
**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

The Virginia Board of Accountancy met on Tuesday, October 24, 2023, in Board Room #1 of the Perimeter Center, 9960 Mayland Drive, Henrico, VA 23233.

MEMBERS PRESENT: Wendy P. Lewis, CPA, Chair
Nadia A. Rogers, CPA, Vice Chair
Laurie A. Warwick, CPA
William R. Brown, CPA
Dale G. Mullen
David Cotton, CPA, CFE, CGFM
Angela Rudolph-Wiseman, CPA

LEGAL COUNSEL: Josh Laws, Assistant Attorney General,
Office of the Attorney General

STAFF PRESENT: Nancy Glynn, CPA, Executive Director
Renai Reinholtz, Deputy Director
Matthew Ross, Enforcement Director
Nicole Reynolds, Licensing and Operations Support
Kelli Yoder, Communications Coordinator
Fergus Johnson, Management Fellow

MEMBERS OF THE PUBLIC PRESENT: Emily Walker, CAE, Vice President, Advocacy, Virginia Society of Certified Public Accountants
Stephanie Saunders, Chair, Board of Directors, NASBA

CALL TO ORDER

Ms. Lewis called the meeting to order at 10 a.m.

DETERMINATION OF QUORUM

Ms. Lewis determined there was a quorum present.

SECURITY BRIEFING

Ms. Reynolds provided the emergency evacuation procedures.

APPROVAL OF AGENDA

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

Upon a motion by Ms. Rogers and duly seconded, the members voted unanimously to approve the October 24, 2023, agenda as amended. The members voting “AYE” were Ms. Warwick, Mr. Brown, Ms. Lewis, Ms. Rogers, Mr. Mullen, Mr. Cotton and Ms. Rudolph-Wiseman.

APPROVAL OF MINUTES

Upon a motion by Ms. Rogers and duly seconded, the members voted unanimously to approve the amended August 29, 2023, Board meeting minutes, as presented. The members voting “AYE” were Ms. Warwick, Mr. Brown, Ms. Lewis, Ms. Rogers, Mr. Mullen, Mr. Cotton, and Ms. Rudolph-Wiseman.

PUBLIC COMMENT PERIOD

Ms. Walker, CAE, Vice President, Advocacy, Virginia Society of Certified Public Accountants (VSCPA) provided copies of a letter recently distributed by VSCPA in support of the Credit Relief Initiative. She advised the Board that no objections had been received to date from recipients of the letter. She informed the Board that a National Pipeline Advisory Group has recently been formed to develop a CPA pipeline strategy. The group is comprised of representatives from CPA firms, businesses and industry and regulators and had held their initial meeting. The group plans to address the CPA education requirements, exploring new approaches to when and how the exam can be taken and new integrated pathways to licensing. They plan to perform market testing and hope to gain a broad consensus from stakeholders. The group plans to examine the loss of pre-college and early-stage accountants and CPAs from the current CPA pipeline.

Ms. Walker advised that the VSCPA has comments related to the VBOA proposed statute changes and requested to share those comments later in the meeting.

Conflict of Interest - G. Stewart Petoe, Executive Director, Conflict of Interest and Ethics Advisory Council

Mr. Petoe was unable to attend the meeting and requested to reschedule for a future Board meeting.

NASBA and AICPA COMMITTEE UPDATES

NASBA Education Committee

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

Ms. Rogers advised that The Board of Examiners met on October 23, 2023. During this meeting, the Hofstee method for setting cut scores was discussed and a set of initial judgments were completed for each of the 6 CPA Exam sections being offered beginning January 2024.

The State Board Committee held a meeting on October 12, 2023. Ms. Rogers is the new Chair, and 2 new members were also in attendance. Many topics were raised for discussion, including but not limited to the CPA accounting pipeline, 120 vs. 150 hours of education, the Experience, Learn, and Earn (ELE) Program, and the Credit Relief Initiative.

NASBA's Education Committee met on September 28, 2023. During this meeting, comments on the Experience, Learn, and Earn (ELE) Request for Proposal were discussed with the intention of ultimately providing the comments to the AICPA and NASBA for consideration.

Ms. Rogers informed the Board that she will be moving from NASBA's Education Committee to the UAA Committee.

NASBA Administrative and Finance Committee

Ms. Warwick advised that she has been appointed to the NASBA Audit Committee.

NASBA Legislative Support Committee

Mr. Mullen advised that he has been appointed to the NASBA Legislative Support Committee

NASBA CPE Committee

Mr. Brown has been appointed to the NASBA Enforcement Committee.

Mr. Cotton has been appointed to the NASBA Regulatory Response Committee.

EXECUTIVE DIRECTOR'S REPORT

General updates

- Ms. Glynn advised that VBOA is currently focused on CPA Evolution and communicating with candidates on the VBOA website through FAQs, web updates and email communications. She reminded all in attendance of the deadline to apply for BEC by November 14th, 2023.
- Ms. Glynn expressed appreciation for Fergus Johnson, Virginia Management Fellow, who is assisting VBOA with various research projects and temporarily serving in the policy role.

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

- Ms. Glynn announced that the VBOA Administrative Assistant position has been advertised.
- Ms. Glynn fielded questions from the Board regarding updated CPE guideline document. It was discussed that the new guidelines would be applied to all new CPE audits as of September 2023.

Financial and Board Report update

Ms. Reinholtz presented the September 2023 Financial and Board Reports and fielded questions from the Board.

Enforcement update

Mr. Ross reported on the progress of the Enforcement Division and upcoming changes to the enforcement guidelines. He fielded questions from the Board.

Communications update

Ms. Yoder reported to the Board concerning recent communications that provide information about CPA Evolution, the 30-month credit approval and the Board's decision to temporarily suspend re-exam fees.

She informed the Board that a VBOA Instagram account has been created, and the annual Customer Service Survey is in draft. She updated the Board on plans for the December Board meeting to be held at the University of Virginia.

Ms. Yoder presented a sample segment of the 2024 VBOA-approved ethics course and fielded questions from the Board.

NASBA Board Update and Credit Relief Initiative – Stephanie Saunders, CPA, NASBA Chair

Ms. Saunders expressed appreciation to all those volunteering on NASBA Committees. She presented to the Board regarding a new task force that will look at substantial equivalency among jurisdictions. The task force plans to communicate with Executive Directors in the coming year about CPA Evolution and the history and recent approval of the Credit Relief Initiative (CRI) program.

Ms. Saunders provided handouts and discussed the intent of CRI and suggested different ways in which jurisdictions may choose to implement the program. She fielded questions from the Board and discussion ensued.

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

Upon a motion by Ms. Rogers and duly seconded, the members voted unanimously to approve the CRI. The motion is included as follows:

The Virginia Board of Accountancy accept and adopt the program known as the Credit Relief Program, recommended by the CBT Administration Committee of the National Association of State Boards of Accountancy. The adopted statement and policy read as follows: “In response to significant health, economic, education, and travel disruptions resulting in CPA Examination candidate hardships, the Virginia Board of Accountancy will extend credit periods through June 30, 2025, for CPA Examination credits that expired from January 30, 2020, through May 11, 2023, which have not been subsequently replaced by new credits for the same actions.” In addition, the board approves the additional credit relief for those who had credit expired or expiring between May 12, 2023, and November 30, 2023.

(b) That this decision shall be effective as of November 15, 2023.

(c) There will be no refunds of any past payments for those that benefit from this program.

The members voting “AYE” were Ms. Warwick, Mr. Brown, Ms. Lewis, Ms. Rogers, Mr. Mullen, Mr. Cotton and Ms. Rudolph-Wiseman.

Board Recusal Discussion – David Cotton, CPA

Mr. Cotton proposed a new Board Recusal policy for review by the Board. He asked that Board members submit comments to him for a document to be presented at the next Board meeting. He suggested that any new Enforcement documents would be consistent with any Board Recusal Policy and the result would be a document to which both complainants and respondents could refer. The Board discussed the laws surrounding Board actions related to Consent Orders with participation from the Attorney General’s office and the Executive Director. It was determined that Ms. Glynn and Mr. Ross will revisit the current Enforcement Processes manual with the assistance of Mr. Cotton and Mr. Brown and changes will be discussed at a later meeting. Ms. Lewis also requested that all members re-review the draft policy.

ENFORCEMENT AGENDA – Matthew Ross, Enforcement Director

The following actions were taken during open session:

Case #2022-0263

Upon a motion by Mr. Cotton and duly seconded, the members voted to approve a six (6) month payment plan at the request of the Respondent for a previously issued Board Order containing monetary penalties.

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Case #2023-0169

Upon a motion by Mr. Cotton and duly seconded, the members voted to accept the Consent Order as written.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Abstain
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Nay
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Five (5)
Abstain: One (1)
Nays: One (1)

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

Case #2023-0201

Upon a motion by Ms. Warwick and duly seconded, the members voted to accept the Consent Order as written.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Abstain

VOTE:

Ayes: Six (6)
Abstain: One (1)
Nays: None (0)

Case #2023-0248

Upon a motion by Mr. Brown and duly seconded, the members voted to accept the Consent Order as written.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Nay
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Abstain

VOTE:

Ayes: Five (5)
Abstain: One (1)

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

Nays: One (1)

Case #2021-0086

Upon a motion by Mr. Brown and duly seconded, the members voted to accept the Presiding Officer Recommendation as to the finding of no violation.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Case #2021-0088

Upon a motion by Mr. Brown and duly seconded, the members voted to accept the Presiding Officer Recommendation as to the finding of a violations of Code of Virginia 54.1-111(A)(2), 54.1-4409.1(A) and 54.1-4414 (i) (2) and (4) for Respondent's unlicensed use of the CPA title. The members further accepted the recommended penalties and imposed a monetary penalty of \$2,500.00.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Abstain
Angela Rudolph-Wiseman, CPA – Aye

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

VOTE:

Ayes: Six (6)

Abstain: One (1)

Nays: None (0)

Case# 2022-0333

Upon a motion by Ms. Warwick and duly seconded, the members voted to accept the Presiding Officer Recommendation in part and modified it in part. The Board accepted the finding of a violation of 18VAC5-22-90(A) but determined that the violation occurred during the three-year period of 2018, 2019 and 2020, and not the three-year period of 2019, 2020 and 2021, as identified in the Recommendation. The members further accepted the recommended penalties and imposed a monetary penalty of \$750.00 to be paid within ninety (90) days for failing to complete 120 hours of CPE in the reporting period, reprimands for failing to complete a minimum of 20 hours of CPE and the Virginia Specific Ethics Course in each year of the reporting period, and the requirement that the Respondent be subject to a CPE compliance review for the three year period following any reinstatement of her Virginia CPA license.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye

Wendy P. Lewis, CPA – Aye

Dale G. Mullen – Aye

William R. Brown, CPA – Aye

Nadia A. Rogers, CPA – Aye

David Cotton, CPA, CFE, CGFM – Aye

Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Seven (7)

Abstain: None (0)

Nays: None (0)

Case #2022-0511

Upon a motion by Ms. Warwick and duly seconded, the members voted to accept the Presiding Officer Recommendation as to the finding of a violation of the Board's CPE regulation 18VAC5-22-90(A). The members further accepted the recommended penalties and imposed a monetary penalty of \$625.00 for

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

failing to complete 120 hours during the three year reporting period, reprimands for failing to complete a minimum of 20 CPE hours and the Virginia Specific Ethics Course during the reporting period, that respondent complete the 90 hours of deficient CPE within 90 days of the Board's order and that Respondent be subject to a CPE compliance review for 2023, 2024 and 2025.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Case #2023-0021

Upon a motion by Ms. Rogers and duly seconded, the members voted to accept the Presiding Officer Recommendation as to the finding of a violation of the Board's CPE regulation 18VAC5-22-90(A). The members further accepted the recommended penalties and imposed a 1 year suspension of the Respondent's CPA license, a monetary penalty of \$1,000.00 for failing to complete 120 hours during the three year reporting period, a monetary penalty of \$500 for failing to complete a minimum of 20 CPE hours and the Virginia Specific Ethics Course during the reporting period, and that Respondent be subject to a CPE compliance review for the three year period following any reinstatement of his CPA license.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

VOTE:

Ayes: Seven (7)

Abstain: None (0)

Nays: None (0)

Case# 2023-0134

Upon a motion by Ms. Rudolph-Wiseman and duly seconded, the members voted to accept the Presiding Officer Recommendation as to the finding of a violation of the Board's CPE regulation 18VAC5-22-90(A). The members further accepted the recommended penalties and imposed a monetary penalty of \$625.00 for failing to complete 120 hours during the three year reporting period, reprimands for failing to complete a minimum of 20 CPE hours and the Virginia Specific Ethics Course during the reporting period, that respondent complete the 67 hours of deficient CPE within ninety (90) days of the Board's order and that Respondent be subject to a CPE compliance review for 2023, 2024 and 2025.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye

Wendy P. Lewis, CPA – Aye

Dale G. Mullen – Aye

William R. Brown, CPA – Aye

Nadia A. Rogers, CPA – Aye

David Cotton, CPA, CFE, CGFM – Aye

Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Seven (7)

Abstain: None (0)

Nays: None (0)

Adjourn for Lunch

The Board entered **closed session** to discuss legal matters.

Begin closed meeting

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

Upon a motion by Ms. Rogers, and duly seconded, the members approved by unanimous vote the meeting be recessed and the Virginia Board of Accountancy convene a closed meeting under the Virginia Freedom of Information Act to a matter lawfully exempted from open meeting requirements under the ‘Legal advice regarding specific legal matters’ exemption contained in Virginia Code §2.2-3711 (A)(8) and disciplinary matters exemption contained in Virginia Code §2.2-3711(A) (27).

The following non-members were in attendance for a portion of the closed meeting to reasonably aid in the consideration of this topic: Nancy Glynn, Matthew Ross and Josh Laws.

The members voting “AYE” were Ms. Warwick, Mr. Brown, Ms. Lewis, Ms. Rogers, Mr. Mullen, Mr. Cotton and Ms. Rudolph-Wiseman.

End closed meeting

Upon a motion by Ms. Rogers, and duly seconded, the Virginia Board of Accountancy convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and WHEREAS, § 2.2-3712 (D) of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law.

NOW THEREFORE, BE IT RESOLVED, that the VBOA hereby certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia laws were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the VBOA.

The members voting “AYE” were Ms. Warwick, Mr. Brown, Ms. Lewis, Ms. Rogers, Mr. Mullen, Mr. Cotton and Ms. Rudolph-Wiseman.

Case #2022-0557

Upon a motion by Mr. Brown and duly seconded the members voted to accept the Consent Order as written. Prior to the matter being discussed, Ms. Warwick placed on the record she was briefly employed by the Respondent over 20 years ago, however, upon consultation with Board counsel this brief period of employment would not amount to a conflict of interest.

CALL FOR VOTE:

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Abstain
Dale G. Mullen – Abstain
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Abstain
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Four (4)
Abstain: Three (3)
Nays: None (0)

Case #2022-0502

Upon a motion by Ms. Warwick and duly seconded, the members voted to accept the Presiding Officer Recommendation in part and modify it in part. The Board accepted the finding of a violation of Code of Virginia 54.1-4413.3 (1)-(4) and (7) for multiple errors on a client tax return(s) and 18VAC5-22-90 (A) for failing to comply with the Board's CPE requirements. The members further accepted the recommended penalties with modification and imposed a \$5,000 fine to be paid within 90 days and a reprimand for the violations of the Virginia Code, and a \$750 fine and reprimanded for failing to meet the CPE requirements of 18VAC5-22-90 (A). The members further imposed penalties requiring Respondent to complete 16 hours of deficient CPE all in the area of passthrough entity tax return preparation and be subject to a CPE compliance review for the three year period of 2023, 2024 and 2025.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Abstain
Nadia A. Rogers, CPA – Aye
David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Six (6)
Abstain: One (1)
Nays: None (0)

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

Case #2022-0500

Upon a motion by Ms. Warwick and duly seconded, the members voted to accept the Presiding Officer Recommendation in part and modify it in part. The members accepted the recommendation as to the violation of 18VAC5-22-90(A); however, they rejected the proposed penalties of a 1 year suspension and fines totaling \$1,500.00. The members instead imposed a monetary penalty in the amount of \$750.00, to be paid within ninety (90) days, for failing to complete 120 hours of CPE during the three year reporting period, reprimands for failing to complete a minimum of 20 CPE hours and the Virginia Specific Ethics Course during the reporting period, and that Respondent be subject to a CPE compliance review for the three year period following any reinstatement of his CPA license.

CALL FOR VOTE:

Laurie A. Warwick, CPA – Aye
Wendy P. Lewis, CPA – Aye
Dale G. Mullen – Aye
William R. Brown, CPA – Aye
Nadia A. Rogers, CPA – Aye

David Cotton, CPA, CFE, CGFM – Aye
Angela Rudolph-Wiseman, CPA – Aye

VOTE:

Ayes: Seven (7)
Abstain: None (0)
Nays: None (0)

Mr. David Cotton left the meeting at approximately 2:30 p.m.
Mr. Josh Laws left the meeting at approximately 2:00 p.m.

Board Discussion Topics – Wendy P. Lewis, CPA, Chair

FY2023 S.M.A.R.T. Goals update – Nancy Glynn, CPA, Executive Director

Ms. Glynn led the discussion of selected 2024 S.M.A.R.T. Goals.

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

The Board discussed proposed changes to the Code and Regulations, to include adding clarifications, increasing consistency of terms and expanding explanations. Ms. Glynn provided details. Ms. Walker submitted comments from the VSCPA. The Board discussed offering a grace period for license renewals but that may not take place in the code. Board members expressed concern that code changes will be challenging to advance in terms of possible delays such as the election year and upcoming busy season for CPAs.

Ms. Glynn provided a status updated on the VBOA licensing and CPE System. She informed the Board regarding the current Statement Of Work and provided her recommendations.

Additional Items for Discussion

- Sign Conflict of Interest forms
 - Sign Travel Expense vouchers
 - Future meeting dates – Current and future meeting dates were discussed and are subject to change.
 - December 1, 2023
 - January 17, 2024
 - February 21, 2024
 - May 15, 2024
 - June 12, 2024
-

ADJOURNMENT

There being no further business before the VBOA, Ms. Lewis adjourned the meeting at 3:30 p.m.

APPROVED:

Wendy P. Lewis, CPA, Chair

**Board Meeting
October 24, 2023
Draft/Unapproved minutes**

COPY TESTE:

Nancy Glynn, CPA, Executive Director

DRAFT