



**Pennsylvania  
DEPARTMENT OF STATE**

**STATE BUSINESS LICENSING BOARDS  
DISCIPLINARY ACTIONS  
February 2007**

Secretary of the Commonwealth Pedro A. Cortés and Basil L. Merenda, Acting Deputy Secretary for Regulatory Programs and Commissioner of the Department's Bureau of Professional and Occupational Affairs, announced 17 disciplinary actions taken by the following State Business Licensing Boards: Accountancy; Architects; Auctioneer Examiners; Barber Examiners; Certified Real Estate Appraisers; Cosmetology; Funeral Directors; Landscape Architects; and Professional Engineers, Land Surveyors and Geologists.

Actions were taken against individuals or firms in the following counties: Allegheny (2 actions); Beaver (1 action); Bucks (1 action); Centre (1 action); Erie (2 actions); Fayette (2 actions); Lancaster (1 action); Montgomery (1 action); Philadelphia (1 action); Snyder (1 action); Washington (1 action); and Westmoreland (1 action). Two actions involved Pennsylvania licenses with out-of-state addresses.

**BOARD OF ACCOUNTANCY**

**Allegheny County**

Robert L. Baker, license no. CA006473L, of Pittsburgh, Allegheny County, was assessed a \$2,100 civil penalty because Baker practiced on an expired license. (01-16-07)

WEB – Network of Benefit Specialists, a/k/a Worldwide Employee Benefits Network, sponsor no. PX001620L, of Pittsburgh, Allegheny County, was directed to cease and desist from operating as a continuing professional education program sponsor until it obtained current approval either from the board or from the National Association of State Boards of Accountancy. (1/17/07)

**Beaver County**

Barry Korcan, certificate no. CA018618L, of Beaver, Beaver County, had his certificate of certified public accountant revoked based on his guilty pleas to federal felony charges of mail fraud and income tax evasion. (1/17/07)

**Erie County**

Mark Clair Adams, license no. CA022363L of Erie, Erie County, was assessed a \$750 civil penalty because Adams acted and held himself out as a certified public accountant without a current and active license and certificate. (01-16-07)

**Washington County**

Associated Accountants and Auditors, P.C., unlicensed, of Washington, Washington County, was assessed a \$1,000 civil penalty and ordered to cease and desist from using the word auditor in its name until properly licensed. Associated Accountants and Auditors, P.C. held itself out to the public as an auditor or accountant and auditor without the required license. (01-16-07)

**Westmoreland County**

Marvin Rey Burkholder, license no. CA009894L of Export, Westmoreland County, was assessed a \$2,000 civil penalty and a reprimand was placed on Burkholder's license and certificate. Burkholder acted and held himself out as a certified public accountant on a lapsed license and certificate. (01-16-07)

**BOARD OF ARCHITECTS LICENSURE****Erie County**

Gregory Hardner, of Erie, Erie County, was assessed a \$1,000 civil penalty for one count of practicing the profession of an architect without the required license. (11-30-06)

**BOARD OF AUCTIONEER EXAMINERS****Lancaster County**

Martin R. Fleck, license no. AU004031 of Elizabethtown, Lancaster County, voluntarily and permanently surrendered his license because Fleck had a complaint filed against him with the Department of State. (01-10-07)

**BOARD OF BARBER EXAMINERS**

No disciplinary actions were taken.

**BOARD OF CERTIFIED REAL ESTATE APPRAISERS**

No disciplinary actions were taken.

## **BOARD OF COSMETOLOGY**

No disciplinary actions were taken.

## **STATE BOARD OF FUNERAL DIRECTORS**

### **Centre County**

Thomas K. Johnson, license no. FD012021L, of State College, Centre County, was revoked and assessed a \$1,000 civil penalty. Johnson pled guilty to a third degree felony involving moral turpitude in a court of the Commonwealth. (01-11-07)

### **Philadelphia County**

Elwood J. Nix, license no. FD009896L, of Philadelphia, Philadelphia County, was revoked and assessed a \$1,000 civil penalty. Nix practiced on a lapsed license. (01-11-07)

### **Snyder County**

Lynette Leavell, license no. FD013353L, of Beaver Falls, Snyder County, was revoked and assessed a \$1,000 civil penalty. Leavell practiced on a lapsed license. (01-11-07)

## **STATE BOARD OF LANDSCAPE ARCHITECTS**

No disciplinary actions were taken.

## **STATE BOARD OF PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS**

### **Bucks County**

Gary E. Talbot, license no. PE040033E of Pipersville, Bucks County, was assessed a \$500 civil penalty. Talbot's license to practice engineering was disciplined by the proper licensing authority of another state, territory or country for conduct related to the practice of engineering. (01-24-07)

### **Fayette County**

Terry E. McMillen, license no. PE026264E of Uniontown, Fayette County, was assessed a \$3,000 civil penalty. McMillen violated the Act by six counts in that he was guilty of gross negligence, incompetence or misconduct in the practice of the profession through offering to provide professional engineering

services, practicing professional engineering and held himself out as a professional engineer all while he held no current valid registration as a professional engineer in Pennsylvania. (01-24-07)

Terry E. McMillen, license no. SU000447A of Uniontown, Fayette County, was assessed a \$4,000 civil penalty. McMillen violated the Act by eight counts in that he was guilty of gross negligence, incompetence or misconduct in the practice of the profession through offering to provide professional land surveyor services, practicing professional land surveying, holding himself out as a professional land surveyor and using the seal of a professional land surveyor all while he held no current valid registration as a professional land surveyor in Pennsylvania. (01-24-07)

### **Montgomery County**

Karen Dey Parry, license no. PE-045861-E of Souderton, Montgomery County, was assessed a \$1,500 civil penalty because Parry performed engineering services on at least nine projects while her license was lapsed. (01-24-07)

### **Out of State**

Malcolm L. MacKay, license no. PE028267E of Buffalo, NY, was assessed a \$500 civil penalty and a public reprimand was placed on McKay's permanent board record. MacKay's license to practice engineering was disciplined by the proper licensing authority of another state, territory or country for conduct related to the practice of engineering. (1-24-07)

Christopher A. Wilson, license no. PE042697E of Rockport, ME, was assessed a \$2,000 civil penalty because he practiced on a lapsed license. (01-24-07).

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***A complete list of sanctions is available online at  
[www.state.pa.us](http://www.state.pa.us)  
Keyword: licensing disciplinary actions.***

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