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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF ACCOUNTANCY

TIME: 9:00 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room C
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

November 14, 2017

1 ***

2 State Board of Accountancy

3 November 14, 2017

4 ***

5 The regularly scheduled meeting of the State
6 Board of Accountancy was held on Tuesday, November 14,
7 2017. Barry M. Berkowitz, CPA, Chair, called the
8 meeting to order at 9:00 a.m. Kathryn Waters, Deputy
9 Commissioner of Professional and Occupational Affairs,
10 was not present at the commencement of the meeting.

11 ***

12 Approval of Minutes of the September 19, 2017 meeting

13 MOTIONS

14 CHAIR BERKOWITZ:

15 I'd like to call for a motion to approve
16 the Minutes from the September Board
17 meeting. Do I have a motion?

18 MR. KELLY:

19 So moved.

20 CHAIR BERKOWITZ:

21 Okay. Do I have a second?

22 MS. LALVANI:

23 Second.

24 CHAIR BERKOWITZ:

25 Roll call.

1

2

Dolly M. Lalvani, aye; Keri A. Ellis,

3

aye; Paul J. Kelly III, aye; David W.

4

Stonesifer, aye; Erik V. Scully,

5

abstain; Douglas M. Ottenberg, aye;

6

Barry M. Berkowitz, Chair, aye. Thank

7

you.

8

[The motion carried. Erik V. Scully abstained from

9

voting on the motion.]

10

11

Case Status Report

12

[Chair Berkowitz noted the October 2017 Case Status

13

Report for the Board's information and review.]

14

15

Report of Prosecutorial Division

16

[Robert B. Armour, Esquire, Board Prosecutor,

17

presented the Consent Agreement for File No. 14-55-

18

05070, Docket No. 1700-55-17.]

19

20

Report of Regulatory Counsel

21

[Chair Berkowitz informed the Board that the CE

22

changes go into effect January 1, 2018.]

23

24

[Kathryn L. Waters, Deputy Commissioner, entered the

25

meeting at 9:09 a.m.]

1 Report of Board Chair

2 [Chair Berkowitz addressed information given at the
3 Board of Examiners meetings. He discussed the CPA
4 Examination statistics, which revealed 23 percent of
5 the candidate incompletes work in public accounting
6 and 71 percent work outside of public accounting, 30
7 percent of respondents have an MBA, 75 percent of
8 candidates sit for the exam 5 times, and scoring low
9 causes candidates to quit.
10

11 Chair Berkowitz noted no changes in Board
12 Committee assignments. He discussed the number of
13 cases going to the Experience Committee. He stated
14 the staff can make more decisions.

15 Mr. Kelly commented on the National Association
16 of State Boards of Accountancy (NASBA) dialogue
17 stating that an analysis of CPA age-cohorts indicates
18 the CPA profession may be on a path to extinction.

19 Chair Berkowitz noted concerns, particularly in
20 the Great Lakes Region. He stated there were 70,000
21 accounting graduates, but only 48,000 took the exam.

22 Mr. Stonesifer commented that individuals are
23 receiving a Master of Business Accountancy (MBA)
24 instead.

25 Mr. Kelly suggested the 150-hour requirement was

1 an impediment and substantial. He stated the
2 computer-adaptive testing makes it more qualitatively
3 difficult to pass the CPA Examination and the 18
4 months window to pass the entire exam is a problem for
5 many candidates.

6 Chair Berkowitz stated the National Association
7 of State Boards of Accountancy (NASBA) and the
8 American Institute of Certified Public Accountants
9 (AICPA) need to support extending the window to 24
10 months.

11 Mr. Kelly stated mobility was a virtue but
12 survival of a profession trumps all.

13 Chair Berkowitz mentioned procrastination
14 concerns with extending to 24 months from 18 months.
15 He also discussed the need for support and movement
16 from all states for NASBA to move forward.

17 Chair Berkowitz noted the Gift Ban Policy,
18 Guidelines for Discipline, and the PA Sunshine Act.

19 Chair Berkowitz discussed Non-compliance with
20 Laws and Regulations (NOCLAR).

21 Vice Chair Lalvani stated the International
22 Ethics Standards Board for Accountants (IESBA) just
23 passed NOCLAR. She discussed accountants being
24 required to disclose environmental issues to the
25 public.

1 Chair Berkowitz announced that this would be his
2 last meeting as Chair and that he strongly supported
3 Dolly Lalvani as Chair and Erik Scully as Vice Chair
4 for 2018-2019.]

5 MR. RUIZ:

6 At this point, we're voting for
7 nominations, so is there any motions or
8 nominees, anyone for those positions?

9 MR. KELLY:

10 I move to nominate Dolly as Chairman and
11 Erik as Vice Chairman.

12 CHAIR BERKOWITZ:

13 Do we have a second?

14 MR. OTTENBERG:

15 Second.

16 CHAIR BERKOWITZ:

17 Do we have any discussion around this
18 before we vote? Are there any other
19 nominees? Nominations have been closed.

20

21 Roll Call.

22

23 Dolly M. Lalvani, aye; Keri A. Ellis,
24 aye; Paul J. Kelly III, aye; David W.
25 Stonesifer, aye; Erik V. Scully, aye;

1 Douglas M. Ottenberg, aye; Barry M.
2 Berkowitz, Chair, aye. Congratulations.
3 [The motion carried unanimously.]

4 ***
5 Report of Deputy Commissioner
6 [Kathryn L. Waters, Deputy Commissioner of
7 Professional and Occupational Affairs, discussed the
8 2017-03 Executive Order signed by Governor Wolf on
9 October 24, 2017. Ms. Waters referenced an email with
10 the Executive Order as well as a confidential
11 questionnaire. She stated over 25 percent of the
12 population requires licensure, and the Governor wanted
13 to ensure that the state of Pennsylvania does not
14 become over burdensome on licensees.

15 Ms. Waters explained that this is an examination
16 of the licensure processes. She noted 29 Boards and
17 Commissions in the Commonwealth of Pennsylvania.

18 She noted an Advisory Committee will gather and
19 report on this material.

20 Ms. Waters informed the Board to please contact
21 her or the Board Administrator if they had not
22 received the information.]

23 ***
24 Report of Board Administrator
25 [Sara Fox, Board Administrator, informed the Board of

1 the Albright College invitation to hold Board meetings
2 at their facility.

3 Ms. Fox reminded the Board to file the Statement
4 of Financial Interest.

5 Ms. Fox noted Board member cost center codes for
6 a travel rental car and the cashless tolls for
7 travelers.]

8 ***

9 Report of Committees

10 [Chair Berkowitz discussed the newsletter as written,
11 drafted, and approved by the Communications
12 Committee.]

13 ***

14 Program Sponsors

15 MS. ELLIS:

16 I make a motion to defer the Program
17 Sponsor Approval for Univest Bank &
18 Trust Company and approve the Program
19 Sponsor for JP Myers & Associates, LLC.

20 MR. SCULLY:

21 Motion seconded.

22 CHAIR BERKOWITZ:

23 Roll Call.

24

25 Dolly M. Lalvani, aye; Keri A. Ellis,

1 aye; Paul J. Kelly III, aye; David W.
2 Stonesifer, aye; Erik V. Scully, aye;
3 Douglas M. Ottenberg, aye; Barry M.
4 Berkowitz, Chair, aye.

5 [The motion carried unanimously.]

6 ***

7 Correspondence

8 [Chair Berkowitz discussed the NASBA's 2nd quarter
9 report statistics reflecting Pennsylvania at the low-
10 end of the average age, pass rate at 47.7 percent, and
11 average score of 70.5 that may suggest the test is too
12 difficult.

13 In the 3rd quarter, Pennsylvania was still at the
14 low-end of the average age, pass rate was 50.2
15 percent, and the average score was 70.7.]

16 ***

17 Miscellaneous

18 Board Meeting Dates

19 [Chair Berkowitz noted no changes to the Board meeting
20 dates for 2018.]

21 ***

22 [Kathryn L. Waters, Deputy Commissioner, exited the
23 meeting at 9:50 a.m.]

24 ***

25 [The Board recessed from 9:50 a.m. until 10:01 a.m.]

1 ***

2 [A Formal Hearing was held from 10:02 a.m. until 11:02
3 a.m. In the Matter of the Commonwealth of Pennsylvania
4 Bureau of Professional and Occupational Affairs vs.
5 John Christopher Klett; File No. 17-55-10448, Docket
6 No. 1972-55-17.]

7 ***

8 [The Board recessed from 11:03 a.m. until 11:09 a.m.]

9 ***

10 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
11 11:09 a.m. the Board entered into Executive Session
12 with Juan Ruiz, Esquire, Board Counsel, for the
13 purpose of conducting quasi-judicial deliberations and
14 to conduct attorney/client consultations. The Board
15 returned to Open Session at 12:11 p.m.]

16 ***

17 MOTIONS:

18 MR. RUIZ:

19 The Board was just in Executive Session
20 conducting quasi-judicial deliberations
21 on a number of matters currently pending
22 before the Board.

23 Is there a motion to approve the
24 Consent Agreement and Order in File No.
25 14-55-05070?

1 CHAIR BERKOWITZ:

2 We need a motion.

3 MR. KELLY:

4 So moved.

5 MS. LALVANI:

6 Second.

7 CHAIR BERKOWITZ:

8 Roll call.

9

10 Dolly M. Lalvani, aye; Keri A. Ellis,
11 aye; Paul J. Kelly III, aye; David W.
12 Stonesifer, aye; Erik V. Scully, aye;
13 Douglas M. Ottenberg, aye; Barry M.
14 Berkowitz, Chair, aye.

15 [The motion carried unanimously. The Respondent's
16 name for File No. 14-55-05070 is Cohen Engel &
17 Company, Incorporated.]

18 ***

19 MR. RUIZ:

20 Is there a motion to deny the CPE Waiver
21 Request for Don Forcina?

22 MR. KELLY:

23 So moved.

24 MS. LALVANI:

25 Second.

1 CHAIR BERKOWITZ:

2 Roll call.

3

4 Dolly M. Lalvani, aye; Keri A. Ellis,
5 aye; Paul J. Kelly III, aye; David W.
6 Stonesifer, aye; Erik V. Scully, aye;
7 Douglas M. Ottenberg, aye; Barry M.
8 Berkowitz, Chair, aye.

9 [The motion carried unanimously.]

10 ***

11 MR. RUIZ:

12 Is there a motion to approve the CPE
13 Waiver Request for Elizabeth
14 Livingston?

15 MR. KELLY:

16 So moved.

17 MS. LALVANI:

18 Second.

19 CHAIR BERKOWITZ:

20 Roll call.

21

22 Dolly M. Lalvani, aye; Keri A. Ellis,
23 aye; Paul J. Kelly III, aye; David W.
24 Stonesifer, aye; Erik V. Scully, aye;
25 Douglas M. Ottenberg, aye; Barry M.

1 Berkowitz, Chair, aye.

2 [The motion carried unanimously.]

3 ***

4 MR. RUIZ:

5 Is there a motion to approve upon
6 receipt of medical records for Edward H.
7 Monborne and Tawfik (Penske) Salem?

8 MR. KELLY:

9 So moved.

10 MS. LALVANI:

11 Second.

12 CHAIR BERKOWITZ:

13 Roll call.

14

15 Dolly M. Lalvani, aye; Keri A. Ellis,
16 aye; Paul J. Kelly III, aye; David W.
17 Stonesifer, aye; Erik V. Scully, aye;
18 Douglas M. Ottenberg, aye; Barry M.
19 Berkowitz, Chair, aye.

20 [The motion carried unanimously.]

21 ***

22 MR. RUIZ:

23 Is there a motion to approve the
24 Extension of Peer Review for Peterson,
25 Fieo & Company?

1 MR. KELLY:

2 So moved.

3 MS. LALVANI:

4 Second.

5 CHAIR BERKOWITZ:

6 Roll call.

7

8 Dolly M. Lalvani, aye; Keri A. Ellis,

9 aye; Paul J. Kelly III, aye; David W.

10 Stonesifer, aye; Erik V. Scully, aye;

11 Douglas M. Ottenberg, aye; Barry M.

12 Berkowitz, Chair, aye.

13 [The motion carried unanimously.]

14

15 MR. RUIZ:

16 Is there a motion to deny the following

17 requests for extensions of CPA

18 Examination Requests for Kayla Brelje,

19 Kristen Brydges, Ryan William Donovan,

20 Timothy Duffy Jr., Joseph R. Geller,

21 Lisa Goldin, Karan Shah, Ziyan Song, and

22 Muhammad Hamza Tariq?

23 MR. KELLY:

24 So moved.

25 MS. LALVANI:

1 Second.

2 CHAIR BERKOWITZ:

3 Roll call.

4

5 Dolly M. Lalvani, aye; Keri A. Ellis,
6 aye; Paul J. Kelly III, aye; David W.
7 Stonesifer, abstained; Erik V. Scully,
8 aye; Douglas M. Ottenberg, aye; Barry M.
9 Berkowitz, Chair, aye.

10 [The motion carried. David W. Stonesifer recused from
11 deliberations and voting on the motion for Kayla
12 Brelje.]

13

14 MR. RUIZ:

15 On Brandy Flowers, is there a motion to
16 approve her Request for Extension to
17 March 31, 2018?

18 MR. KELLY:

19 So moved.

20 MS. LALVANI:

21 Second.

22 CHAIR BERKOWITZ:

23 Roll call.

24

25 Dolly M. Lalvani, aye; Keri A. Ellis,

1 Is there a motion to approve the Request
2 for Extension for Kelsey Joneic for the
3 REG until December 31, 2017?

4 MR. KELLY:

5 So moved.

6 MS. LALVANI:

7 Second.

8 CHAIR BERKOWITZ:

9 Roll call.

10

11 Dolly M. Lalvani, aye; Keri A. Ellis,
12 aye; Paul J. Kelly III, aye; David W.
13 Stonesifer, aye; Erik V. Scully, aye;
14 Douglas M. Ottenberg, aye; Barry M.
15 Berkowitz, Chair, aye.

16 [The motion carried unanimously.]

17

18 MR. RUIZ:

19 Is there a motion to approve the Request
20 for Extension of Jinkook Kim, extending
21 BEC until September 30, 2018?

22 MR. KELLY:

23 So moved.

24 MS. LALVANI:

25 Second.

1 CHAIR BERKOWITZ:

2 Roll call.

3

4 Dolly M. Lalvani, aye; Keri A. Ellis,
5 aye; Paul J. Kelly III, aye; David W.
6 Stonesifer, aye; Erik V. Scully, aye;
7 Douglas M. Ottenberg, aye; Barry M.
8 Berkowitz, Chair, aye.

9 [The motion carried unanimously.]

10

11 MR. RUIZ:

12 Is there a motion to approve the
13 applications for Michael Carr and Alexia
14 Christofides Zenios?

15 MR. KELLY:

16 So moved.

17 MS. LALVANI:

18 Second.

19 CHAIR BERKOWITZ:

20 Roll call.

21

22 Dolly M. Lalvani, aye; Keri A. Ellis,
23 aye; Paul J. Kelly III, aye; David W.
24 Stonesifer, aye; Erik V. Scully, aye;
25 Douglas M. Ottenberg, aye; Barry M.

1 Berkowitz, Chair, aye.

2 [The motion carried unanimously.]

3 ***

4 [Erik V. Scully, CPA, commended Chair Berkowitz for a
5 great job as Chair.]

6 ***

7 Adjournment

8 CHAIR BERKOWITZ:

9 I move to adjourn the meeting and will
10 turn the gavel over to Dolly Lalvani,
11 although not effective until January 1.

12 MR. KELLY:

13 So moved.

14 ***

15 [There being no further business, the State Board of
16 Accountancy meeting adjourned at 12:20 p.m.]

17 ***

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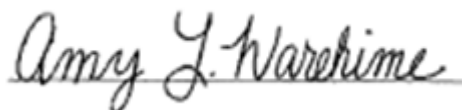
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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Accountancy meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Accountancy meeting.



Amy L. Warehime,

Minute Clerk

Sargent's Court Reporting

Service, Inc.

STATE BOARD OF ACCOUNTANCY
REFERENCE INDEX
November 14, 2017

	TIME	AGENDA
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2		
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4		
5		
6		
7	9:00	Official Call to Order
8		
9	9:02	Approval of Minutes
10		
11	9:05	Report of Prosecutorial Division
12		
13	9:08	Report of Board Counsel
14		
15	9:08	Report of Regulatory Counsel
16		
17	9:09	Report of Board Chair
18		
19	9:32	Report of Board Commissioner
20		
21	9:37	Report of Board Administrator
22		
23	9:41	Report of Committees
24		
25	9:44	Correspondence
26		
27	9:49	Miscellaneous/Discussion
28		
29	9:50	Recess
30	10:01	Return to Open Session
31		
32	10:02	Appointment
33		
34	11:03	Recess
35	11:09	Return to Open Session
36		
37	11:09	Executive Session
38	12:11	Return to Open Session
39		
40	12:12	Motions
41		
42	12:20	Adjournment
43		
44		
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