

May 17, 2024
Board of Accountancy
Department of Business and Professional Regulations
Division of Real Estate Board Room,
400 W. Robinson Street, Suite N901, Orlando, Florida 32801

Notice

Friday May 17, 2024

The meeting was called to order at 9:00 a.m. Roll call of Attendees was called by Roger Scarborough, and reflected the following persons present:

Board Members

William Blend	Not Present
Brent Sparkman (Chair)	Present
Jason Lafser	Present
Tracy Keegan	Present
Shireen Sackreiter	Present
Michelle Maingot	Not Present
William Benson	Present
Steve Platau	Present
Caridad Vasallo	Present

Staff

Roger Scarborough	Present
Kevin Brown	Present

Rachelle Munson, Senior Assistant Attorney General and Board Counsel. Katie Pareja, Chief Attorney, Samantha Ceres, Senior Attorney, Office of the General Counsel. Shelly Weir and Jason Harrell of the Florida Institute of Certified Public Accountants. Jennifer Green of Liberty Partners of Tallahassee. The court reporter was Donna Wolk.

1. Approve Minutes
 - a. March 22, 2024

Motion was made by **Ms. Vasallo**, seconded by **Ms. Sackreiter**, to approve minutes. Upon vote, the motion passed unanimously.

2. OGC Final Action

Voluntary Relinquishment

- a. Reid, Kevin C.

Mr. Reid was **not present**.

Ms. Ceres presented the case.

Motion was made by **Ms. Keegan**, seconded by **Mr. Benson** to accept the terms of the voluntary relinquishment. Upon vote, the motion passed unanimously.

- b. Rothstein, Lawrence

Mr. Rothstein was **not present**.

Ms. Pareja presented the case.

Motion was made by **Mr. Benson**, seconded by **Mr. Platau** to accept the terms of the voluntary relinquishment. Upon vote, the motion passed unanimously.

Informal Hearing

- c. Fernandez, Abel L.

Mr. Fernandez was present.

Ms. Keegan was recused.

Ms. Pareja presented the case.

Motion was made by Ms. Sackreiter, seconded by Ms. Sackreiter to acknowledge that Respondent was properly served, and qualifies to have a hearing before the Board involving no disputed issues of material fact and accept the allegations of fact and violations of law set forth in the Administrative Complaint as the Board's findings of fact and conclusions of law. Upon vote, the motion passed unanimously.

Motion was made by Mr. Lafser, seconded by Ms. Vasallo to accept the recommended penalties with the amendment that the fine is reduced to \$3000 and the time to comply with the terms of the final order is extended to 90 days. Upon vote, the motion passed unanimously.

d. Hobbs, Timothy J.

Mr. Hobbs was present.

Ms. Keegan was recused.

Ms. Pareja presented the case.

Motion was made by Mr. Benson, seconded by Ms. Sackreiter to acknowledge that Respondent was properly served, and qualifies to have a hearing before the Board involving no disputed issues of material fact and accept the allegations of fact and violations of law set forth in the Administrative Complaint as the Board's findings of fact and conclusions of law. Upon vote, the motion passed unanimously.

Motion was made by Ms. Vasallo, seconded by Ms. Sackreiter to accept the recommended penalties with the amendment that the time to comply with the terms of the final order is extended to 90 days. Upon vote, the motion passed unanimously.

e. Liggett & Webb, PA

Mr. Webb was not present, with Mr. Richard Jones present as Counsel.

Ms. Keegan and Ms. Sackreiter were recused.

Ms. Ceres presented the case.

Motion was made by Mr. Platau, seconded by Ms. Vasallo to acknowledge that Respondent was properly served, and qualifies to have a hearing before the Board involving no disputed issues of material fact and accept the allegations of fact and violations of law set forth in the Administrative Complaint as the Board's findings of fact and conclusions of law. Upon vote, the motion passed unanimously.

Motion was made by Ms. Vasallo, seconded by Mr. Lafser to accept the recommended penalties as presented. Upon vote, the motion passed unanimously.

f. Webb, Derek M.

Mr. Webb was not present, with Mr. Richard Jones present as Counsel.

Ms. Keegan and Ms. Sackreiter were recused.

Ms. Ceres presented the case.

Motion was made by Mr. Benson, seconded by Mr. Lafser to acknowledge that Respondent was properly served, and qualifies to have a hearing before the Board involving no disputed issues of material fact and accept the allegations of fact and violations of law set forth in the Administrative Complaint as the Board's findings of fact and conclusions of law. Upon vote, the motion passed unanimously.

Motion was made by Ms. Vasallo, seconded by Mr. Platau to accept the recommended penalties as presented. Upon vote, the motion passed unanimously.

Waiver

g. D'Innocenti, Alessandro

Mr. D'Innocenti was present.

Ms. Keegan was recused.

Ms. Pareja presented the case.

Motion was made by **Ms. Sackreiter**, seconded by **Ms. Vasallo** to acknowledge that Respondent was properly served, and failed to file an Election of Rights form or otherwise establish a disputed issue of material fact in response to the Administrative Complaint, pursuant to Rule 28-106.111, Florida Administrative Code and accept the allegations of fact and violations of law set forth in the Administrative Complaint as the Board's findings of fact and conclusions of law. Upon vote, the motion passed unanimously.

Motion was made by **Mr. Lafser**, seconded by **Mr. Benson** to accept the recommended penalties. Upon vote, the motion passed unanimously.

h. Manzano, Victor G.

Mr. Manzano was not present.

Ms. Keegan and **Ms. Sackreiter** were recused.

Ms. Pareja presented the case.

Motion was made by **Mr. Lafser**, seconded by **Mr. Benson** to acknowledge that Respondent was properly served, and failed to file an Election of Rights form or otherwise establish a disputed issue of material fact in response to the Administrative Complaint, pursuant to Rule 28-106.111, Florida Administrative Code and accept the allegations of fact and violations of law set forth in the Administrative Complaint as the Board's findings of fact and conclusions of law. Upon vote, the motion passed unanimously.

Motion was made by **Mr. Benson**, seconded by **Mr. Lafser** to accept the recommended penalties. Upon vote, the motion passed unanimously.

Settlement Stipulation

i. Barnes, Timothy R.

Mr. Barnes was not present.

Ms. Keegan was recused.

Ms. Ceres presented the case.

Motion was made by **Mr. Benson**, seconded by **Mr. Lafser** to adopt the terms of the proposed Settlement Stipulation. Upon vote, the motion passed unanimously.

j. Closs, Roy E.

Mr. Closs was not present.

Ms. Keegan was recused.

Ms. Pareja presented the case.

Motion was made by **Ms. Sackreiter**, seconded by **Mr. Benson** to adopt the terms of the proposed Settlement Stipulation. Upon vote, the motion passed unanimously.

k. Ever, Judah H.

Mr. Ever was not present, with **Mr. Joshua Entin** present as counsel.

Ms. Keegan was recused.

Ms. Pareja presented the case.

Motion was made by **Mr. Benson**, seconded by **Ms. Sackreiter** to adopt the terms of the proposed Settlement Stipulation. Upon vote, the motion passed with Mr. Platau and Ms. Vasallo voting no.

l. Levy, Shlomit

Ms. Levy was not present.

Ms. Keegan was recused.

Ms. Pareja presented the case.

Motion was made by **Ms. Sackreiter**, seconded by **Mr. Benson** to adopt the terms of the proposed Settlement Stipulation. Upon vote, the motion passed with Mr. Platau voting no.

m. Wadsworth, Romney E.

Ms. Wadsworth was not present.

Ms. Keegan was recused.

Ms. Pareja presented the case.

Motion was made by Mr. Benson, seconded by Ms. Sackreiter to adopt the terms of the proposed Settlement Stipulation. Upon vote, the motion passed unanimously.

3. Exams – Considerations

a. Murtha, Patrick J.

Mr. Murtha was present with Mr. Kevin Murtha present as counsel.

Motion was made by Mr. Benson, seconded by Ms. Vasallo, to approve for convictions only, upon the condition that the applicant provide to the Department proof of the termination of the probation. Upon vote, the motion passed unanimously.

b. Scilabro, Francisco J.

Mr. Scilabro was present with Mr. Gus Harper present as counsel.

Motion was made by Ms. Keegan, seconded by Mr. Benson, to approve for convictions only. Upon vote, the motion passed unanimously.

4. Endorsement – Considerations

a. Gregus, Matthew T.

Mr. Gregus was not present.

Motion was made by Mr. Benson, seconded by Mr. Sparkman, to approve for question four only. Upon vote, the motion failed with Mr. Platau, Mr. Lafser, Ms. Sackreiter and Ms. Vasallo voting no.

Motion by Mr. Benson and Mr. Lafser to continue contingent on a 90-day waiver no later than May 31, 2024, otherwise the application is denied. Upon vote, this motion passed unanimously.

b. Lucas, Dante D.

Mr. Lucas was present.

Motion was made by Mr. Benson, seconded by Ms. Keegan, to approve for question four only. Upon vote, the motion passed unanimously.

c. Thompson, Debra K.

Ms. Thompson was not present.

Motion was made by Mr. Lafser, seconded by Ms. Sackreiter, to approve for question four only. Upon vote, the motion passed unanimously.

d. Williams, Elvin A.

Mr. Williams was present.

Motion was made by Mr. Benson, seconded by Ms. Sackreiter, to approve for question five on the condition that the fines set from the final order pertaining to case 2018036152. Upon vote, the motion passed unanimously.

5. Maintenance & Reactivation – Null and Void

a. Gonzalez, Juana E.

Ms. Gonzalez was not present.

Motion was made by Ms. Keegan, seconded by Ms. Sackreiter, to approve the request to reinstate the applicant's null and void license. Upon vote, the motion passed unanimously.

b. Lechner, Melvin N.

Mr. Lechner was present.

Motion was made by Mr. Benson, seconded by Ms. Sackreiter, to approve the request to reinstate the applicant's null and void license. Upon vote, the motion passed unanimously.

c. Morgan, Bonnie

Ms. Morgan was not present.

Motion was made by Ms. Sackreiter, seconded by Ms. Vasallo, to approve the request to reinstate the applicant's null and void license. Upon vote, the motion passed unanimously.

d. Pisciotano, Matthew

Mr. Pisciotano was present.

Motion was made by Mr. Benson, seconded by Ms. Sackreiter, to approve the request to reinstate the applicant's null and void license. Upon vote, the motion passed unanimously.

e. Protich, Alla V.

Ms. Protich was present with Mr. Brian DiMaggio present as counsel.

Motion was made by Ms. Keegan, seconded by Mr. Lafser, to approve the request to reinstate the applicant's null and void license. Upon vote, the motion passed unanimously.

f. Rice, Joseph P.

Mr. Rice was not present.

Motion was made by Mr. Benson, seconded by Ms. Vasallo, to approve the request to reinstate the applicant's null and void license. Upon vote, the motion passed unanimously.

6. Chief Attorney's Report

Ms. Pareja presented the Chief Attorney Report.

Motion made by Ms. Sackreiter, seconded by Mr. Platau to allow Chief Attorney to continue to prosecute year-old cases. Upon vote, the motion passed unanimously.

7. Board Counsel's Report

a. May 2024 Rules Report

This was an informational item.

b. Retired Status Rules

i) Rule 61H1-30.060

This item was continued.

ii) Rule 61H1-36.004

This item was continued.

iii) Form 16 – Application for Retired Status

This was an informational item.

iv) Form 17 – Retired Status Reactivation

This was an informational item.

8. Administrative Items

a. Remarks from Chair

Mr. Scarborough additionally provided an update regarding compliance with the CPE Reporting Tool. The compliance rate is now at 32%. He also discussed various training sessions held with firms and handouts developed regarding the reporting tool. He additionally provided some clarification how CPAs may report their CPE using a transcript from a single provider.

b. Remarks from Executive Director

i. Delegation of Authority

Motion made by Ms. Keegan, seconded by Ms. Sackreiter, to approve the delegation of authority as presented. Upon vote, this motion passed unanimously.

ii. September Workshop and Board Meeting

The workshop initially scheduled for September 12th is being moved to July 11th at 1:30pm. This meeting will be held in Orlando. The September meeting will be held in Orlando.

c. Update from Board Members Serving on NASBA Committees

None at this time.

9. Florida Institute of Certified Public Accountants

Ms. Weir presented a request to provide part-time students access to the Clay Ford Scholarship. The Board recognized that rule making would need to accompany this accommodation. The Board recommended that the proposed rule revision would need to be discussed during the workshop.

Ms. Weir also announced the creation of a pilot program that allows students to be able to pursue a master's in accounting degree on a part-time basis while working in an accounting firm.

Ms. Weir additionally provided an update pertaining to alternative paths to licensure in other states, and their potential impacts to mobility within the state.

10. Public Comments

None at this time.

11. Adjourn

The meeting was adjourned at 1:07 p.m.

Brent Sparkman, Chair

Date