

TEXAS STATE BOARD REPORT

TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY, AUSTIN, TEXAS

Making CPE Work for You

The fundamental purpose of CPE is to increase the licensee's professional competence [in a way] that benefits the public.

— Board Rule 523.103a

How do you choose your CPE? Do you wait until it is almost time to renew and hunt for the least expensive/easiest/most convenient courses you can find just so you can comply, or do you plan ahead, considering which CPE courses would be a good investment in terms of the potential value to you and your employer or practice? There is a wide range of sources available to you—private CPE sponsors, local chapters of the Texas Society of CPAs and other professional associations, colleges and universities both local and online, and the IRS and other government entities. If you have a difficult time deciding, suggestions from the personal experiences of your professional colleagues might be helpful in choosing what would most benefit you.

Texas CPAs are required to complete 120 hours of continuing professional education (CPE) in each three-year reporting period with a minimum of 20 hours in each one-year period. In other words, you can't wait until the third year of a reporting period and try to complete 120 hours all at once. As with any one-size-fits-all standard, this requirement may not be the perfect fit for every accountant practicing in Texas, but with a little planning and insight, time spent taking CPE can be a meaningful investment in your career as a CPA.

At least 50% of your CPE hours must be in "technical" courses, such as those pertaining to accounting, auditing, taxation, management advisory services, or another area that directly benefits you, your client, or your employer. With the constantly changing tax laws, and changes in other regulations and professional standards, not to mention the ever-changing global business picture, it is fitting from a practical standpoint that CPAs keep their knowledge up to date.

No more than 50% of your CPE hours in any three-year reporting period may be taken in such "non-technical" courses as communications, ethics, behavioral science, practice management, or advanced courses in foreign languages relating to accounting. Study in these areas can help you become a more versatile practitioner and provide the tools to improve client relations, office management, productivity, and business acumen in general.

What CPE Can Do for You

1. Keeping abreast of changes in laws and standards increases your competence and skill level, making you more valuable to your employer and clients.
2. Taking courses outside the scope of your practice allows you to expand your client base and provides the versatility needed to ride out economic downturns. If you are employed in industry or government, widening your expertise strengthens your professional profile.
3. Being well-versed in a number of different areas increases your value to your clients. You grow as they grow and as they progress through their lives and careers. It also increases your value to any community boards on which you may sit.
4. You are less likely to make mistakes in your work that could lead to complaints and possible enforcement issues with the Board. Although the number of CPAs continues to rise, with increased CPE requirements, ethics training, and mandatory peer review, the percentage of enforcement actions has decreased.

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CPE Sponsors Successfully Completing Review

(since February 2010 Board Report)

Sponsor #	Sponsor Name	Date of Next Review	Status
000369	Acct Dept - University of North Texas	01/01/2012-12/31/2012	A
009643	AEI Services LLC	10/01/2011-09/30/2012	A
003826	Alcatel-Lucent	01/01/2012-12/31/2012	A
008609	Alliance Data Systems Corp	11/01/2011-10/31/2012	A
009674	Altegrity Management LLC	01/01/2012-12/31/2012	A
001287	Arnold, Walker, Arnold & Co., PC	12/01/2011-11/30/2012	A
006686	Auerbach Albert & Gold, LC	11/01/2011-10/31/2012	A
005433	Beakley & Associates P.C.	01/01/2012-12/31/2012	A
001974	Birdwell, Quinn & Co., PC	01/01/2012-12/31/2012	A
000508	Brammer Begnaud & Lattimore, CPAs	01/01/2012-12/31/2012	A
008425	Burlington Northern Santa Fe Corp	12/01/2011-11/30/2012	A
001322	CF & Co., LLP	01/01/2012-12/31/2012	A
000377	Colorado Society of CPAs	01/01/2012-12/31/2012	A
009074	CPE Publications, Inc	12/01/2011-11/30/2012	A
005931	Crawford, Carter, & Thompson, LLP	12/01/2011-11/30/2012	A
000507	Davis Kinard & Co., PC	01/01/2012-12/31/2012	A
008014	Donald W. Kimball, CPA, PC	01/01/2012-12/31/2012	A
003228	Easley, Endres, Parkhill & Brackendorff, PC	12/01/2011-11/30/2012	A
009666	Educational Testing Service	12/01/2011-11/30/2012	A
003684	Elms Faris & Company, LLP	09/01/2011-08/31/2012	A
009654	Fairfax Tax Services	11/01/2011-10/31/2012	E
003215	Firstgroup America, Inc.	11/01/2011-10/31/2012	A
007084	Fisher, Herbst & Kemble, PC	11/01/2011-10/31/2012	A
000454	Freemon, Shapard & Story	01/01/2012-12/31/2012	A
009237	FTI	11/01/2011-10/31/2010	A
006425	Gardere Wynne Sewell LLP	03/01/2011-02/28/2012	A
009655	Global CPE Network, LLC	11/01/2011-10/31/2012	A
000207	Guinn, Smith & Company, Inc.	11/01/2011-10/31/2012	A
000356	Harper & Pearson Company, PC	12/01/2011-11/30/2012	A
000092	Hereford, Lynch, Sellars & Kirkham, PC	11/01/2011-10/31/2012	A
001070	Hines	10/01/2011-09/30/2012	A
009370	Houston Chapter- CFMA	12/01/2011-11/30/2012	A
000094	Houston CPA Society/Houston TSCPA Found.	11/01/2011-10/31/2012	A
009030	Hudson Advisors LLC	10/01/2011-09/30/2012	A
009366	Independent Bankers Association of Texas	11/01/2011-10/31/2012	A
006687	Independent Schools Association of the Southwest	11/01/2011-10/31/2012	A
008049	Insurance Alliance	01/01/2012-12/31/2012	E
008220	J Taylor & Associates, LLC	11/01/2011-10/31/2012	A
009660	JHB, LLP	11/01/2011-10/31/2012	A
006295	Kinetic Concepts, Inc.	11/01/2011-10/31/2012	A
000426	Lane Gorman Trubitt, LLP	01/01/2012-12/31/2012	A
009672	Martin, Disiere, Jefferson & Wisdom, LLP	01/01/2012-12/31/2012	A
009653	MKA CPAs, PLLC	11/01/2011-10/31/2012	A
009664	National Society of Institutional Investment Professionals	12/01/2011-11/30/2012	E
009526	Nationwide Life Insurance Co.	09/01/2011-08/31/2012	A
009069	Next Systems, LLC	12/01/2011-11/30/2012	A
009260	Novogradac & Co., LLP	12/01/2011-11/30/2012	A
000150	Parrish, Moody & Fikes, PC	11/01/2011-10/31/2012	A
000289	Perkins, Dexter, Sinopoli & Hamm, PC	12/01/2011-11/30/2012	A
009629	Pier 1 Imports	09/01/2011-08/31/2012	A
009659	Planning Corporation of America	11/01/2011-10/31/2012	E
009228	Planning Works	10/01/2011-09/30/2012	A
009671	Prather Kalman PC	01/01/2012-12/31/2012	A
000076	PSK LLP	11/01/2011-10/31/2012	A
003854	Ralph & Ralph, P.C.	01/01/2012-12/31/2012	A
009667	Scalco & Johnson CPAs PLLC	12/01/2011-11/30/2012	A
008584	Sloan & Kuecker, PC	10/01/2011-09/30/2012	A
001245	Southern Gas Association	12/01/2011-11/30/2012	A
001142	Squyres, Johnson, Squyres & Co.	11/01/2011-10/31/2012	A
001094	Stiefel, Lyles & Allen, PC	11/01/2011-10/31/2012	A
000165	Stockton Scurry & Smith	11/01/2011-10/31/2012	A
002551	Stovall, Grandey & Allen, LLP	11/01/2011-10/31/2012	A
005920	T.R. Moore & Co., PC	12/01/2011-11/30/2012	A

Registration Status: A = Currently active E = Currently expired

TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY

**333 Guadalupe
Tower 3, Suite 900
Austin, Texas 78701-3900**

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**Accounting/Administration
(512) 305-7800
FAX (512) 305-7854
accounting@tsbpa.state.tx.us**

**CPE
(512) 305-7844
FAX (512) 305-7875
licensing@tsbpa.state.tx.us**

**Enforcement
(512) 305-7866
FAX (512) 305-7854
enforcement@tsbpa.state.tx.us**

**Executive Director
(512) 305-7800
FAX (512) 305-7854
executive@tsbpa.state.tx.us**

**Licensing/Peer Review
(512) 305-7853
FAX (512) 305-7875
licensing@tsbpa.state.tx.us**

**Publications
(512) 305-7804
FAX (512) 305-7875
publicinfo@tsbpa.state.tx.us**

**Qualifications
(512) 305-7851
FAX (512) 305-7875
exam@tsbpa.state.tx.us**

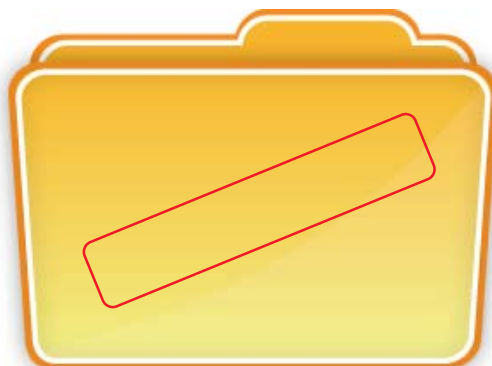
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Caution on Whistle-Blower Law

By J. Randel Hill
TSBPA General Counsel

You may have noticed ads placed during this year's tax season in various publications advising readers that they don't have to be quiet about people cheating on their taxes. The ads advise that "anyone" who has knowledge of large-scale tax underpayments, whether the result of mere errors or tax fraud, have the right under federal law to report those who underpay their income taxes to the Internal Revenue Service (IRS), and they will not only be good citizens but may be rewarded monetarily by the IRS for bringing the underpayment to their attention.

CPAs should be aware of several possible ramifications of making such a disclosure under the IRS's "whistle-blower" provision (26 U.S.C. Section 7623). First, for a CPA to report any information obtained from a client's tax return is a direct violation of federal law and the *Texas Public Accountancy Act*. A tax preparer disclosing client tax information could be in violation of 301.7216 of the *Code of Federal Regulations* which could result in criminal charges. A violation of the confidentiality provision of the *Texas Public Accountancy Act* by a Texas CPA could cause the loss of a CPA's license. Furthermore, a CPA who knowingly prepared a tax return based on false information would be admitting to wrong-doing in preparation of the return and could face similar consequences.



Publication of these ads in the *Journal of Accountancy*, an AICPA publication with an audience consisting primarily of CPAs, may have created confusion and led you to believe that the IRS whistle-blower statute supersedes the IRS regulations and the Texas law that prohibits such disclosure. That is **NOT** the case. The confidentiality

provision of the Texas *Public Accountancy Act* (Section 901.457) clearly states that a license holder may not voluntarily disclose information communicated to the license holder (or partner, member, shareholder, or employee of the license holder) by a client in connection with services provided to the client by the license holder except with the permission of the client or the client's representative. Although there are other exceptions to this requirement, the exceptions are

very narrow and do not include the whistle-blower law.

Please also recognize that if you as a CPA are asked to prepare a return that you know to be fraudulent, you must withdraw from the engagement. You must not knowingly become a partner in defrauding the IRS or anyone else. Doing so would also jeopardize your license and subject you to possible criminal sanctions.

CPE Sponsors Successfully Completing Review / continued from previous page

Sponsor #	Sponsor Name	Date of Next Review	Status
001222	TACUA	11/01/2011-10/31/2012	A
000280	TAFTS	12/01/2011-11/30/2012	E
000137	Tax Executives Institute, Inc.	11/01/2011-10/31/2012	A
006285	TechAmerica	11/01/2011-10/31/2012	E
005410	Texas Pension Review Board	11/01/2011-10/31/2012	A
009265	Texas State Council-SHRM Conference	12/01/2011-11/30/2012	E
000275	The University of Texas at Austin Professional Development	12/01/2011-11/30/2012	A
008404	Training Strategies, Inc.	11/01/2011-10/31/2012	A
000332	TX Society of CPAs- San Angelo Chapter	12/01/2011-11/30/2012	A
000326	TX Society of CPAs- Victoria Chapter	12/01/2011-11/30/2012	A
001283	TX Society of CPAs-Rio Grande Chapter	12/01/2011-11/30/2012	A
003259	Victoria Area Estate Planning Council	01/01/2012-12/31/2012	A
009644	Warren D. Bridges	10/01/2011-09/30/2012	E
000391	Weaver and Tidwell, LLP	01/01/2012-12/31/2012	A

Registration Status:

A = Currently active

E = Currently expired

Texas CPAs should check the Board website, www.tsbpa.state.tx.us, for qualified CPE providers before enrolling in a CPE course.

ACTIONS TAKEN BY THE BOARD
MARCH 18, 2009

A. AGREED CONSENT ORDERS

BEHAVIORAL ENFORCEMENT COMMITTEE

1. Investigation No.: 09-10-03L
Respondent: George Michael Geron
Hometown: Flower Mound
Certificate No.: 042335
Rules Violations: 501.90(5) and 501.91
Act Violations: 901.502(6) and 901.502(11)

Respondent entered into an Agreed Consent Order (ACO) with the Board whereby Respondent's individual license was suspended for two years; however, this suspension was stayed and Respondent was placed on probation for two years. In addition, Respondent must pay an administrative penalty of \$1,000 and \$594.34 in administrative costs within 30 days of the date the Board ratified the order.

On October 29, 1974, Respondent was convicted of possession of marijuana, a misdemeanor offense. On October 3, 2008, Respondent was convicted of driving while intoxicated, a misdemeanor offense. Respondent failed to report the October 3, 2008, conviction within 30 days of the event.

2. Investigation No.: 09-09-13L
Respondent: Stephen Alfred Johnson
Hometown: Houston
Certificate No.: 035655
Rules Violations: 501.81, 501.90(5) and 501.91
Act Violations: 901.502(6) and 901.502(11)

Respondent entered into an Agreed Consent Order (ACO) with the Board whereby Respondent's license was revoked for two years; however, this revocation was stayed and Respondent was placed on probation for two years. In addition, Respondent must pay an administrative penalty of \$3,000 and \$575.68 in administrative costs within 30 days of the date the Board ratified the order.

On March 23, 2001, Respondent pleaded nolo contendere to assault causing bodily injury-family member, a Class A misdemeanor. On August 12, 2009, Respondent pleaded nolo contendere to assault-bodily injury, a Class A misdemeanor offense. Respondent failed to report the March 23, 2001, conviction within 30 days of the event.

3. Investigation No.: 09-08-03L
Respondent: Robert Kenney
Hometown: Selma
Certificate No.: 081309
Rules Violations: 501.74, 501.81, 501.83 and 527.4
Act Violations: 901.502(6) and 901.502(11)

Respondent entered into an Agreed Consent Order (ACO) with the Board whereby Respondent's individual license was suspended for one year; however, this suspension was stayed and Respondent was placed on probation for one year. Respondent must pay an administrative penalty of \$3,500 and \$842.48 in administrative costs within 30 days of the date the Board ratified the order, and Respondent shall complete and submit proof of completion of four hours of live CPE in the area of ethics within 60 days of the date the Board ratified the order.

Respondent prepared a client's 2007 personal and corporate tax returns incorrectly. In addition, Respondent practiced public accountancy through an unregistered entity and with improper firm names. Respondent also failed to participate in a peer review program.

4. Investigation No.: 09-09-12L
Respondent: Ronald Paul Manner
Hometown: Houston
Certificate No.: 064796
Firm License No.: C04805
Rules Violations: 501.74, 501.78, 501.90(9),
501.90(11) and 501.93
Act Violations: 901.502(6) and 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby Respondent's certificate was revoked in lieu of further disciplinary proceedings. In addition, Respondent must pay \$640.94 in administrative costs within 30 days of the date the Board ratified the order.

Respondent failed to complete a client's tax engagement, failed to respond to the client's inquiries in a timely manner without good cause, and accepted a payment of \$1,500 for services not rendered. In addition, Respondent failed to respond to the Board's communication dated September 16, 2009.

5. Investigation No.: 09-12-02L
Respondent: Deborah Glover Means
Hometown: Plano
Certificate No.: 037074
Rules Violation: 501.90(9)
Act Violations: 901.502(6) and 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby Respondent's certificate was revoked in lieu of further disciplinary proceedings. In addition, Respondent must pay \$307.62 in administrative costs within 30 days of the date the Board ratified the order.

Respondent misappropriated approximately \$449,000 from the Addison Law Firm.

ENFORCEMENT ACTIONS

6. Investigation No.: 09-07-02L
Respondent: John Philip Bender
Hometown: Beaumont
Certificate No.: 026600
Rules Violation: 501.90(4)
Act Violations: 901.502(6), 901.502(10), 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby Respondent's certificate was revoked in lieu of further disciplinary proceedings. In addition, Respondent must pay \$319.68 in administrative costs within 30 days of the date the Board ratified the order.

On June 23, 2009, Respondent was convicted of one count of theft valued at \$200,000 or more, a first degree felony offense. On June 23, 2009, Respondent was convicted of one count of misapplication of fiduciary property valued at \$200,000 or more, a first degree felony offense.

7. Investigation No.: 08-03-05L
Respondent: Daniel Peterson
Hometown: Dallas
Certificate No.: 033428
Firm License No.: C02083
Rules Violation: 501.83
Act Violation: 901.502(6)

Respondent entered into an Agreed Consent Order (ACO) with the Board whereby Respondent's license was revoked. In addition, Respondent must pay \$2,000 in administrative penalties and \$1,000 in administrative costs within 30 days of the date the Board ratified the order. Further, Respondent must pay \$3,000 in administrative penalties within 90 days of the date the Board ratifies the order.

Respondent maintained a firm name of Peterson and Company when Respondent was the only full-time employee of the firm who held a certificate issued by the Board. In addition, Respondent represented to the Board that two or more full-time employees of the firm held certificates issued by the Board.

8. Investigation Nos.: 08-06-03L & 08-06-04L
Respondent: Viet Nguyen
Hometown: Houston
Certificate No.: 028211
Firm License No.: T06671
Rules Violation: 501.90(4)
Act Violations: 901.502(6), 901.502(10), 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby Respondent surrendered Respondent's certificate for revocation in lieu of further disciplinary proceedings. In addition, Respondent must pay \$688.68 in administrative costs within 30 days of the date the Board ratified the order.

On July 24, 2007, Respondent pleaded guilty to the second degree felony, False Statement to Obtain Credit.

TECHNICAL STANDARDS REVIEW I COMMITTEE

- Investigation Nos.: 09-10-01L and 09-10-02L
Respondents: Norberto Perez and Norberto Perez, CPA (firm)
Hometown: Brownsville
License Nos.: 039235, C05089
Rules Violations: 501.93(c), 501.94, 527.5
Act Violations: 901.502(6), 901.502(11), 901.502(12)

Respondent Perez entered into an Agreed Consent Order with the Board on behalf of himself and Respondent firm whereby Respondent Perez and Respondent firm were placed on limited scope. Respondent Perez, Respondent firm, and any successor firms are prohibited from performing audits. All reviews and compilations with disclosures performed by Respondent Perez, Respondent firm, and any successor firms are subject to pre-issuance review. In addition, Respondent Perez's individual license is subject to a three-year probated revocation, and he must pay \$2,929.53 in administrative costs within seven months of the date the Board ratified the order.

Respondent firm has received three consecutive peer reviews with a rating of modified or adverse. Respondent firm failed to timely perform the following corrective actions ordered by the Board: All professional staff who perform attest engagements were to take 20 hours of live CPE by January 31, 2009, and have a pre-issuance review by June 30, 2009, and an accelerated peer review resulting in a passing rating by July 31, 2009. Respondent Perez is responsible for the activities of Respondent firm in accordance with the provision in Board Rule 513.15(d) regarding resident manager's responsibility.

TECHNICAL STANDARDS REVIEW II COMMITTEE

- Investigation No.: 09-06-10L
Respondent: Frank Sinopoli
Hometown: Richardson
Certificate No.: 029525
Rules Violation: 501.90(7)
Act Violations: 902.502(6) and 901.502(9)

Respondent entered into an Agreed Consent Order with the Board whereby Respondent was reprimanded. In addition, Respondent must pay \$1,000 in administrative penalties and \$501.33 in administrative costs within 30 days of the date the Board ratified the order.

On May 27, 2009, the Securities and Exchange Commission (SEC) issued an order which suspended Respondent's right to practice before that agency for at least one year. The SEC found that Respondent failed to adequately

evaluate and properly report an arbitrator's award in his client's financial statements.

B. AGREED CEASE AND DESIST ORDERS

1. Investigation No.: 08-08-13N
Respondent: Shanna M. Hennigan
Hometown: Houston
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby Respondent will cease and desist from providing attest services and using reserved terms until or unless Respondent complies with the registration and licensing provisions of the Act, and until or unless Respondent has obtained a license to practice public accountancy.

Respondent used the CPA designation although Respondent does not hold a license in Texas.

2. Investigation No.: 09-12-30N
Respondent: Barry Fowler
Hometown: Cypress
Act Violation: 901.453

Respondent entered into an Agreed Cease and Desist Order with the Board whereby Respondent will cease and desist from providing attest services and using reserved terms until or unless Respondent complies with the registration and licensing provisions of the Act and until or unless Respondent has obtained a license to practice public accountancy.

Respondent continued to use the term "accounting" to assert expertise in accounting although Respondent does not hold a license in Texas.

3. Investigation No.: 09-12-52N
Respondent: Ashraf Sherif
Hometown: Houston
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby Respondent will cease and desist

from providing attest services and using reserved terms until or unless Respondent complies with the registration and licensing provisions of the Act and until or unless Respondent has obtained a license to practice public accountancy.

Respondent used the CPA designation although Respondent does not hold a license in Texas.

4. Investigation No.: 09-12-62N
Respondent: William L. Branson
Hometown: Midland
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby Respondent will cease and desist from providing attest services and using reserved terms until or unless Respondent complies with the registration and licensing provisions of the Act and until or unless Respondent has obtained a license to practice public accountancy.

Respondent used the CPA designation although Respondent does not hold a license in Texas.

5. Investigation No.: 10-01-01N
Respondent: John A. Harman
Hometown: Fort Worth
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby Respondent will cease and desist from providing attest services and using reserved terms until or unless Respondent complies with the registration and licensing provisions of the Act and until or unless Respondent has obtained a license to practice public accountancy.

Respondent used the CPA designation although Respondent does not hold a license in Texas.

6. Investigation No.: 10-01-05N
Respondent: Georgi Velez & Blaga Velez
d/b/a Tax & Accounting Solutions
Hometown: Houston
Act Violations: 901.451 and 901.453

Respondents entered into an Agreed Cease and Desist Order with the Board whereby Respondents will cease and desist from providing attest services and using reserved terms until or unless Respondents comply with the registration and licensing provisions of the Act and until or unless Respondents have obtained licenses to practice public accountancy.

Respondents offered attest services and used the terms "accounting," "accountant," and "audit" to assert expertise in accounting and auditing although Respondents do not hold licenses in Texas.

C. PROPOSALS FOR DECISION

1. Investigation No.: 06-11-03N
SOAH Docket No.: 457-10-1365

THE UNAUTHORIZED PRACTICE OF PUBLIC ACCOUNTANCY

To protect the public, the *Public Accountancy Act* prohibits the use of the terms "Accounting," "Accountant," "CPA" and "Certified Public Accountant" by individuals/firms not licensed by the Board. If you suspect that the Act has been violated by unlicensed entities, please contact the Board, including as much information as possible.

Email: enforcement@tsbpa.state.tx.us

Mail: TSBPA

Attention: UPPA

333 Guadalupe, Twr 3, Ste 900

Austin, Texas 78701

Phone: 512-305-7872

ENFORCEMENT ACTIONS

Respondent: Brian Bim
Hometown: Amarillo
Act Violation: 901.451

An Administrative Law Judge from the State Office of Administrative Hearings issued a Proposal for Decision recommending that the Board issue a Cease and Desist Order prohibiting Respondent from practicing public accountancy without a license.

Respondent used the CPA designation although Respondent is not licensed in Texas.

2. Investigation No.: 06-12-24N
SOAH Docket No.: 457-10-1817
Respondent: Jorge G. Salazar
Hometown: Laredo
Act Violation: 901.451

An Administrative Law Judge from the State Office of Administrative Hearings issued a Proposal for Decision recommending that the Board issue a Cease and Desist Order prohibiting Respondent from practicing public accountancy without a license.

Respondent used the CPA designation although Respondent is not licensed in Texas.

3. Investigation No.: 07-06-06N
SOAH Docket No.: 457-10-0821
Respondent: Aharon Fizouaty
Hometown: Nacogdoches
Act Violation: 901.453

An Administrative Law Judge from the State Office of Administrative Hearings issued a Proposal for Decision recommending that the Board issue a Cease and Desist Order prohibiting Respondent from practicing public accountancy without a license.

Respondent used the term "accounting" to assert expertise in accounting although Respondent is not licensed in Texas.

4. Investigation No.: 08-07-25N
SOAH Docket No.: 457-10-0820
Respondent: Brian Moon
Hometown: McKinney
Act Violations: 901.451 and 901.453

An Administrative Law Judge from the State Office of Administrative Hearings issued a Proposal for Decision recommending that the Board issue a Cease and Desist Order prohibiting Respondent from practicing public accountancy without a license.

Respondent used the CPA designation and the term "accounting" to assert expertise in accounting although Respondent is not licensed in Texas.

5. Investigation No.: 09-06-19N
SOAH Docket No.: 457-10-1361
Respondent: Sam Edmonson d/b/a Libra Enterprises
Hometown: Cypress
Act Violation: 901.453

An Administrative Law Judge from the State Office of Administrative Hearings issued a Proposal for Decision recommending that the Board issue a Cease and Desist Order prohibiting Respondent from practicing public accountancy without a license.

Respondent used the term "accounting" to assert expertise in accounting although Respondent is not licensed in Texas.

D. MOTION FOR REHEARING

Investigation No.: 06-08-02L
Respondent: Gary B. Williams

The Board took no action on a Motion for Rehearing filed by Gary B. Williams on the Board's January 20, 2010, decision to revoke Mr. Williams' certificate for failing to pay over \$100,000 in state sales taxes collected by a business he owned. The Motion for Rehearing was overruled by operation of law.

CPE ACTIONS

The certificate of each respondent listed below was not in compliance with the Board's CPE requirements as of the date of the Board meeting. Each respondent was suspended for the earlier of a period of three years, or until the respondent complies with the licensing requirements of the Act. Additionally, a \$100 penalty was imposed for each year the respondent continues to be in non-compliance with the Board's CPE requirements. The respondents were found to be in violation of *Section 523.111* (mandatory CPE reporting) and *501.94* (mandatory CPE) of the Board's *Rules*, as well as *Section 901.411* (CPE) of the Act.

Respondent / Location	Board Date	Respondent / Location	Board Date
Keith Howard Alderman, Haughton, LA	03/18/2010	Robert Petersen Brindley, Sugar Land, TX	03/18/2010
Gregary Weldon Beasley, Dallas, TX	03/18/2010	Dirk Alister Cameron, Cypress, TX	03/18/2010
Barry Lynn Benton, Houston, TX	03/18/2010	George Lee Culps, Venus, TX	03/18/2010

continued on next page

ENFORCEMENT ACTIONS

CPE Actions / continued from previous page

Respondent / Location	Board Date	Respondent / Location	Board Date
James M. Alexander, Houston, TX	03/18/2010	David Alton Lowell, Dallas, TX	03/18/2010
Warren Eldro Andrews, III, Richardson, TX	03/18/2010	Rachel Yost Massey, Friendswood, TX	03/18/2010
Stephanie Brandon, Mansfield, TX	03/18/2010	Donald Fredrick McGee, The Woodlands, TX	03/18/2010
Amy Deeann Chilek, Bryan, TX	03/18/2010	Cardell Demond McKinstry, Cliffside Park, NJ	03/18/2010
Frances Yvonne Cypert, Waco, TX	03/18/2010	John Tracy Newman, San Antonio, TX	03/18/2010
Donna Baretela Dignam, Heath, TX	03/18/2010	Cecillia Ruth Rivas, Lake Mary, FL	03/18/2010
Kenneth Howard Foster, Plano, TX	03/18/2010	Brenda Gail Saxon, Austin, TX	03/18/2010
Jack Scott Huffman, San Antonio, TX	03/18/2010	Carl Anderson Searles, Austin, TX	03/18/2010
Andrew David Jackson, Edcouch, TX	03/18/2010	Charles Brian Strickland, Austin, TX	03/18/2010
Eric Glenn Johnson, League City, TX	03/18/2010	Robert Paul Westlake, Irving, TX	03/18/2010
Edmund Lesage, Jr., Houston, TX	03/18/2010	Melanie Lee Williams, Sugar Land, TX	03/18/2010
George Adair Lewis, Lafayette, LA	03/18/2010	Anna Maria Zuniga, McAllen, TX	03/18/2010
Ning Li, Katy, TX	03/18/2010		

THREE-YEAR DELINQUENT ACTIONS

The respondents listed below violated *Sections 901.502(4) and 901.502(11)* of the *Act* when they failed to pay license fees for three consecutive license periods. The certificate of each respondent was revoked without prejudice as the respondent was not in compliance as of the Board meeting date. Each respondent may regain his or her certificate by paying all the required license fees and penalties and by otherwise coming into compliance with the *Act*.

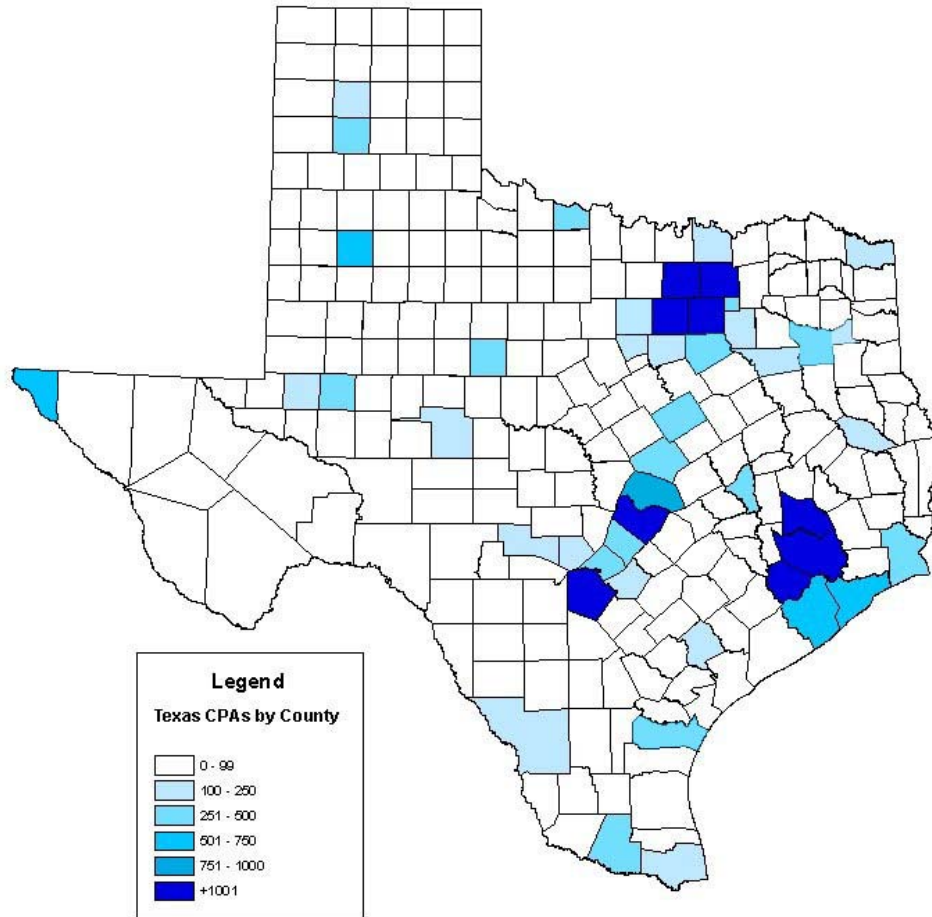
Respondent / Location	Board Date	Respondent / Location	Board Date
Rebecca J. Day, Dallas, TX	03/18/2010	Joanna Jones Manton, Roanoke, VA	03/18/2010
Robert Joseph Dooling, La Porte, TX	03/18/2010	Jerry David McClurg, Plano, TX	03/18/2010
Kathryn Lynn Farquhar, Folsom, CA	03/18/2010	Vilambil Gopinathan Nair, Melbourne, Australia	03/18/2010
Sean Conor Feeney, Dallas, TX	03/18/2010	Robin Louise Powell, Katy, TX	03/18/2010
Beaven Oscar Fernandes, Houston, TX	03/18/2010	Rebeca Ramirez, Katy, TX	03/18/2010
Lisa D. Ford, Pearland, TX	03/18/2010	Philip L. Rawls, Dallas, TX	03/18/2010
Latisha Ann Grijalva, Coppell, TX	03/18/2010	Cheryl A. Richter, Helotes, TX	03/18/2010
Susan Carol Hadick, Strongsville, OH	03/18/2010	Michelle Kathleen Roberts, San Antonio, TX	03/18/2010
Joy E. Hananel, Rishon Le Tzion, Israel	03/18/2010	James Michael Sanner, Tulsa, OK	03/18/2010
Bradley Alan Harmon, Garland, TX	03/18/2010	Carol Anne Savla, Keller, TX	03/18/2010
Dane Porte Hebert, Austin, TX	03/18/2010	Kimberly Redmon Scardino, Stamford, CT	03/18/2010
Robert Brian Hood, Dallas, TX	03/18/2010	Merna L. Seaman, The Woodlands, TX	03/18/2010
Jesse Lee Hunter, Lufkin, TX	03/18/2010	Moneene Nunes Smith, Fort Worth, TX	03/18/2010
Walter Scott Hutchison, Austin, TX	03/18/2010	Thomas Allen Smith, Jr., San Antonio, TX	03/18/2010
Gerald Hugh Johnson, Suwanee, GA	03/18/2010	Kent Tyrone Taylor, Tallahassee, FL	03/18/2010
Billy Ray Kubena, McKinney, TX	03/18/2010	Sonal S. Vaishampayan, Richardson, TX	03/18/2010
Kathie Ann Long, Houston, TX	03/18/2010	Philip Hans Wilhelm, Houston, TX	03/18/2010
Steven Glenn Madison, Cedar Park, TX	03/18/2010		

FAILURE TO COMPLETE LICENSE RENEWAL

The respondents listed below were found to be in violation of Section 501.80 (practice of public accountancy) and 501.93 (responses) of the Board's *Rules*, and were also found to be in violation of Sections 901.502(6) (violation of a rule of professional conduct) and 901.502(11) (conduct indicating a lack of fitness to serve the public as a professional accountant) of the *Act*. The certificate of each respondent who was not in compliance at the time of the Board meeting was revoked without prejudice until such time as the respondent complies with the licensing requirements of the *Act*.

Respondent / Location	Board Date
Larry Charles Lizana, Jr., Fairview, TX	03/18/2010
Paul Edgar Price, Katy, TX	03/18/2010
Elizabeth Theresa Winzig, Austin, TX	03/18/2010

Where in Texas Are Today's CPAs?



TEXAS COUNTIES WITH 100+ CPAs

Angelina	126	Grayson	144	Montgomery	1,369
Bell	262	Gregg	244	Nueces	445
Bexar	3,279	Guadalupe	165	Parker	256
Bowie	109	Harris	12,949	Potter	154
Brazoria	660	Hays	313	Randall	318
Brazos	337	Hidalgo	299	Rockwall	265
Cameron	160	Hood	115	Smith	442
Collin	3,847	Jefferson	269	Tarrant	4,786
Comal	333	Johnson	197	Taylor	291
Dallas	8,370	Kaufman	113	Tom Green	194
Denton	2,120	Kendall	155	Travis	3,642
Ector	118	Kerr	118	Victoria	163
Ellis	262	Lubbock	534	Webb	113
El Paso	602	McLennan	483	Wichita	213
Fort Bend	2,420	Midland	364	Williamson	957
Galveston	567				

As of April 15, 2010, approximately 85% of the Board's individual licensees resided in Texas. Of those licensees who reside in Texas, almost 94% live in these 46 counties that have 100 or more CPAs. The three largest concentrations of licensees are in Dallas/Fort Worth, Houston, and the I-35 corridor from San Antonio to Waco.

Candidate Success Rate - Uniform CPA Examination

Testing Window: JAN, FEB, MAR 2010

University Passing Rates are shared with the Higher Education Coordinating Board and with Texas colleges and universities, which consider them in course planning. They are also posted on the Board's website.

	No. of Candidates by Univ/College	No. of Candidates w/ Acctg Degrees			No. of Candidates by Sections Taken							
		Bach's	Adv'd	None	AUD		BEC		FAR		REG	
					Tested	Passed	Tested	Passed	Tested	Passed	Tested	Passed
Abilene Christian Univ	15	5	10	0	5	2	5	3	6	2	6	3
Amberton Univ	2	1	0	1	0	0	2	1	0	0	0	0
Angelo State Univ	14	3	11	0	7	6	4	3	4	2	2	2
Austin Community College	19	0	3	16	3	2	8	7	7	4	7	6
Baylor Univ	65	43	11	11	23	17	26	19	17	10	32	18
Dallas Baptist Univ	7	0	6	1	2	1	3	2	4	2	5	3
Devry University	4	1	3	0	2	1	2	1	1	1	2	1
East Texas Baptist Univ	1	1	0	0	1	0	0	0	0	0	0	0
El Paso Community College	1	1	0	0	1	1	0	0	0	0	0	0
Hardin-Simmons Univ	6	5	1	0	1	0	3	0	1	1	1	1
Houston Baptist Univ	10	8	2	0	0	0	6	0	2	0	2	1
Houston Community College	19	1	1	17	7	4	6	4	6	4	5	3
Howard Payne Univ	2	2	0	0	1	0	1	1	0	0	0	0
Lamar Univ	19	15	4	0	7	2	6	0	6	3	8	6
LeTourneau Univ	2	2	0	0	1	0	1	0	1	0	1	0
Lubbock Christian Univ	3	3	0	0	0	0	2	0	0	0	3	1
McMurray University	2	2	0	0	1	0	0	0	2	1	0	0
Midwestern State Univ	12	9	3	0	3	0	3	0	3	2	4	4
Mountain View College	4	0	0	4	1	0	3	2	1	0	2	1
N Harris Montgomery CC	6	0	1	5	1	1	0	0	1	1	4	2
Our Lady of the Lake Univ	2	1	1	0	0	0	1	0	0	0	1	0
Prairie View A&M Univ	6	4	2	0	1	0	3	0	2	1	4	1
Rice Univ	1	0	1	0	1	1	0	0	0	0	0	0
Sam Houston State Univ	63	49	10	4	21	9	21	9	13	7	20	8
San Antonio College	1	1	0	0	0	0	0	0	1	0	0	0
Schreiner Univ	3	2	0	1	1	0	1	0	0	0	1	0
Southern Methodist Univ	26	17	8	1	8	4	6	3	10	6	10	4
Southwestern Univ	7	7	0	0	1	1	2	0	2	1	4	2
St. Edward's Univ	20	10	7	3	9	4	5	2	8	3	8	4
St. Mary's Univ	14	10	3	1	5	2	4	2	5	3	5	2
Stephen F. Austin State Univ	28	7	14	7	12	3	11	2	8	5	9	3
Sul Ross State Univ	1	1	0	0	1	0	0	0	0	0	0	0
Tarleton State Univ	11	7	4	0	4	2	4	3	2	1	3	3
Texas A&M - College Station	312	40	41	231	41	17	216	196	218	187	39	22
Texas A&M - Commerce	15	3	11	1	4	3	7	2	3	1	6	5
Texas A&M - Corpus Christi	18	8	8	2	5	2	8	2	4	2	2	1
Texas A&M - International	4	2	2	0	1	0	3	0	2	1	0	0
Texas A&M - Kingsville	5	5	0	0	2	1	2	0	1	0	2	0
Texas A&M - Texarkana	4	1	3	0	1	0	1	0	2	0	2	1
Texas Christian Univ	25	15	9	1	5	5	10	5	8	4	7	5
Texas Lutheran Univ	17	15	0	2	5	2	4	1	6	3	6	2
Texas Southern Univ	4	4	0	0	2	0	1	0	1	1	1	0
Texas State Univ	94	40	41	13	26	16	33	17	27	18	31	13
Texas Tech Univ	92	43	40	9	29	15	33	17	31	17	23	12
Texas Wesleyan Univ	4	3	1	0	2	1	0	0	2	1	1	0
Texas Woman's Univ	6	5	1	0	2	1	1	0	2	0	2	1
Trinity Univ	25	11	14	0	9	5	6	3	7	3	12	5
U of Houston - Clear Lake	71	37	26	8	19	8	29	9	20	6	9	6
U of Houston - Downtown	67	58	3	6	23	7	30	5	13	9	17	7
U of Houston - University	266	179	64	23	73	32	92	44	85	38	87	41
U of Houston - Victoria	4	2	2	0	0	0	2	1	1	1	1	1
Univ of St. Thomas	30	3	23	4	8	2	10	6	8	3	11	4
Univ of Texas - Arlington	89	52	29	8	33	17	29	15	32	19	26	19
Univ of Texas - Austin	209	20	35	154	50	34	54	47	84	75	70	57
Univ of Texas - Brownsville	4	4	0	0	1	1	3	0	0	0	1	0
Univ of Texas - Dallas	152	65	53	34	61	31	56	28	43	24	42	23
Univ of Texas - El Paso	22	13	5	4	5	1	8	5	5	2	4	1
Univ of Texas - Pan American	13	7	6	0	6	3	2	0	1	1	6	2
Univ of Texas - Permian Basin	11	9	2	0	3	3	3	2	3	1	3	1
Univ of Texas - San Antonio	76	49	19	8	24	12	31	13	22	8	20	11
Univ of Texas - Tyler	18	14	3	1	5	0	8	3	4	0	7	3
Univ Mary Hardin-Baylor	4	3	1	0	1	1	4	2	0	0	2	2
Univ of Dallas	20	3	15	2	5	1	7	3	3	3	5	3
Univ of North Texas	69	35	27	7	25	14	22	9	28	10	14	10
Univ of the Incarnate Word	10	5	5	0	2	0	2	1	3	0	3	3
West Texas A&M Univ	11	3	7	1	2	1	3	1	4	2	7	4
Wiley College	1	1	0	0	0	0	0	0	1	0	0	0

Making CPE Work for You / continued from p. 1

5. Well-chosen CPE can change a compliance issue into an opportunity for growth.
6. As your knowledge base increases, so does your confidence and proficiency—and, potentially, your income.

One way to ensure that CPE hours are spent wisely is to take the time to conduct your own informal needs assessment to determine (1) just what sorts of CPE content would most benefit you, and (2) what format is most effective for your learning style. We do not all learn the same way. Some people prefer self-study and have the discipline to stick with a course through completion; for others, a more structured format works better. Some learn best when sitting in a quiet room with a computer; others learn from discussion and exchange with other participants in an interactive environment. Only you can determine which format works best for you, but the possibilities in both content and format are many.

Responsibilities of the instructor in live CPE:

- Engage the interest of participants
- Come to class prepared and organized
- Present material that is complete and up to date
- Maintain classroom decorum
- Encourage participant discussion and input
- Stay on point

Responsibilities of the participant in live CPE:

- Expect to learn something new and useful
- Approach the class with a positive attitude
- Put away cell phones and other distractions
- Use a laptop only if taking notes for this class
- Pay attention and participate in class discussion
- Give an honest opinion on the course evaluation

When choosing CPE, you might also consider affective factors that can influence the effectiveness of accounting CPE. A research article published in the *Journal of Business & Economics Research*, June 2005, reported that, in addition to such “situational deterrents” as cost and work and family constraints, “dispositional deterrents” such as attitude and expectation, disengagement, and apathy toward continuing education can also influence the effectiveness of CPE by creating an unreceptive environment for it.

No matter how carefully you choose and how much positive energy you bring to the experience, you still might occasionally run into a poor instructor, one who doesn’t know his or her topic well or who is not adept at engaging the audience. In Texas, the Board’s Sponsor Review Program (SRP) goes a long way toward assuring good quality CPE by requiring a review of courses at least once every three years. Participant evaluations are part of what is considered during sponsor review. Regardless, you still might happen into a class that wasn’t all you’d hoped it would be. Should you have a less than satisfactory experience, let the sponsor know and let the Board know, but don’t let it discourage you from continuing to seek solid information that enhances your competency.

By spending your CPE dollars wisely, you can turn your CPE requirement into a benefit for you and the public.

Reporting CPE Online

Texas CPAs can use Online Services on the Board website to simplify and monitor the annual license renewal process. On the website, you can review CPE requirements and submit and track CPE courses on an ongoing basis. Answers to the following frequently asked questions are available online for individual licensees.

What is my current CPE requirement? Select *Review your CPE Requirement*.

- View the total technical, non-technical, and ethics hours submitted for the three most recent license periods.
- View the total hours and ethics hours that you still need to submit for the next unissued license period.

What CPE courses have I previously reported? Select *Review CPE Courses Previously Reported*. For the most recent three license periods, view detailed information on each course that you have previously submitted.

When can I report CPE? You can submit information on CPE courses at any time. The courses will be applied toward requirements for the next unissued license period.

If I have submitted my license renewal and I have not met my CPE requirement, can I continue to submit CPE online? You can continue to submit CPE courses to meet requirements for a license period until your license is issued.

How can I find out if I have met the requirements for the annual license?

If all requirements have been met, your license will be issued the next business day after the renewal is submitted online. If you have not met all requirements, use *Submit Additions & Corrections to Your Annual License Renewal* to submit additional CPE courses or change a CPE exemption request. Until all licensing and CPE requirements are met, you will periodically receive a letter by email that lists all requirements that have not been met.

RenewOnlineRenewOnlineRenewOnlineRenewOnlineRenewOnlineRenewOnlineRenewOnlineRenewOnlineRenewOnline

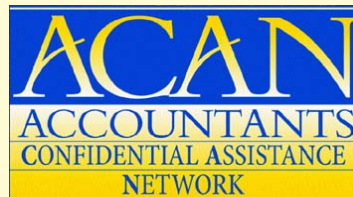
Moving??

Be sure to let us know.



Board rules require licensees to inform the Board within 30 days of a change of address.

- Online under "Online Services" at www.tsbpa.state.tx.us
- Email: licensing@tsbpa.state.tx.us
- Phone: 512-305-7853
- Mail: TSBPA
333 Guadalupe, Twr 3, Ste 900
Austin, TX 78701



Accountants Confidential Assistance Network

Assistance for CPAs, exam candidates, and accounting students with alcohol or drug dependency problems or mental health issues.

1-866-766-2226

VOLUNTEERS NEEDED

ACAN needs volunteers across the state. If you are a CPA in recovery and interested in volunteering, please call 1-866-766-2226.

LEGAL NOTICE: The identity and communications and fact of membership of anyone attending this group are confidential and protected under penalty of law under *Chapter 467 of the Texas Health and Safety Code*.

Administered by the TSCPA and Funded in Part by the Board