



**Pennsylvania
DEPARTMENT OF STATE**

**STATE BUSINESS LICENSING BOARDS
DISCIPLINARY ACTIONS
January 2008**

Secretary of the Commonwealth Pedro A. Cortés and Basil L. Merenda, Commissioner of the Department of State's Bureau of Professional and Occupational Affairs, announced that 43 disciplinary actions have been taken by certain state business licensing boards.

The following boards actively examined whether the citizens of the commonwealth are being protected: Accountancy; Architects; Auctioneer Examiners; Barber Examiners; Certified Real Estate Appraisers; Cosmetology; Funeral Directors; Landscape Architects; and Professional Engineers, Land Surveyors and Geologists.

Of these, the boards listed below took specific action against individuals or firms in these counties: Allegheny (3 actions); Berks (2 actions); Bradford (1 action) Bucks (1 action); Chester (2 actions); Clearfield (1 action); Delaware (5 actions); Lackawanna (1 action); Luzerne (2 actions); Montgomery (2 actions); Northampton (1 action) Philadelphia (9 actions); Westmoreland (1 action); and York (2 actions). Ten actions involved Pennsylvania licenses with out-of-state addresses.

BOARD OF ACCOUNTANCY

Berks County

Steven B. Spangenberg, license no. CA-023096-L of Reading, Berks County, was ordered to pay a civil penalty of \$2,000 because Spangenberg used the abbreviation CPA on business cards, correspondence and on his business Web site when he was not authorized to do so because his license was expired, and he held himself out as a certified public accountant on his Web site when he was not licensed as a CPA in Pennsylvania. (01-15-08)

Bradford County

Allen, Rogers & Osgood, CPA's, license no. AF-000109-L of Troy, Bradford County, was publicly reprimanded and ordered to pay a civil penalty of \$15,000 because it engaged in unprofessional conduct by failing to comply with any standard promulgated by any recognized public or private standard-setting body that is applicable to the professional service being performed and by failing to exercise due professional care in the performance of professional services. (01-15-08)

Bucks County

Seth B. Pitkow, license no. CA030274L of Washington Crossing, Bucks County, was ordered to pay a civil penalty of \$150 and complete 40 hours overall of CPE within 6 months of the effective date of his Order because he failed to complete the requisite 80 credit hours of CPE during the biennial period. (01-15-08)

Lackawanna County

Michael G. Mellner, license no. CA-014285-L of Scranton, Lackawanna County, was ordered to pay a civil penalty of \$3,000 because Mellner violated the Act in that his right to practice before the Internal Revenue Service was revoked, he engaged in unprofessional conduct in his preparation of delinquent corporate tax returns, and he was delinquent in providing other related accounting services. (01-15-08)

Luzerne County

Robert E. Schuler, license no. CA-005304-L of Wilkes Barre, Luzerne County, was ordered to pay a civil penalty of \$500 because Schuler engaged in the practice of public accounting in the Commonwealth without a current and active license. (01-15-08)

Out of State

Arthur Michael Brown, certificate no. CA-029270-L, of Atlantic City, NJ, was assessed a \$1,000 civil penalty on his Pennsylvania license and ordered to complete 41.6 hours of make-up continuing education based on his failure to fulfill his continuing education requirement for the 2004-2005 reporting period. (1-16-08)

Joseph A. Critelli, license no. CA032205L of Manalapan, NJ, was ordered to pay a civil penalty of \$300 and complete 18 credit hours overall including 6 hours of accounting and auditing of CPE, because he failed to complete the requisite 80 credit hours of CPE during the biennial period. (01-15-08)

Berard & Donahue CPA's PC, of Port Jervis, NY, was ordered to pay a civil penalty of \$1,000 because it engaged in the practice of public accounting in the Commonwealth without a license. (01-15-08)

Ijabadeniyi Oluwakemi, license no. CA048117 of Vadnais Heights, MN, was ordered to pay a civil penalty of \$600 and complete 52 hours overall of CPE within 6 months of the effective date of her Order because she failed to complete the requisite 80 credit hours of CPE during the biennial period. (01-15-08)

BOARD OF ARCHITECTS LICENSURE

Allegheny County

Mark Richard Fickley, license no. RA010897X of Jefferson Hills, Allegheny County, was ordered to pay a civil penalty of \$2,000 because he used an architect's seal or stamp, used the title "architect", or a card, sign or device implying he was an architect, and practiced architecture all while he held no valid certificate issued by the Board. (01-24-08)

Delaware County

Warren Ingersoll Claytor, license no. RA016576 of Wayne, Delaware County, was ordered to pay a civil penalty of \$2,500 because he violated the Act through the use of his seal or stamp during a period when his certificate to practice architecture was not current. (01-24-08)

Out of State

Robert C. Killingsworth, license no. RA014694B of Dallas, TX, was ordered to pay a civil penalty of \$3,500 and a public reprimand was placed on his permanent Board record, because he violated the Act by offering to practice architecture, practicing architecture, using the title "architect" and using his seal on architecture documents all when he was not currently registered under the Act. (01-24-08)

BOARD OF BARBER EXAMINERS

Berks County

Vladimir Taveras, license no. BL-051948, of Reading, Berks County, had his license suspended for failing to comply with a previously issued Board order. (01-08-08)

Delaware County

Wendall J. Douglas, license no. BM-011324-L, of Brookhaven, Delaware County, had his license suspended for failing to comply with a previously issued Board order. (01-08-08)

Richard M. Wright, license no. BL-051150-L, of Drexel Hill, Delaware County, was assessed a civil penalty in the amount of \$1,000 for practicing on a suspended license. (01-11-08)

Philadelphia County

Enos A. Franklin, license no. BL-800275, of Philadelphia, Philadelphia County, had their license suspended for failing to comply with a previously issued Board order. (01-08-08)

Daniel H. Smith, license no. BM-011532-L, of Philadelphia, Philadelphia County, had his license suspended for failing to comply with a previously issued Board order. (01-08-08)

Brian A. McCloud, license no. BL-050318-L, of Philadelphia, Philadelphia County, had his license suspended effective immediately (01-25-08).

Earl Shultz, license no. BL-052921, of Philadelphia, Philadelphia County, had his license suspended pursuant to the Order of the Court of Common Pleas of Philadelphia County dated January 8, 2008, which the court issued under section 4355 of the Domestic Relations Code. The suspension is effective immediately. (01-25-08)

Mark A. Aichroth, license no. BM-011007-L, of Philadelphia, Philadelphia County, was suspended pursuant to the Order of the Court of Common Pleas of Philadelphia County dated January 15, 2008, which the court issued under section 4355 of the Domestic Relations Code. The suspension is effective immediately. (01-25-08)

Northampton County

John L. Dandrade, t/d/b/a Young Fella's Barber Shop, license no. BO-432659, of Bethlehem, Northampton County, had his license suspended for failing to comply with a previously issued Board order. (01-08-08)

York County

Kevin S. Kearse t/d/b/a Kearse Barber Shop, license no. BM-093465 and BO-432790, of York, York County, had his licenses suspended for failing to comply with a previously issued Board order. (01-08-08)

Out of State

Craig E. Doggett, license no. BM-011482-L, of Sicklerville, NJ, had his Pennsylvania license suspended for failing to comply with a previously issued Board order. (01-08-08)

BOARD OF CERTIFIED REAL ESTATE APPRAISERS

Allegheny County

Howard Reck, certificate no. RL-003009-L of Pittsburgh, Allegheny County, had his certificate suspended retroactively from October 12, 2007, through November 10, 2007, because he prepared 5 appraisal reports that did not comply with the requirements of the USPAP; failed or refused to exercise reasonable diligence in developing the appraisals, prepared appraisal reports, or communicating appraisals; and negligently or incompetently developed appraisals, prepared appraisal reports, or communicated appraisals. During the period of suspension, Mr. Reck was required to and successfully completed 45 hours of continuing education. Following the period of suspension, Mr. Reck's certificate was placed on probation for 2 years. Mr. Reck was also ordered to pay a civil penalty in the amount of \$5,000 and Costs of Investigation and Probationary Reviews in the amount of \$750. (01-10-08)

Robert A. Solotist, license no. RL-001324-L of Parsippany, NJ, permanently and voluntarily surrendered his real estate appraiser certificate, because he had a license or certificate to perform appraisals suspended, revoked, or refused by an appraisal licensure or certification authority of another state, territory or country, or received other disciplinary actions by the appraisal licensure or certification authority of another state, territory, or country. (01-10-08)

BOARD OF COSMETOLOGY

Chester County

Pamela J. Bazzoli, license no. CO-137178-L, of Kennett Square, Chester County, had her license suspended for non-payment of a civil penalty. (01-09-08)

Clearfield County

Lori Embleton, t/d/b/a Studio U, license no. CB-115316, of Falls Creek, Clearfield County, had her license suspended for failure to comply with a previously issued Board order. (01-28-08)

Luzerne County

Gregoria Medina, license no. CO-259663, of Hazleton, Luzern County, had her license suspended for failure to comply with a previously issued Board order. (01-28-08)

Montgomery County

Michael J. Falco, license no. CO-231371, of Harleysville, Montgomery County, was suspended pursuant to the Order of the Court of Common Pleas of Montgomery County dated January 7, 2008, which the court issued under section 4355 of the Domestic Relations Code. The suspension is effective immediately. (01-16-08)

Lavenia Wilson, license no. CO-221587-L, of King of Prussia, Montgomery County, had her license suspended for failure to comply with a previously issued Board order. (01-28-08)

Philadelphia County

Serilda C. Jones, license no. CO-212999-L, of Philadelphia, Philadelphia County, had her license suspended for non-payment of a civil penalty issued by the Board. (01-07-08)

Joy Abdul Aleem f/k/a Freda Joy Coates, license no. CO-215795-L, of Philadelphia, Philadelphia County, had her license suspended for non-payment of a civil penalty issued by the Board. (01-09-08)

Luz M. Ortiz, license no. CL-015406-L, of Philadelphia, Philadelphia County, was suspended pursuant to the Order of the Court of Common Pleas of Philadelphia

County dated January 8, 2008, which the court issued under section 4355 of the Domestic Relations Code. The suspension is effective immediately. (01-25-08)

Westmoreland County

Kelly Dawn Stein, license no. CB-100611-L, of Greensburg, Westmoreland County, had her license suspended for non-payment of a civil penalty. (01-09-08)

Out of State

Aletheia M. Lawrence, license no. CO-178923-R, of Nashville, TN, had her license suspended for non-payment of a civil penalty issued by the Board. (01-09-08)

STATE BOARD OF FUNERAL DIRECTORS

No disciplinary actions taken.

STATE BOARD OF LANDSCAPE ARCHITECTS

No disciplinary actions taken.

STATE BOARD OF PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

Chester County

John J. Gilroy, license no. PE043082E of Berwyn, Chester County, was ordered to pay a civil penalty of \$3,000 because he violated the Act by offering to practice engineering and held himself out as a professional engineer while his license was lapsed. (01-16-08)

Delaware County

ConTech Services, Inc., of Media, Delaware County, was ordered to pay a civil penalty of \$2,250 because it violated the Act by offering geology services when the company had no licensed geologist to provide the service and by offering professional engineering services when the company employed no Pennsylvania licensed professional engineer to provide the services. (01-16-08)

Herbert C. Grant, of Media, Delaware County, was ordered to pay a civil penalty of \$2,250 because he used the title "P.E." on his letter closings, business cards and his Web site, and by such use of the title, represented himself to be an engineer. (01-16-08)

York County

John Paul Caprio, PG, license no. PG002495G of Hanover, York County, was ordered to pay a civil penalty of \$2,000 and a public reprimand was placed on his permanent Board record, because he practiced professional geology, used the

title “professional geologist” in conjunction with his name, and sealed project documents all during a period while his registration was lapsed. (01-16-08)

Out of State

Delmar Ernest Hedges, license no. SU-019790-E, of Toms River, NJ, was ordered to pay a civil penalty of two hundred fifty dollars and a public reprimand was placed on his permanent Board record, because he had disciplinary action taken against him by the proper licensing authority of the State of New Jersey for conduct relating to the practice of land surveying. (01-16-08)

David R. Lippe, license no. PE039359R of Addison, TX, was ordered to pay a civil penalty of \$500 and a public reprimand was placed on his permanent Board record, because Lippe violated the Act in that his license to practice engineering, land surveying or geology was suspended or revoked or had other disciplinary action taken for conduct relating to the practice of engineering, land surveying or geology, by the proper licensing authority of another state, territory or country. (01-16-08)

Gregory A. Robinson, PE, license no. PE053409E, of Raleigh, NC, was ordered to pay a civil penalty of \$500, because he was disciplined by the proper licensing authority of another state, territory or country. (01-16-08)

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A complete list of sanctions is available online at

www.state.pa.us

Keyword: licensing disciplinary actions.

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January 2008**

Secretary of the Commonwealth Pedro A. Cortés and Basil L. Merenda, Commissioner of the Department of State's Bureau of Professional and Occupational Affairs, announced that 27 disciplinary actions have been taken by certain state business licensing boards. The following boards actively examined whether the citizens of the commonwealth are being protected: Accountancy; Architects; Auctioneer Examiners; Barber Examiners; Certified Real Estate Appraisers; Cosmetology; Funeral Directors; Landscape Architects; and Professional Engineers, Land Surveyors and Geologists.

Of these, the boards listed below took specific action against individuals or firms in these counties: Allegheny (1 action); Bucks (4 actions); Chester (1 action); Cumberland (1 action); Dauphin (1 action); Delaware (2 actions); Elk (1 action); Erie (1 action); Lackawanna (4 actions); Lancaster (2 actions); Luzerne (1 action); Mercer (1 action); Montgomery (1 action); Northumberland (1 action); Philadelphia (1 action); and Westmoreland (1 action). Three actions involved Pennsylvania licenses with out-of-state addresses.

BOARD OF ACCOUNTANCY

Bucks County

Emil F. Dzara, Jr., license no. CA011437L of Feasterville, Bucks County, was assessed a \$1,500 civil penalty because he engaged in the practice of public accounting without a current and active license. (12-11-07)

Peter D. Place, Jr., license no. CA029276L of Fountainville, Bucks County, was assessed a \$150 civil penalty and ordered to complete 11 hours overall of continuing professional education because Place did not complete the requisite 80 credit hours of continuing professional education during the biennial period. (12-11-07)

David J. Salkin, license no. CA039853L, of Southampton, Bucks County, was assessed a \$2,000 civil penalty because Salkin practiced public accounting without a current and active license. (12-11-07)

Stanton J. Salkin, license no. CA007749L of Southampton, Bucks County, was assessed a \$2,000 civil penalty because Salkin practiced public accounting without a current and active license. (12-11-07)

Chester County

Blumenthal & Palmer, P.C., license no. AF050026, of Paoli, Chester County, was assessed a \$2,000 civil penalty for holding itself out as a

public accounting firm and practicing public accounting without a current and active license. (12-11-07)

Cumberland County

Floyd A. Fahnestock, Jr., of Carlisle, Cumberland County, was assessed a \$2,000 civil penalty for practicing public accounting without a license and holding himself out as a member of a public accountant organization without being credentialed as a public accountant or certified public accountant. (12-11-07)

Delaware County

Johnson, Johnson & Associates, Inc. of Lansdowne, Delaware County, was assessed a \$2,000 civil penalty for practicing public accounting and holding itself out as member of a public accountant organization without a current and active license. (11-16-07)

Bernard Thomas Turner, Jr., certificate no. CA016247L, of Havertown, Delaware County, was assessed a \$3,000 civil penalty for practicing public accounting without a current and active license. (11-15-07)

Luzerne County

Knaub & Associates, P.A., license no. AF048692, of Wilkes-Barre, Luzerne County, was assessed a \$2,000 civil penalty for holding itself out as a public accounting firm and practicing public accounting without a current and active license. (11-14-07)

Montgomery County

Francis X. Smith, license no. CA027737L of Jenkintown, Montgomery County, was assessed a \$1,500 civil penalty because he practiced public accounting without a current and active license. (12-11-07)

Out of State

Herman M. Abraham, license no. CA030345L of Wilmington, N.C., was assessed a \$450 civil penalty and complete 36 hours overall of continuing professional education because he failed to complete 80 credit hours of continuing professional education during the biennial period. (12-11-07)

William H. Buckley, license no. CA030220R of Woodbury, N.J., was assessed a \$750 civil penalty and complete 76 hours overall of continuing professional education because he failed to complete the requisite 80 credit hours of continuing professional education during the biennial period. (12-11-07)

David B. McCue, license no. CA032264L of McLean, Va., was assessed a \$150 civil penalty and complete eight hours of continuing professional education in tax subjects because he failed to complete the eight credit hours of continuing professional education in tax subjects during the biennial period. (12-11-07)

BOARD OF ARCHITECTS LICENSURE

No disciplinary actions taken.

BOARD OF AUCTIONEER EXAMINERS

No disciplinary actions taken.

BOARD OF BARBER EXAMINERS

Lackawanna County

William Reese, license no. BM007534L, of Peckville, Lackawanna County had his license suspended for failure to comply with a previous board order. (10-24-07)

William P. Reese, t/d/b/a William Reese Barber Shop, license no. BO047122L, of Peckville, Lackawanna County, had his license suspended for failure to comply with a previously issued board order. (10-24-07)

BOARD OF CERTIFIED REAL ESTATE APPRAISERS

No disciplinary actions taken.

BOARD OF COSMETOLOGY

Allegheny County

Nickesha J. Terrell, license no. CO225630L, of Penn Hills, Allegheny County, had her license suspended for failure to comply with a previously-issued board order. (10-24-07)

Dauphin County

Laura A. Krodel, license no. CO166231L, of Middletown, Dauphin County had her license revoked for having been convicted of two felonies. (10-10-07)

Elk County

Stacey Grazioli, t/d/b/a House of Style, license no. CT015825L, of Ridgeway, Elk County, was assessed a \$1,000 civil penalty for failing to comply with a previous board order. (11-09-07)

Erie County

J.H. Thompson Enterprises, Inc. t/d/b/a Toni and Guy Hairdressing Academy, license no. CS000556L of Erie, Erie County, was assessed a \$250 civil penalty because the Academy withheld student records from those students who owed money to the school. (12-03-07)

Lackawanna County

Huy Nguyen, t/d/b/a AAA Nails, license no. CY193146, of Scranton, Lackawanna County, was assessed a \$1,000 civil penalty and their license suspended for three years, with the first 60 days served on active suspension and the remainder immediately stayed in favor of probation, for practicing cosmetology in a grossly incompetent or unethical manner. (10-10-07)

Valerie Wright, t/d/b/a Wright Hair Salon, license no. CB117680, of Peckville, Lackawanna County, was assessed a \$2,500 civil penalty because she practiced cosmetology/manicuring in a grossly incompetent and unethical manner. (12-03-07)

Lancaster County

Fantastique Nails, license no. CY193097 of New Holland, Lancaster County, was assessed a \$4,100 civil penalty because it: practiced cosmetology in a grossly

incompetent or unethical manner; maintained an unlicensed cosmetology salon; employed unlicensed individuals to perform manicuring services; and failed to keep unused cloth towels in a closed cabinet. (12-03-07)

Thien Nguyen t/d/b/a Nails Only, license no. CY104338L of Willow Street, Lancaster County, was assessed a \$3,000 civil penalty because the owner: maintained an unlicensed salon; did not have all applicable licenses available on the premises; and did not maintain the salon in a safe, orderly, and sanitary manner. (12-03-07)

Mercer County

Javonda N. Jones-Harden, license no. CO209720L, of Farrell, Mercer County had her license suspended for not complying with a previous board order. (10-24-07)

Northumberland County

Crystal M. Mrowka and Iris N. Chowka t/d/b/a The Taj-Ma Hair Salon and Day Spa, license no. CB115442, of Shamokin, Northumberland County, was assessed a \$350 civil penalty because: the salon failed to contain a closed towel cabinet for clean linen, which is considered minimum equipment needed for a salon; failed to provide a complete first aid kit, which is considered minimum equipment needed for a salon; failed to provide a covered waste container, which is considered a minimum equipment need for a salon; and did not maintain the salon in a safe, orderly and sanitary condition. (12-03-07)

Philadelphia County

Todd Hair and Nail Salon, license no. CB117688, of Philadelphia, Philadelphia County, was assessed a \$600 civil penalty because the salon aided and abetted the unlicensed practice of cosmetology and failed to have a first aid kit on the premises. (12-03-07)

Westmoreland County

Kelly Dawn Stein, t/d/b/a Bella Gente Hair Salon, license no. CB100611L, of Greensburg, Westmoreland County, was assessed a \$250 civil penalty, in addition to a previous \$250 civil penalty, for a total of \$500 for failing to comply with a previous board order. (11-09-07)

STATE BOARD OF FUNERAL DIRECTORS

No disciplinary actions taken.

STATE BOARD OF LANDSCAPE ARCHITECTS

No disciplinary actions taken.

STATE BOARD OF PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

No disciplinary actions taken.

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