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Navigating Beneficial Ownership Information Services

This article provides guidance on <u>Beneficial Ownership Information (BOI)</u> reporting requirements. It is not intended as legal advice and is not binding on the Board.

What Is BOI Reporting and Why Does It Matter?

In recent months, North Carolina CPAs have raised questions about the new Beneficial Ownership Information (BOI) reporting requirements, which impact small and mediumsized businesses. As clients seek guidance on how to comply, they are turning to their CPA for support.

The BOI reporting requirements mandate that certain entities disclose information about their beneficial owners. Failure to accurately report this information can lead to significant financial consequences for the business, making it critical for CPAs to understand how to navigate these new obligations effectively.

The Board's Position: Proceed with Caution

The Board encourages CPAs and CPA firms to proceed with caution when considering offering BOI reporting services. It is critical that CPAs and CPA firms manage the risk associated with these types of engagements properly.

After consulting with the American Institute of CPAs (AICPA), the Board has concluded that BOI reporting services do not appear to fall under the category of attest services, meaning they are not subject to peer review.

However, CPAs and CPA firms should still approach these services carefully and ensure they are adequately equipped to handle the reporting requirements.

Key Considerations for CPA Firms

Knowledgeable Staff: CPA firms must have staff members well-versed in the BOI reporting requirements. Failure to comply with these requirements can result in financial penalties for the reporting entity, so accuracy is paramount.

Engagement Letters: To clearly define the scope of services provided, CPA firms should document all engagements related to BOI reporting in a formal engagement letter. This ensures both the firm and the client are aligned on

Timely Updates: Any changes to ownership must be reported within 30 days. CPA firms should make it clear that clients are responsible for notifying them of any changes in ownership so that timely updates can be made.

Practice of Law: There is some concern about whether assisting with BOI reporting could be considered the practice of law. However, determining whether these services fall under the definition of the practice of law is the responsibility of the North Carolina State Bar, not the CPA Board. To date, the Board has not been informed that helping clients with BOI reporting would be considered the practice of law in North Carolina.

Due Diligence and Ongoing Compliance

CPA firms offering BOI reporting assistance should ensure that they perform thorough due diligence when working with clients. Staying up to date on evolving BOI regulations is essential to ensure continued compliance.

Questions or Comments?

For further clarification on the BOI reporting process, or if you have specific questions, please contact David R. Nance, CPA, the Board's Executive Director.



Court Suspends Enforcement of the CTA's Reporting Requirements

On December 3, 2024, a Texas federal court temporarily blocked the enforcement of the Corporate <u>Transparency Act (CTA)</u> across the U.S. The case, *Texas* Top Cop Shop, Inc., et al. v. Garland, et al., was filed by six plaintiffs, including an individual, three small businesses, a political group, and an association of small business owners.

The court ruled that the plaintiffs showed the CTA might be unconstitutional and could harm companies if they were forced to follow its rules. However, this is only a temporary decision, and the court has not yet made a final ruling on the case. The Department of Justice, on behalf of the Department of the Treasury, filed a Notice of Appeal on December 5, 2024.

A <u>statement from the Financial Crimes Enforcement</u> Network (FinCEN) says in part, "In light of a recent federal court order, reporting companies are not currently required to file beneficial ownership information with FinCEN and are not subject to liability if they fail to do so while the order remains in force. However, reporting companies may continue to voluntarily submit beneficial ownership information (BOI) reports."



2024 CPE Requirements for North Carolina CPAs

Key Information and Deadlines

All active and probation status North Carolina CPAs must fulfill the 2024 Continuing Professional Education (CPE) requirements before January 1, 2025, to be eligible for the 2025-2026 license renewal. There is no CPE requirement for individuals on inactive or CPA-retired status.

The October 2024 Activity Review included a summary of the CPE requirements, and CPE FAQs were published in the November 2024 Activity Review. For specific information, visit the NC CPAs page on the Board's website.

You can <u>request inactive status</u> if you do not complete the <u>required CPE hours</u>, <u>including the mandatory ethics course</u> by December 31, 2024. You do not need to request inactive status immediately; you can wait until closer to June 30, 2025, to do so.

If this is your first time in five years missing the December 31 deadline and completing the requirement before June 30, 2025, you will receive a Letter of Warning from the Board. However, if you miss the deadline again within the same five-year period, the Board may deny your license renewal.

There are no exceptions to the CPE requirement, but extensions may be issued for extraordinary circumstances. If you experience significant disruptions, such as a major illness, natural disaster, or a catastrophic event that prevents

you from completing the CPE requirement by December 31, you may petition the Board for an extension. Information on requesting a CPE extension request was published in the November 2024 *Activity Review*.

Licensees facing such disruptions can submit a Request for Extension to Complete CPE Requirements. This request must include details about the circumstances preventing compliance and supporting documentation (e.g., medical records or accident reports).

CPAs affected by Hurricane Helene or the September 27, 2024, tornado in Nash County must submit the <u>Request for Extension to Complete CPE Requirements</u> and the <u>Natural Disaster addendum</u>.

CPE extension requests must be submitted no later than January 17, 2025, to <u>Cammie Emery</u>, Licensing Specialist. If supported by reasonable, well-documented evidence, the Board may grant the extension and allow additional time to meet the CPE requirements without penalty. The Board staff will notify you of the Board's decision, and the extension will be recorded in the Board's records.

Please send questions about the CPE extension request process to <u>David R. Nance, CPA</u>, Executive Director. For general inquiries about the annual CPE requirements, please contact <u>Cammie Emery</u>, Licensing Specialist.

CPA EXAM TESTING AND SCORE RELEASE DATES

Q4 2024						
Exam Section	Testing Dates	If the AICPA Receives Your Exam Data File By*:	Your Target Score Release Date Is:			
Core Sections						
AUD, FAR, REG	10/01/2024-12/26/2024	12/26/2024	01/19/2025			
Q1 & Q2 2025						
Core Sections**						
AUD, FAR, REG	01/01/2025-01/23/2025	01/23/2025	02/07/2025			
	01/24/2025-02/14/2025	02/14/2025	02/25/2025			
	02/15/2025-03/09/2025	03/09/2025	03/18/2025			
	03/10/2025-03/31/2025	03/31/2025	04/09/2025			
	04/01/2025-04/23/2025	04/23/2025	05/08/2025			
	04/24/2025-05/16/2025	05/16/2025	05/28/2025			
	05/17/2025-06/08/2025	06/08/2025	06/17/2025			
	06/09/2025-06/30/2025	06/30/2025	07/10/2025			
Discipline Sections						
BAR, ISC, TCP	01/01/2025-01/31/2025	01/31/2025	03/14/2025			
	04/01/2025-04/30/2025	04/30/2025	05/16/2025			
	06/01/2025-06/30/2025	06/30/2025	07/17/2025			

^{*}Exam data files received after this date will be included in the next scheduled score release.

^{**}Continuous testing will be in effect for Core sections in 2025, but not Discipline sections.

FAQs About Firm Registration Renewal & Peer Review Compliance Reporting



A. The supervising CPA must renew each location's registration; however, you may submit one payment to cover all offices.

Q. How do I add a new employee or owner to my firm?

A. You can add new employees or owners when completing the registration renewal. You may also download and complete the Notification of New Owner in a Partnership, Professional Corporation, or Professional Limited Liability Company form from the Board's website. You may email the completed form to Cammie Emery, Licensing Specialist, or mail the form to Cammie Emery, Licensing Specialist, NC State Board of CPA Examiners, PO Box 12827, Raleigh, NC 27605.

Q. How do I cancel my firm registration?

A. If you are an individual practitioner (IP), you can cancel your firm registration in the portal. Alternatively, you may submit a written cancellation request to the Board. Please email your request to <u>Cammie Emery</u>, Licensing Specialist, or mail the form to Cammie Emery, Licensing Specialist, NC State Board of CPA Examiners, PO Box 12827, Raleigh, NC 27605.

Professional Limited Liability Companies (PLLCs) and Professional Corporations (PCs) must file Articles of Dissolution and other required documents with the NC Secretary of State (NC SOS). Limited Liability Partnerships (LLPs) must file a Certificate of Cancellation with the NC SOS.

After the Office of the NC Secretary of State processes the documents, it will provide you with a copy with the official filing stamp. Please send a copy of that document to <u>Cammie Emery</u>, Licensing Specialist, or mail the document to Cammie Emery, Licensing Specialist, NC State Board of CPA Examiners, PO Box 12827, Raleigh, NC 27605.

Q. The peer review information the Board has on file is incorrect. How do I update my firm's peer review compliance information?

A. To update incorrect or missing peer review information, please email the relevant documents to <u>Cammie Emery</u>, Licensing Specialist. If you're unsure which peer review documentation the Board needs, please review <u>21 NC 08M</u> and the October 2024 *Activity Review*.

Q. My firm no longer provides the services that require me to participate in a peer review program. How do I change my peer review status to exempt?

A. You must provide the Board with documentation from the administering entity that states that your firm is no longer enrolled or participating in the peer review program. Please forward the email or letter from the administering entity to Cammie Emery, Licensing Specialist.



of NC CPA Licensure

Congratulations to Russell Wayne Travison #8221, who has been actively licensed as a North Carolina CPA since December 1974.

Date	Location
January 22	Board Office
February 17	East Carolina University
March 17	Board Office
April 21	Board Office
May 19	Board Office
June 23	Board Office
July 21	Board Office
August 18	Board Office
September 22	UNC-Pembroke
October 20	Board Office
November 17	Board Office
December 15	Board Office





CPE AUDIT ORDERS

The following matters are excerpted from Consent Orders issued by the Board in response to Continuing Professional Education (CPE) audit findings. Pursuant to NCGS 93-12(9), "any disciplinary action taken [by the Board] shall be in accordance with the provisions of Chapter 150B of the General Statutes. The clear proceeds of any civil penalty assessed under this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2." NCGS 115C-457.1(b) states, "The Fund shall be administered by the Office of State Budget and Management. The Fund and all interest accruing to the Fund shall be faithfully used exclusively for maintaining free public schools."

DANIELLE PERRY ABERNATHY #38679 | CHARLOTTE, NC

As part of the annual CPE audit, the Board staff requested that Danielle Perry Abernathy (Abernathy) provide certificates of completion for the 2021 and 2022 CPE years. The Board, in its review of the documents submitted by Abernathy, determined that Abernathy could not substantiate completion of all the CPE claimed for 2022.

Abernathy's misrepresentation of completion of the CPE required for certificate renewal constitutes a violation of 21 NCAC 08N .0202(b)(4) and .0203(b)(5). Therefore, Abernathy's CPA certificate is subject to a one-year stayed suspension. Because the suspension is stayed, Abernathy's CPA license will remain active. However, if the Board finds that Abernathy has violated any other Board Rules during the one-year period, the stay will be lifted, and Abernathy's CPA certificate will be actively suspended.

Abernathy must pay a \$1,000 civil penalty and make up the fourteen-hour (14) CPE shortfall by the end of 2024. Those CPE hours cannot be applied to their 2024 CPE requirement.

PAUL LAWRENCE ERICKSON #23991 | ASHEVILLE, NC

As part of the annual CPE audit, the Board staff requested that Paul Lawrence Erickson (Erickson) provide certificates of completion for the 2021 and 2022 CPE years. The Board, in its review of the documents submitted by Erickson, determined that Erickson could not substantiate completion of all the CPE claimed for 2021 and 2022.

Erickson's misrepresentation of completion of the CPE required for certificate renewal constitutes a violation of 21 NCAC 08N .0202(b)(4) and .0203(b)(5). On July 1, 2024, Erickson placed their CPA certificate on inactive status. They may apply for reinstatement of their CPA certificate by meeting the requirements of 21 NCAC 08J .0105(c) and paying a \$1,000 civil penalty.

KARLA KAY SHEPARD #28614 | HARRISBURG, NC

As part of the annual CPE audit, the Board staff requested that Karla Kay Shepard (Shepard) provide certificates of completion for the 2022 and 2023 CPE years. The Board, in its review of the documents submitted by Shepard, determined that Shepard could not substantiate completion of the required ethics course for 2022.

Shepard's misrepresentation of completion of the CPE required for certificate renewal constitutes a violation of 21 NCAC 08N .0202(b)(4) and .0203(b)(5). Therefore, Shepard's CPA certificate is subject to a one-year stayed suspension. Because the suspension is stayed, Shepard's CPA license will remain active. However, if the Board finds that Shepard has violated any other Board Rules during the one-year period, the stay will be lifted, and Shepard's CPA certificate will be actively suspended.

Shepard must pay a \$1,000 civil penalty and complete the NCACPA's 400-minute accountancy law course by the end of 2024. The course may be applied to their 2024 CPE requirement.

DEREK ROSS SMITH #39509 | HUNTERSVILLE, NC

As part of the annual CPE audit, the Board staff requested that Derek Ross Smith (Smith) provide certificates of completion for the 2022 and 2023 CPE years. The Board, in its review of the documents submitted by Smith, determined that Smith could not substantiate completion of the required ethics course for 2023.

Smith's misrepresentation of completion of the CPE required for certificate renewal constitutes a violation of 21 NCAC 08N .0202(b)(4) and .0203(b)(5). Smith's CPA certificate must remain on inactive status for at least a year, commencing on September 30, 2024, the day his application for inactive status was approved.

Smith may apply for reinstatement of his CPA certificate after September 30, 2025, by completing the requirements of 21 NCAC 08J .0105(c) and paying a \$1,000 civil monetary penalty.





CONGRATULATIONS!

SUCCESSFUL CPA EXAM CANDIDATES

The following North Carolina candidates passed the Uniform CPA Exam between July 1, 2024, and September 30, 2024:

Shannan Mary Adams Hailey Marguerite Amass Azri Shaqir Amir Hakim Ginger Dee Johnson Ander-Rachel lustine Anstett Kaitlyn Dianne Baucom Bailey Anne Folmar Beatty Kai Daniel Bilotta Michael Frank Blasko Caroline West Borton Victoria Ann Botzis Emma Scott Bradvica Sydney Carter Braxton Shelton Douglas Burke Allison Jones Carlyle Richard Lee Cassidy III Rosa Isela Castaneda Avila Destiny Marie Chafin Shiyi Chen Linwood Allen Cheshire Giovanni Chin-A-Sen Jessica Diane Copeland Erin Elizabeth Crotty **Austin Michael Cummings** David Scott Curlin Andrew Poe Dautel Peter Godwin Davis Matthew Evan Deal Anthony Thomas DeMarco Gefei Deng Holden Alexander Denny Rachel Rose Dyer Noah James Ehreth

Paige Caroline Ehrman Stacy Aileen Segal Feldman Sierra Evelyn Foster Noah Preston Fox Shane Marshall Fox Maddalvn Wallis Franks Mitchell John Frei Matthew Thomas Gay Haley Anne Gilmore Deon Raqueal Goode Gaither Finley Bryant Gough Denise Moore Grizzle Maria Dymkevitch Hague Nathan Maxwell Hardy Caroline Christine Hendrix **Brian Thomas Himmel** Tyler Anderson Hobson Chassidy Rae Hodge Payton Alyssa Hudson Mark William Humphrey Lily Bennett Hunt Andrew Christopher Ihle Sargis Mais Ivanov Louis Edward Jakub Jonathan Brendon Jewell Grace Crowson Johnston Hunter Curtis Kehl **Iessica Elaine Kennedy Emily Margaret Kluth** Noah David Koenigsknecht Lija Kornivska Thomas Jeffery Landis Devin Andrew Larson Katherine Wells Lawless

Ellen Sue Lefkowitz Sophie Margareta Lindner Rebekah LeAnn Lippard Aaron Kent Lowry Claire Elizabeth Mahoney Tyler James Marriner Derek Leath Martin lames William McOwen Luke Ashby Miller Matthew Graeme Morrison Michael Edward Moul Taner Nickolas Moulton Thomas Carraway Newman Parker Scott Norris Daniel Joseph O'Connor Paul Landon Owen **Jennifer Anne Palma** Matthew Joseph Palmer Meghan Ryan Perdue Joshua Hayden Pfister **Grey Thomas Pickett** McKenna Delaine Polk Sierra Christine Puryear Yinghan Qiu Juliet Elizabeth Quigley Taylor Anne Reynolds Abigail Marie Ross Jackson Lee Russell **Corey Michael Saunders** Olivia Rose Schwager Madison Reed Schwartz lames Isaiah Sharp Daniel Mark Sheitman Stephanie Anne Shewhart

Jonah William Shouse Michael Joseph Jr Sinkus Anne Erwin Sippe Bryan Ritter Smith Sarah Kristine Stewart Dane Andrew Straeter Teresa Michelle Striblin Fric Samuel Sunderland Michael John Szabo Isabella Marie Tarlton Nathaniel Ray Thomas Andrew Whitman Toland Robert Christopher Tomasic Alexander Colby Walsh Anna Frances Weeks Caleb Ross Westbrook Kaylah Brook Wiglesworth Alise Jeanne Wille Trent Michael Williams Matthew Jonathan Willis Olivia Dawn Wilson Edgar Guy Woodliff V Scott Joseph Wright Linda Zhang

If you are a North Carolina candidate who passed the CPA Exam in Q3-2024 and your name is not on the above list, please notify Phyllis Elliott, Exam Specialist.

2024 CPA EXAM PASS RATES

Section	Q	1	Q2		Q3	
	All Candidates	NC Candidates	All Candidates	NC Candidates	All Candidates	NC Candidates
AUD	44.63%	42.6%	46.58%	53.3%	47.80%	46.4%
FAR	41.92%	37.6%	40.58%	37.4%	39.82%	44.5%
REG	63.43%	65.1%	63.45%	68.3%	62.97%	58.6%
BAR	42.94%	40.0%	40.26%	45.0%	40.11%	39.3%
ISC	50.93%	66.7%	57.93%	62.1%	61.88%	77.3%
ТСР	82.36%	91.7%	75.67%	80.0%	72.91%	75.8%

Well-Deserved Congratulations!

CPA CERTIFICATES ISSUED

On November 18, 2024, the Board approved the following individuals for North Carolina CPA licensure:

Lauren Amy Amaral Breana Jane Ammon Anne Niemiec Basta Madeline Victoria Becker Patricia Ann Bevans Dongzhe Bi Emma Lynn Blessinger Jacob Wilson Borkowski Courtni Rachel Bowden Sara Christine Boyan James Houston Brooks Isabella Clare Bucaro Alec Robert Buckner Nicholas James Burda Rebecca Noel Burton Michael Anthony Casale Jean Victoria Chick Kayla Paige Clark Laura Elizabeth Colavita Kevin Yates Collier Aimee Melissa Conant Taylor Jean Convertino Anthony John Cortopassi John Crittenden Michael James Daugenti James Ernest Denny Sierra Sumiko Doi

Adam Wesley Dormuth Nicholas Castillo Egger Ashraf Moustafa Elkotaney Cody James Ellison Gregory James Favre-Bulle Farshid Fazel Robert Caleb Foxwell Emma Lea Francisco Marcella Mack Freed Terri Toeko Fujii Joseph Ross Gorman Janice Ann Green Brian Douglas Grierson Nicolas Gabaldon Hamm Erin Leigh Hetherington Christine Cassandra Hines Conor James Hogan Merrill Ricketts Horridge Fang Hu Kara Hunt Monica S. Iravedra Rodriguez Megan Lohraine lansen Patrick Thomas Jones Alexis Catherine Kapocius Anugya Kayastha Cabin Gold Kim Abby Madison King

Douglas Allen Kramer Sarah Grayson Lamm Elizabeth Marie Lauer Tony Lawrence Natchanon Leecharoen Andrew Robert Lopane Anthony Paul Love Brenda Ayers Lupino Peter David Mann Elizabeth Anne Martin Laura Elizabeth Mayo Noel Philipp Menzi Rhys Evan Miller Casey Andrew Mitchell **Dustin Adam Moore** Tyler Stephen Moore Frank Robert Mrozowski Jr. **Graham Harris Myers** Jennifer R. Wheeler Nasiatka Elizabeth Laura Neblett Saurav Neupane Shuangshuang Pan Neeshant Rahul Parikh Sarah Suzanne Powers John Christian Pradetto Kenneth Whitney Rider Mark Douglas Risco

Alexis Noelle Roberts Kyle Mitchell Roberts Emmaleigh Rose Roehmer Christian Walker Rogers Samantha Jo Rose Brendan Michael Ryan Armeen Haydar Saberian Alexander John Schmetzer Thomas A. Shover Matthew Joseph Shustack Alexis Nicole Smith Harry Lloyd Smith III Dante Vincent Stefanelli Evan Scott Stern Zachary H. Theodore Stevens Rosali Su Reid Taylor Taubenheim Tyler Jamison Turney Mark Aaron Vaccaro Dana Mae Van Nostrand Arthur W. Van Nostrand III Stephanie Ruth Wagner Dian Wang JingJing Wang Sydney Mae Wawrzyniak Morgan Lee Wilke Stacey Elizabeth Zeller

CPA Certificate Reclassifications

Reinstatement

On November 18, 2024, the Board approved the following applications for certificate reinstatement:

Gwendolyn Stone Campbell #22638 Wendell, NC
Charles Frederick Cornett #42020 Charlotte, NC
Karen M. Livingstone #43280 Calabash, NC
Katelyn LeAnna Smith #44713 Morehead City, NC
Elizabeth Crabtree Smolski #33033 Hendersonville, NC

CPA-retired

Between November 1, 2024, and November 30, 2024, the Board approved the following applications for CPA-retired status:

David Patrick Erwin #15409 Apex, NC
David James Hickman IV #21202 Cary, NC
Janet Hewitt McLain #19063 Statesville, NC
Matthew A. Packey #25440 Matthews, NC
Robert E. Starkey #31999 Jacksonville, FL
Susan Michelle Swanson #38651 Summerfield, NC

Inactive Status

Between November 1, 2024, and November 30, 2024, the Board approved the following applications for inactive status:

Andrew Steven Bodane #18738	Raleigh, NC
Joyce D. Boni #21316	Denver, NC
Bradford Duncan Burlingham #22898	Asheville, NC
Glenn D. Clausing #31270	Cary, NC
James Alexander Colee #36660	Charlotte, NC
Monica Helms Coleman #18778	Apex, NC
Frances Marcella Coyne #21969	Chapel Hill, NC
Daniel Connor Deas #46428	Waxhaw, NC
Catherine Crosby FitzGerald #35665	Greensboro, NC
Mary Alice Foy Auten #17011	Gastonia, NC
Paul Thomas Hoying #17108	Belmont, NC
William Craig Jones #22313	Waxhaw, NC
Phillip Davis McBrayer #15300	Greensboro, NC
Douglas Christopher Queen #22672	Garner, NC
Carey Mcllwaine Read #15712	Lumberton, NC
Janet Vuncannon Rich #22488	Asheboro, NC
Mendall Grayson Smith #12447	Gastonia, NC
Richard Edward Westbay #40612	Stallings, NC
Morris R. Wilder #19452	Rocky Mount, NC



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Legal Counsel Noel Allen, Esq.

Dates to Remember

Dates, times, and locations are subject to change.

2024

Dec. 24-26 Office Closed

Dec. 31 Deadline: CPE Completion for 2025-2026 CPA License

Renewal

2025

Jan. 1 Office Closed Jan. 20 Office Closed

Jan. 22 Board Meeting, Raleigh

Feb. 17 Board Meeting, Greenville (ECU)

Mar. 1 Deadline: CPA Firm Registration Renewal & Peer Review

Compliance Reporting

Mar. 31 Board Meeting, Raleigh

Apr. 18 Office Closed

Apr. 21 Board Meeting, Raleigh

