNMENT:** Messrs. Cook and Winstead moved to adjourn the meeting at 2:21 p.m. Motion passed.

Respectfully submitted:  

[Signature]
Robert N. Brooks  
Executive Director

Attested to by:  

[Signature]
L. Samuel Williams, Jr., CPA  
President
IN THE MATTER OF:
Charles Gregory Porter, CPA, #14605
Respondent

BEFORE THE NORTH CAROLINA STATE BOARD OF
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS
CASE #: C2016176

BOARD ORDER

THIS CAUSE coming before the North Carolina State Board of Certified Public Accountant Examiners (the "Board") at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, at public hearing ("Hearing"), with a quorum present, the Board finds, based on the evidence presented at the Hearing on April 23, 2018, that:

FINDINGS OF FACT

1. The Respondent is the holder of a certificate as a Certified Public Accountant in North Carolina.

2. The Board has jurisdiction over the Respondent and the subject matter of this action.

3. The Respondent received at least fifteen (15) days written notice of the Hearing. The notice was achieved by serving a Notice of Hearing by personal service, certified mail, or other method of delivery authorized by N.C. Gen. Stat. § 150B-38(c).

4. Venue is proper and the Hearing was properly held at 1101 Oberlin Road, Raleigh, North Carolina.

5. The Respondent did not object to any Board Member's participation in the Hearing of this matter.

6. The Respondent was present at the Hearing and was represented by counsel.

7. The Respondent was, at all relevant times, listed as the supervising CPA for the firm, Porter & Company, P.C. Certified Public Accountants ("Firm"), and had ultimate responsibility for the filing and remittance of taxes withheld from the Firm's employees' paychecks.

8. Beginning in the first quarter of 2012, the Firm experienced difficulties in timely remitting payroll tax payments to the IRS, resulting in the filing of tax liens by the IRS.
Board Order - 2
Charles Gregory Porter, CPA

9. In the first quarter of 2012, the Firm did not timely pay its payroll taxes. The payments were not made until an installment agreement was approved by the IRS, the final payments occurring in 2016.

10. In each quarter of 2014 and the first quarter of 2015, the Respondent’s Firm attempted to make payroll tax deposits, but those deposits were dishonored.

11. The Respondent has presented information indicating that many of the payroll issues were due to the actions of employees of the Firm and/or software issues.

12. Nevertheless, per 21 NCAC 08N .0103 and other applicable law, it was the Respondent’s responsibility to timely file and remit the payroll taxes.

CONCLUSIONS OF LAW


2. The 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. Pursuant to N.C. Gen. Stat. § 93-12(9), the Board has the authority to impose discipline upon the Respondent and Respondent’s certificate and to impose civil monetary penalties.

3. The aforementioned facts constitute violations of 21 NCAC 08N .0201, .0203, and .0207.

BASED ON THE FOREGOING, the Board orders in a vote of 6 to 0 that:

1. Respondent’s Certificate is revoked for three (3) years.

This the 23rd day of April, 2018.

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

BY: 
President
IN THE MATTER OF:
Joseph S. Atwell, CPA, #12973
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. Joseph S. Atwell, (hereinafter "Respondent") is the holder of North Carolina certificate number 12973 as a certified public accountant.

2. The Respondent informed the Board that he had received a censure from the North Carolina State Bar ("Bar").

3. The Bar found probable cause that the Respondent had violated their rules of conduct regarding his handling of an estate matter.

4. By virtue of the Bar censure, there is prima facie evidence that the Respondent violated 21 NCAC 08N .0204 (Discipline by Federal and State Authorities) and other Board rules.

5. The 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. The 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. The 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. The aforementioned facts are *prima facie* evidence that, if proven at hearing, would establish a violation of 21 NCAC 08N .0204.

3. Per N.C. Gen. Stat. § 93-12(9), 93-10(b) and also by virtue of the Respondent’s consent to this order, the 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. The Respondent, Joseph S. Atwell, is censured.

2. The Respondent’s certificate is suspended for one (1) year. That suspension is stayed.

3. The Respondent shall remit with this signed Consent Order a two thousand dollar ($2,000) civil penalty.

CONSENTED TO THIS THE **28** DAY OF **March**, **2018**.

[Signature]

Respondent

APPROVED BY THE BOARD THIS THE **23** DAY OF **April**, **2018**.

[Signature]

President

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS
NORTH CAROLINA
WAKE COUNTY
BEFORE THE NORTH CAROLINA STATE BOARD OF
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS
Case #C2017210-2

IN THE MATTER OF:
Andrew K. Harris, CPA, PLLC
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 Firm stipulate to the following:

1. Andrew K. Harris, CPA, PLLC (hereinafter “Respondent Firm”), is a registered certified public accounting firm in North Carolina.

2. The Board received a referral from the NC Office of the State Auditor ("OSA") alleging that the Respondent Firm had submitted an audit report for a local government entity that did not meet applicable financial reporting requirements.

3. The Board requested the Respondent Firm address the audit report and audit documentation deficiencies as identified by OSA.

4. The Respondent Firm’s audit procedures did not conform with generally accepted auditing standards.

5. The audit documentation was insufficient and did not conform with generally accepted auditing standards.

6. The 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. The 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. The 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.

APR 8 2016
CPA EXAMINER
Consent Order - 2
Andrew K. Harris, CPA, PLLC

2. The Respondent Firm’s failure to perform audit services in accordance with generally accepted auditing standards constitutes a violation of 21 NCAC 08N .0403.

3. Per N.C. Gen. Stat. § 93-12(9), 93-10(b) and also by virtue of the Respondent Firm’s consent to this order, the Respondent Firm is subject to the discipline set forth below.

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

1. The Respondent Firm is censured.

2. If the Respondent Firm opts to continue to provide audit services the following conditions must be met:
   a. All members of the Respondent Firm must take at least sixteen (16) hours of group-study CPE related to audit documentation, risk assessments, internal control, and/or updated audit standards annually until the Respondent Firm receives a pass on a system peer review.
   b. The Respondent Firm must undergo a review of any audit prior to issuance of the audit report, pursuant to the Board’s Pre-issuance Review Procedures.

3. The Respondent Firm shall pay a five hundred dollar ($500) administrative cost to be remitted with this signed Consent Order.

CONSENTED TO THIS THE 30 DAY OF March 2018

Individual authorized to sign on behalf of Respondent Firm

APPROVED BY THE BOARD THIS THE 23 DAY OF April, 2018

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

BY: [Signature]
President
NC BOARD OF CPA EXAMINERS
IN THE MATTER OF:  
Larry E. Carpenter, CPA, PA  
Respondent  

BEFORE THE NORTH CAROLINA STATE BOARD OF  
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS  
Case #C2017216-2  

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 Firm stipulate to the following:

1. Larry E. Carpenter, CPA, PA (hereinafter "Respondent Firm"), is a registered certified public accounting firm in North Carolina.

2. The Board received a referral from the NC Office of the State Auditor ("OSA") alleging that the Respondent Firm had submitted an audit report for a local government entity that did not meet applicable financial reporting requirements.

3. The Board requested the Respondent Firm address the audit report and audit documentation deficiencies as identified by OSA.

4. The Respondent Firm's audit procedures did not conform with generally accepted auditing standards.

5. The audit documentation was insufficient and did not conform with generally accepted auditing standards.

6. The 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. The 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. The 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 Respondent Firm's failure to perform audit services in accordance with generally accepted auditing standards constitutes a violation of 21 NCAC 08N .0403.

3. Per N.C. Gen. Stat. § 93-12(9), 93-10(b) and also by virtue of the Respondent Firm's consent to this order, the Respondent Firm is subject to the discipline set forth below.
CONSENTED TO THIS THE 22 DAY OF MARCH, 2018

Individual authorized to sign on behalf of Respondent Firm

APPROVED BY THE BOARD THIS THE 23 DAY OF APRIL, 2018

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

BY:

President
IN THE MATTER OF:
Anthony M. Sclafani, CPA, #38387
Anthony M. Sclafani CPA PC
Respondents

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. Anthony M. Sclafani, CPA (hereinafter "Respondent"), is the holder of North Carolina certificate number 38387 as a Certified Public Accountant.

2. Anthony M. Sclafani CPA PC (hereinafter "Respondent Firm"), is a registered professional corporation providing accounting services in North Carolina. The Respondent and Respondent Firm are collectively referred to as the "Respondents."

3. At all relevant times, the Respondent was the supervising CPA of the Respondent Firm and, as such, was the CPA responsible for ensuring that the Board’s peer review requirements were satisfied.

4. The AICPA provided information to the Board that the Respondent Firm had provided limited scope audits for an employee benefit plan for several years.

5. The Respondent Firm did not disclose those audits to the Board on its annual firm renewal and did not undergo peer review.

6. The United States Department of Labor ("DOL") subsequently provided information to the Board asserting that the Respondent Firm’s audits of those same employee benefit plans were deficient.

NC BOARD OF
MAR 15 2018
CPA EXAMINERS
7. As a mitigating circumstance, the Respondent has asserted that, prior to moving to North Carolina, he was subject to the jurisdiction of New York. He has correctly indicated that New York did not require peer review for firms of his size.

8. Nevertheless, the Respondent and Respondent Firm were subject to North Carolina laws and rules at the time that the audits were performed.

9. The North Carolina Board requires peer review of all firms performing audits, regardless of their size.

10. The Respondents wish to resolve this matter by consent and agree 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. The Respondents understand and agree 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. The Respondents are 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 Respondents' failure to perform audit services in accordance with standards constitutes a violation of 21 NCAC 08N .0403.

3. The Respondents' failure to register for peer review constitutes a violation of 21 NCAC 08N .0213.

4. Per N.C. Gen. Stat. § 93-12(9), 93-10(b) and also by virtue of the Respondents' consent to this order, the Respondents are subject to the discipline set forth below.

NC BOARD OF
MAR 15 2016
CPA EXAMINER
BASED on the foregoing and in lieu of further proceedings, the Board and the Respondents agree to the following Order:

1. The Respondent is censured.

2. The Respondent shall pay a one thousand dollar ($1,000) civil penalty to be remitted with this signed Consent Order.

3. In the event that the Respondent Firm performs any audits in the future, it must undergo a review of the audit prior to issuance of the audit report, pursuant to the Board’s Pre-issuance Review Procedures.

CONSENTED TO THIS THE 12 DAY OF MARCH 2018
(Day) (Month) (Year)

[Signature]
Respondent

Individual authorized to sign on behalf of Respondent Firm

APPROVED BY THE BOARD THIS THE 23 DAY OF APRIL, 2018
(Day) (Month) (Year)

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

[Seal]

BY: [Signature]
President

NC BOARD OF
CPA EXAMINERS

MAY 15 2018
IN THE MATTER OF:
Darren Brady, CPA, #31712
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. Darren Brady, (hereinafter "Respondent") is the holder of North Carolina certificate number 31712 as a certified public accountant.

2. The Board received a complaint from one of the Respondent's non-attest clients.

3. At the Respondent's request, the client provided the Respondent a loan of $150,000. The loan was reflected in a promissory note ("Note") dated August 28, 2008. The Respondent was to pay off the Note through monthly installment payments.

4. The client made the loan based upon the Respondent's representation that he intended to use the money to purchase the portfolio of another CPA firm and open a new location.

5. The client asserts that rather than using the money to expand his practice, the Respondent made other investments that were unsuccessful.

6. The Respondent has confirmed that the loan proceeds were not utilized to purchase the CPA firm as originally intended.

7. The Respondent has subsequently failed to make timely payments and has defaulted on the loan.

8. The 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. The 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. The Respondent has obtained a loan from a client and did not apply the proceeds in the way which was represented.

3. The aforementioned conduct constitutes a violation of 21 NCAC 08N .0202 and .0203.

4. Per N.C. Gen. Stat. § 93-12(9), 93-10(b) and also by virtue of the Respondent’s consent to this order, the 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. The Respondent, Darren Brady, is censured.

CONSENTED TO THIS THE 28th DAY OF March, 2018

Respondent

APPROVED BY THE BOARD THIS THE 23rd DAY OF April, 2018

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

BY: President
IN THE MATTER OF:
Neil Bernard McLean, CPA, #33148
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. Neil Bernard McLean, CPA (hereinafter “The Respondent”), is the holder of North Carolina certificate number 33148 as a Certified Public Accountant.

2. The Respondent informed the Board on his 2016-2017 individual certificate Renewal ("Renewal") that between January 1, 2015, and June 30, 2016, he had obtained the requisite forty (40) hours of continuing professional education ("CPE") to meet the 2015 CPE requirements.

3. Based on the Respondent's representation, the Board accepted his Renewal.

4. Board staff requested that the Respondent provide certificates of completion for the CPE reported to meet his 2015 and 2016 requirements.

5. The Respondent failed to provide documentation to substantiate completion of the ethics course mandated to meet his 2015 CPE requirements. In addition, the Respondent only provided documentation for thirty-six (36) hours of CPE taken to meet his 2016 CPE requirements.

6. The Respondent was non-responsive to all inquiries sent by the Professional Standards staff.

7. The 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. The 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. The 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. The Respondent's actions as set out above constitute violations of 21 NCAC 08N .0202(a), .0202(b)(3), and .0202(b)(4) and .0206.

3. Per N.C. Gen. Stat. § 93-12(9), 93-10(b) and also by virtue of the Respondent's consent to this order, the Respondent is subject to the discipline set forth below.

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

1. The Respondent's failure to provide adequate documentation of CPE renders the Renewal insufficient and untimely. The Respondent's failure to adequately renew his certificate results in a forfeiture pursuant to N.C. Gen. Stat. § 93-12(15).

2. The Respondent must return his certificate to the Board within fifteen (15) days of his receipt of the Board's notification of its approval of this Consent Order.

3. The Respondent may apply for the reissuance of his certificate after one (1) year from the date the Board approves this Consent Order as long as the civil penalty required in number five (5) of this Order has been timely received by the Board.

4. The Respondent may apply to return his certificate to active status by submission and approval of a reissuance application, which includes:

   a. Application form,
   b. Payment of the application fee,
   c. Three (3) moral character affidavits, and
   d. Forty-four (44) hours of CPE in the twelve (12) months preceding the application, including an eight (8) hour accountancy law course as offered by the North Carolina Association of CPAs.
5. The Respondent shall pay a one thousand dollar ($1,000) civil penalty, to be remitted to the Board prior to submitting a reissuance application.

6. The Respondent agrees that failure to timely comply with any terms of this agreement and Consent Order shall be deemed sufficient grounds for revocation of his certificate.

CONSENTED TO THIS THE 28TH DAY OF February 2018
(Day) (Month) (Year)

[Signature]
Respondent

APPROVED BY THE BOARD THIS THE 23 DAY OF AUG, 2018
(Day) (Month) (Year)

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

BY: [Signature]
President
IN THE MATTER OF:
Patrick J. Coleman, CPA, #32852
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. Patrick J. Coleman, CPA (hereinafter "The Respondent"), is the holder of North Carolina certificate number 32852 as a Certified Public Accountant.

2. The Respondent informed the Board on his 2017-2018 individual certificate Renewal ("Renewal") that between January 1, 2016, and June 30, 2017, he had obtained the requisite forty (40) hours of continuing professional education ("CPE") to meet the 2016 CPE requirements.

3. Based on the Respondent’s representation, the Board accepted his Renewal.

4. The Board staff requested that the Respondent provide certificates of completion for the CPE reported to meet his 2016 requirements.

5. The Respondent was unable to provide documentation for thirty-two (32) hours of the forty (40) hours of 2016 CPE hours that he claimed on his 2017-2018 annual renewal. In addition, the Respondent failed to provide documentation to substantiate completion of the ethics course mandated to meet his 2016 CPE requirements.

6. The 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. The 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.

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CPA EXAMINERS
BAScD upon the foregoing, the Board makes the following Conclusions of Law:

1. The 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. The Respondent's actions as set out above constitute violations of 21 NCAC 08N .0202(a), .0202(b)(3), and .0202(b)(4).

3. Per N.C. Gen. Stat. § 93-12(9), 93-10(b) and also by virtue of the Respondent's consent to this order, the Respondent is subject to the discipline set forth below.

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

1. The Respondent's failure to provide adequate documentation of CPE renders the Renewal insufficient and untimely. The Respondent's failure to adequately renew his certificate results in a forfeiture pursuant to N.C. Gen. Stat. § 93-12(15).

2. The Respondent must return his certificate to the Board within fifteen (15) days of his receipt of the Board's notification of its approval of this Consent Order.

3. The Respondent may apply for the reissuance of his certificate after one (1) year from the date the Board approves this Consent Order as long as the civil penalty required in number five (5) of this Order has been timely received by the Board.

4. The Respondent may apply to return his certificate to active status by submission and approval of a reissuance application which includes:

   a. Application form,
   b. Payment of the application fee,
   c. Three (3) moral character affidavits, and
   d. Seventy-two (72) hours of CPE in the twelve (12) months preceding the application including an eight (8) hour accountancy law course as offered by the North Carolina Association of CPAs.

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5. The Respondent shall pay a one thousand dollar ($1,000) civil penalty, to be remitted to the Board prior to submitting a reissuance application.

6. The Respondent agrees that failure to timely comply with any terms of this agreement and Consent Order shall be deemed sufficient grounds for revocation of his certificate.

CONSENTED TO THIS THE 11 DAY OF APRIL, 2018.

[Signature]
Respondent

APPROVED BY THE BOARD THIS THE 23 DAY OF AGR 2018.

[Signature]
President

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS