

**ACCOUNTANCY BOARD OF OHIO
MINUTES OF June 3, 2016 MEETING**

The Accountancy Board met on June 3, 2016 in Room West B & C on the 31st floor of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio with the following members present: James Carroll, CPA (Chair), James Gero, CPA (Vice Chair), Adriana Sfalcin, Public Member (Secretary), Michael Comer, CPA (Immediate Past Chair), James Gottfried, CPA (Member), Michael Guinigundo, CPA (Member), Margaret Gilmore, CPA (Member), Kenya Watts, CPA (Member) and James Redmond, CPA (Member).

Representing the Board staff was John E. Patterson, Executive Director, Tracey F. Fithen, Assistant Executive Director and Donna Oklok, Investigations Supervisor. Board counsel present was Rachel Huston, Esq., representing the office of the Attorney General.

Present in the audience was Scott Wiley, President and CEO, Laura Hay, Executive Vice President and Barbara Benton, Vice President for Governmental Affairs of the Ohio Society of Certified Public Accountants (OSCPA).

Mr. Carroll called the meeting to order at 10:00 a.m., and welcomed the guests in the audience. Mr. Carroll opened the meeting with the Pledge of Allegiance.

FORMAL HEARING: FILIPPO BIAGIOTTI, CPA

Mr. Carroll opened a disciplinary hearing at 10:01 a.m. pursuant to Chapter 119 of the Revised Code. The Board charged Mr. Biagiotti with a violation of section 4701.16(A)(1) of the Revised Code, concerning fraud and deceit in obtaining an Ohio permit; specifically 4701-15-03 continuing education reporting. Mr. Biagiotti was in attendance and represented by counsel, James Leo.

Ms. Huston called Ms. Faith Ottavi as a witness and introduced State's Exhibit(s) A, 1 through 9 and B, 1 through 7. Mr. Biagiotti's counsel called Mr. Biagiotti as a witness and introduced exhibits marked Respondent's Exhibit A, 1 through 55. Mr. Biagiotti then spoke and was questioned by the Board.

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

REINSTATEMENT HEARING: DIANE E. KAYSER

Mr. Carroll opened a reinstatement hearing at 10:27 a.m. pursuant to Chapter 119 of the Revised Code. The Board revoked Ms. Kayser's CPA certificate on April 30, 2007 in accordance of 4701.16(A)(8) of the Revised Code, concerning the suspension or revocation of the right to practice before any state or federal agency. Ms. Kayser requested a reinstatement of her CPA certificate as a non-practicing registration in April 2016. Ms. Kayser was in attendance.

Ms. Huston called Ms. Ottavi as a witness and introduced State's Exhibits A, 1 through 5 and B, 1 through 7. Ms. Kayser then spoke and was questioned by the Board.

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

FORMAL HEARING: DONALD T. DAGES, CPA

Mr. Carroll opened a disciplinary hearing at 10:44 am pursuant to Chapter 119 of the Revised Code. The Board charged Mr. Dages with a violation of section 4701.16(A)(1) of the Revised Code, concerning fraud and deceit in obtaining an Ohio permit; specifically 4701-15-03 Continuing education reporting. Mr. Dages was in attendance.

Ms. Huston called Ms. Donna Oklok as a witness and introduced State's Exhibit(s) A, 1 through 9 and B, 1 through 31. Ms. Huston called Mr. Dages as a witness. Mr. Dages then spoke and was questioned by the Board.

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

REQUESTS FOR WAIVER OF LATE FILING FEES

JOSEPH KADERABEK

Mr. Kaderabek requested a waiver of the \$300 late fee applicable to the late completion of CPE for the 2013-2015 reporting period.

EXECUTIVE DIRECTOR'S REPORT

Mr. Patterson asked the Board to review the AICPA's designation of Chartered Global Management Accountant (CGMA) and discuss at the next Board meeting in July.

Mr. Patterson spoke to the Board about his and Ms. Fithen's trip to the University of Cincinnati, meeting Mr. Carroll, where they met with university accounting professors to discuss the Board's September meeting being held at the university. Discussion was also held regarding the scholarship appropriations.

Mr. Patterson suggested the Board review the possibility of changing the retirement status to a minimum age of 55.

QUASI-JUDICIAL DELIBERATIONS

Upon motion by Mr. Carroll, seconded by Mr. Gottfried, the Board voted to break into quasi-judicial deliberations to discuss the requests for waiver of late fees and formal hearings. Motion carried 9-0 on a roll call vote. After discussion, the Board returned to general session.

APPROVAL OF THE APRIL 2016 BOARD MEETING MINUTES

Upon motion by Mr. Comer, seconded by Mr. Gero, the Board voted to approve the minutes of April 2016. Motion carried 9-0.

INFORMATION REPORTS AND UPDATES

BUDGET AND FINANCIAL REPORT

Ms. Fithen noted, as of June 1, 2016, the Board is within the guidelines of its fiscal year 2016 budget allotments. She reported that the Board is currently finishing up the 4th quarter of the fiscal year and is on track with the budget. The new Fiscal Year allotments have been set for 2017.

EDUCATION ASSISTANCE PROGRAM REPORT

Ms. Fithen noted we are currently finishing up the funding for fiscal year 2016 with a total of \$318,000 committed scholarship funds for this fiscal year out of the \$325,000 allotted.

INVESTIGATIONS REPORT

Ms. Oklok noted there are currently 10 disciplinary cases opened since the last Board meeting, two currently in litigation, 18 cases are closed, and a total of 41 cases have been opened during 2016. There are still a total of 34 open cases.

RULES REPORT

Ms. Oklok stated that draft rule changes and business impact analyses have been uploaded to the Accountancy Board's website, and an email was sent to stakeholders in May requesting feedback. A meeting with the Ohio Society of CPAs has been scheduled for June 23, 2016, with the results available at the July 15, 2016 Board meeting.

OLD BUSINESS

STATUS OF PAST HEARINGS

Ms. Huston noted that there are two hearings currently pending litigation. No decisions at this time.

NEW BUSINESS

BOARD DECISIONS

LATE FEE WAIVER APPEALS

Upon motion by Ms. Sfalcin, seconded by Mr. Gero, the Board voted to deny the appeals of the following licensees for waiver of the late CPE completion fee:

- Joseph Kaderabek

Motion carried 9-0 on a roll call vote.

DISCIPLINARY HEARING: FILIPPO BIAGIOTTI, CPA

Upon motion by Ms. Sfalcin, seconded by Mr. Gero, the Board voted to revoke the CPA certificate of Mr. Filippo Biagiotti, who may not apply for reinstatement prior to January 1, 2017, and having completed 120 hours of continuing professional education (CPE), including 10 CPE hours of professional standards and responsibilities (PSR).

Motion carried 9-0 on a roll call vote.

REINSTATEMENT HEARING: DIANE E. KAYSER

Upon motion by Ms. Sfalcin, seconded by Mr. Comer, the Board voted to reinstate the CPA certificate of Ms. Kayser with a non-practicing registration.

Motion carried 9-0 on a roll call vote.

DISCIPLINARY HEARING: DONALD T. DAGES

Upon motion by Ms. Sfalcin, seconded by Mr. Guinigundo, the Board voted to revoke the CPA certificate of Donald T. Dages, CPA, but stay the revocation subject to the completion of the following requirements by July 31, 2016:

- Payment of a fine of \$750.
- Completion of a Board-approved Ohio Professional Standards and Responsibilities course.
- Payment of a penalty of \$10 for each hour deficient in CPE

Motion carried 9-0 on a roll call vote.

Upon motion by Ms. Sfalcin, seconded by Mr. Gottfried, the Board voted to adjourn.

Motion carried 9-0.

JAMES J. CARROLL, CHAIR

ADRIANA SFALCIN, SECRETARY