

BOARD OF PUBLIC ACCOUNTANCY	*	BEFORE THE MARYLAND BOARD OF
		PUBLIC ACCOUNTANCY
v.	*	
AMY Y. MI,	*	CASE NO.: CPAS 15-0044
Respondent	*	
	*	
* * * * *		

CONSENT ORDER

This matter comes before the Maryland Board of Public Accountancy (the "Board") as a result of a complaint opened by the Board against Amy Y. Mi (the "Respondent"), a licensed certified public accountant. The Respondent was notified that she was selected for an audit in connection with Continuing Professional Education ("CPE") credits claimed in her license renewal application that was filed with the Board on or about December 16, 2014. The Respondent failed to provide any documentation supporting claimed CPE credits to the Board after she was notified of the audit. Upon review of the matter, the Board determined that administrative charges against the Respondent were appropriate and a charge letter was issued on or about December 5, 2016. The parties enter into this Consent Order as a full and final resolution of this matter, with terms as follows:

THE PARTIES AGREE AND STIPULATE:

1. At all times relevant to the matters set forth in this Consent Order, the Respondent was licensed by the Board as a certified public accountant ("CPA") and/or the Board had jurisdiction over the subject matter.
2. The Respondent became licensed as a CPA on or about January 29, 1999 (Registration No. 27193).
3. On or about December 16, 2014, the Respondent filed a license renewal application with the Board for the period December 16, 2014 through January 29, 2017 by means of the Board's online licensing system.
4. On the renewal application, the Respondent claimed 80 hours of CPE credit that was earned during the previous license term.
5. The Board's license renewal application requires an applicant to certify to the accuracy of the information contained in the application. This certification states, in pertinent part:

"I hereby certify, under penalty of perjury, that the information contained herein is true and correct to the best of my knowledge,

information, and belief. . ."

6. Following the Respondent's submission of the license renewal application and payment of the license renewal fee, the Respondent was advised that her application was selected for an audit of the CPE credits that were reported and that supporting documents for the CPE hours claimed were required to be submitted to the Board.

7. The Respondent subsequently submitted documentation to support 78 CPE hours earned. Upon review, it was determined that all of the 78 CPE hours claimed were not earned until after the date of certification and submission of the Respondent's renewal application. It was also determined that the Respondent had only 2 CPE carry forward credits from the prior license term.

8. The Respondent admits that, by failing to obtain the proper number of CPE credit hours in accordance with the Board's requirements prior to renewal, including 4 credit hours in Ethics, she did not meet the CPE requirements to renew the license at the time the renewal application was filed with the Board on December 16, 2014.

9. Based on the aforementioned facts, the Respondent admits that she has violated Business Occupations and Professions Art. (BOP), §§ 2-312(a)(3), 2-315(a)(1)(i) and 2-315(a)(1)(xii), Ann. Code of Maryland, and Code of Maryland Regulations (COMAR) 09.24.01.06(I)(1) and 09.24.02.02 (A) and (B), which state, in pertinent part:

BOP § 2-312. Continuing education.

(a) *In general.* - (1) The Board shall adopt regulations that set, in accordance with this section, continuing education requirements as a condition to the renewal of licenses under this subtitle.

(3) (i) To qualify for any further renewal of a license under this subtitle, a licensee shall complete, for each 2-year license term, at least 80 hours in programs that the Board approves.

**§2-315. Denials, reprimands, suspensions, and revocations -
Grounds; license certificate**

(a) Grounds -

(1) Subject to the hearing provisions of §2-317 of this subtitle, the Board, on the affirmative vote of a majority of its members, may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if the applicant or licensee:

(i) fraudulently or deceptively obtains or attempts to obtain a license for the applicant

or licensee or for another;

(xii) violates a rule of professional conduct adopted by the Board.

COMAR 09.24.01.06 Code of Professional Conduct

I. Other Responsibilities and Practices.

(1) A licensee may not commit any act that reflects adversely on the licensee's fitness to engage in the practice of public accountancy.

09.24.02.02 Basic Requirement.

A. The applicant shall complete a minimum of 80 hours of acceptable continuing education in each 2-year license term after initial renewal.

B. A minimum of 4 hours of the continuing education for each 2-year license term shall be in professional ethics with no carry forward provision for excess hours.

10. Based on the aforementioned violations, the Respondent agrees to pay a total civil penalty to the Board in the amount of \$5000.00 in accordance with the following schedule:

	<u>Payment Due Date</u>	<u>Payment Amount</u>
i)	March 1, 2017	\$ 500.00
ii)	April 1, 2017	\$ 500.00
iii)	May 1, 2017	\$ 500.00
iv)	June 1, 2017	\$500.00
v)	July 1, 2017	\$ 500.00
vi)	August 1, 2017	\$ 500.00
vii)	September 1, 2017	\$ 500.00
viii)	October 1, 2017	\$ 500.00
ix)	November 1, 2017	\$ 500.00

x)

December 1, 2017

\$ 500.00

11. The Respondent further agrees that her license to practice certified public accountancy in Maryland shall be suspended for a period of two years. The period of suspension shall commence on the date of this Consent Order.

12. In addition, the Respondent agrees to complete four hours of CPE credits in the field of Ethics within 90 days of the date of this Consent Order. These credits shall be in addition to, and shall not count toward the fulfillment of, the normal statutory or regulatory CPE requirements. The Respondent shall provide written proof of completion of the CPE training to the Board within 30 days of the date of completion.

13. The Respondent shall abide by the provisions of the Maryland Public Accountancy Act, BOP § 2-101, *et. seq.* and COMAR 09.24.01, *et. seq.* with regard to all pertinent future activities.

14. The Respondent, by entering into this Consent Order, expressly waives the right to an administrative hearing on the charges and the making of Findings of Fact and Conclusions of Law, any and all further proceedings before the Board to which she may otherwise be entitled in this matter, and any rights to appeal from this Order.

15. The Respondent agrees that this Consent Order shall constitute a Final Order of the Board and shall be enforceable as such.

16. The Respondent enters into this Consent Order freely, knowingly and voluntarily, and with the opportunity to seek advice of counsel.

BASED ON THESE STIPULATIONS, IT IS, THIS 7th DAY OF March, 2017, BY THE BOARD OF PUBLIC ACCOUNTANCY:

ORDERED that the Respondent has violated BOP §§ 2-312(a)(3), 2-315(a)(1)(i) and 2-315(a)(1)(xii), Ann. Code of Maryland, and Code of Maryland Regulations (COMAR) 09.24.01.06(I)(1) and 09.24.02.02 (A) and (B);

AND IT IS FURTHER ORDERED that the Respondent shall pay a civil penalty in the amount of \$5000.00 to the Board in accordance with the provisions set forth in paragraph 10 of this Consent Order;

AND IT IS FURTHER ORDERED that the Respondent's license to practice certified public accountancy in the State (Registration No. 27193) shall be suspended for a period of two years with the suspension period to commence on the date of this Consent Order;

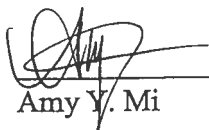
AND IT IS FURTHER ORDERED that the Respondent shall complete four additional

CPE credit hours in Ethics that shall be in addition to, and shall not count toward the fulfillment of, the normal statutory or regulatory CPE requirements, and furnish proof of completion to the Board in accordance with the provisions set forth in paragraph 12 of this Consent Order;

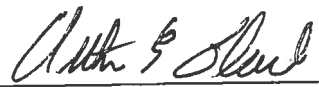
AND IT IS FURTHER ORDERED that, if the Respondent fails to comply with the terms of this Consent Order, including the failure to make a required payment or complete additional CPE credits, the Respondent's license shall be immediately and automatically suspended until such time as compliance occurs;

AND IT IS FURTHER ORDERED that this matter shall be resolved in accordance with the terms of this Consent Order, and that the same shall be reflected among the records of the Board;

AND IT IS FURTHER ORDERED that this Consent Order shall constitute a Final Order of the Board.



Amy Y. Mi



Arthur E. Flach, CPA
Chairperson

2/13/2017
Date

3/7/2017
Date

AEF/kmk

CPE credit hours in Ethics that shall be in addition to, and shall not count toward the fulfillment of, the normal statutory or regulatory CPE requirements, and furnish proof of completion to the Board in accordance with the provisions set forth in paragraph 12 of this Consent Order;

AND IT IS FURTHER ORDERED that, if the Respondent fails to comply with the terms of this Consent Order, including the failure to make a required payment or complete additional CPE credits, the Respondent's license shall be immediately and automatically suspended until such time as compliance occurs;

AND IT IS FURTHER ORDERED that this matter shall be resolved in accordance with the terms of this Consent Order, and that the same shall be reflected among the records of the Board;

AND IT IS FURTHER ORDERED that this Consent Order shall constitute a Final Order of the Board.

(RESPONDENT'S SIGNATURE
APPEARS ON ORIGINAL DOCUMENT)

Amy Y. Mi

2/13/2017
Date

AEF/kmk

(BOARD CHAIR'S SIGNATURE
APPEARS ON ORIGINAL DOCUMENT)

Arthur E. Flach, CPA
Chairperson

3/7/2017
Date