

CPA Alberta Conduct Case Summaries

August 2023 – January 2024

February 2024

IN THE MATTER OF a discipline hearing into the conduct of Israel Wasserman CPA, CMA and JDP Wasserman LLP Chartered Professional Accountants, the registrants against whom a complaint was made:

FACTS

PHRED was incorporated in 1998 by SP and LP. They were the only two directors of PHRED, and each held 50% of the shares in PHRED.

JDP provided PHRED with professional services, starting with PHRED's 2012 tax year and continuing with each tax year, up to and including the corporation's dissolution in 2016. Those professional services included compilation engagements, tax filing services, and T4 Statement of Remuneration Paid and T5 Statement of Investment Income filing services. For all of PHRED's engagements of JDP, LP was the corporation's primary contact in dealing with JDP and Mr. Wasserman, and Mr. Wasserman was the engagement partner.

On January 6, 2013, SP and LP separated. When JDP prepared LP's 2013 personal tax return on April 4, 2014, Mr. Wasserman was aware of SP and LP's separation.

On August 22, 2014, the divorce of SP and LP was finalized.

Mr. Wasserman made only unsuccessful attempts to reach SP, during which a discussion about whether there was a change in circumstances as a result of the separation and divorce might have taken place.

On December 31, 2014, SP took a 2014 wage of \$20,980.14 from PHRED. JDP subsequently issued SP a T4 for the 2014 tax year in respect of that 2014 wage.

In JDP's preparation of PHRED's 2015 year-end filings, LP told JDP that SP withdrew \$67,650 from PHRED and asked JDP to prepare a corresponding T5. That \$67,650 amount was dealt with in PHRED's books and records as a January 1, 2016, year-end adjustment in the General Ledger to clear SP's PHRED shareholder loan. JDP prepared a T5 for the 2016 tax year, showing a dividend of \$67,650 paid by PHRED to SP despite not issuing a T5 for any amount that was paid by PHRED to LP in the corporation's 2015 tax year. In doing so, JDP did not rely upon any corporate documentation regarding the shareholdings of SP and LP in PHRED.

On September 7, 2016, PHRED was voluntarily dissolved, as authorized by LP, but without the consent or involvement of SP.

In late 2017, as a result of the T5, SP had his 2016 personal taxes reassessed and was found to owe \$21,227.08 in taxes and penalties for the 2016 tax year. Following the reassessment, SP contacted Mr. Wasserman. SP—not having previously been provided with the T5—requested, and Mr. Wasserman sent to SP a copy of the T5.

FINDINGS

Mr. Wasserman and JDP Wasserman were found guilty of unprofessional conduct in that they, or either of them:

1. Failed to perform the professional services they were engaged to perform with due care, in that they issued a T5 Statement of Investment Income to only one of the two 50% shareholders in 2016 for PHRED; and
2. Failed to properly address the potential conflict of interest that arose in 2013 upon the marital separation of the two 50% shareholders of PHRED.

SANCTIONS

The discipline tribunal ordered that the sanctions to be imposed in consequence thereof would be:

1. Payment of a fine of \$5,000, being \$2,500 with respect to each finding of unprofessional conduct, within 90 days of the statement of costs being served;
2. Within one year, completion of courses by Mr. Wasserman, acceptable to the CIC Secretary, in the areas of (1) tax planning and (2) managing conflicts of interest, with evidence of completion of the courses being provided to the Tribunal Secretary;
3. Payment of 50% of the complaint review costs and complaint investigation costs and 100% of the costs relating to the hearing, to a maximum total amount of \$20,000 combined, within 90 days of the statement of costs being served;
4. Mandatory publication pursuant to section 98 of the *CPA Act* and CPA Alberta Bylaws 1550-1557; and
5. If Mr. Wasserman or JDP Wasserman fails to comply with these sanctions within the time specified, their registrations will be cancelled.

IN THE MATTER OF a Sanction Agreement entered into by the Complaints Inquiry Committee and Sean Ablett and Sean Ablett (the accounting firm), the former registrants against whom a complaint was made:

FACTS

Mr. Ablett was a registrant of CPA Alberta until August 26, 2021, when his registration was cancelled due to failure to complete the mandatory professional development reporting.

Mr. Ablett also had a registered public accounting firm with CPA Alberta until May 18, 2021, when the Ablett Firm's registration was cancelled for non-payment of dues. Prior to its cancellation, the registration of the Ablett Firm had been suspended for failure to complete the 2020/2021 renewal. The professional liability insurance plan for the Ablett Firm had lapsed about six months prior to its cancellation.

In the course of his dealings with CPA Alberta's Registrations department, Mr. Ablett indicated that he was insolvent and had failed to maintain the Ablett Firm's professional liability insurance.

Thereafter, CPA Alberta staff requested confirmation that Mr. Ablett had ceased the practice of public and professional accounting when he was notified of the suspension of the Ablett Firm's registration; confirmation as to when the Ablett Firm's professional liability policy had lapsed; and details about Mr. Ablett's insolvency, including the date he had become insolvent. Mr. Ablett did not reply to that request, nor did he formally report his insolvency to CPA Alberta.

Between February 9, 2021, and June 22, 2021, Mr. Ablett was contacted four times to inform him that he was required to maintain professional liability insurance for the duration of the active registration of the Ablett Firm and for a six-year period following the cessation or cancellation of the registration of the Ablett Firm.

After Registrations made a complaint against Mr. Ablett and the Ablett Firm, the CIC Secretary informed Mr. Ablett that he was required to provide a written response to the complaint. Mr. Ablett did not reply to that correspondence from the CIC Secretary nor to the reminder letter that followed.

On September 20, 2021, the CIC Chair issued a Notice of Investigation referring the complaint for further investigation. During the investigation, Mr. Ablett admitted to the investigator that he did not cease using his CPA designation immediately after his personal registration with CPA Alberta was suspended. Mr. Ablett also admitted that, through the Ablett Firm, he conducted aspects of professional accounting practice after the Ablett Firm's registration was suspended and after its professional liability insurance had lapsed. Specifically, he issued financial statements with an attached Notice to Reader report signed by him from the Ablett Firm and prepared the related corporate tax return for a client for the fiscal year ended April 30, 2021.

FINDINGS

Sean Ablett and Sean Ablett (the accounting firm) admitted to unprofessional conduct in that:

1. They failed to cooperate with the requirements of Registrations in that Mr. Ablett, on his own or on behalf of the Ablett firm, failed to provide a response to the April 26, 2021 communications from Registrations that required a response and failed to respond to the communications from Registrations during the period February 9, 2021, to June 22, 2021, regarding his requirement to maintain professional liability insurance;

2. They failed to meet obligations in connection with their CPA Alberta registration by:
 - a. Conducting aspects of a professional accounting practice by issuing Notice to Reader engagement financial statements and preparing the related corporate tax returns for Alberta Co. 1, for the fiscal year ended April 30, 2021:
 - i. during the period February 9, 2021 until August 19, 2021 while the Ablett firm was not registered as a professional accounting firm with CPA Alberta; and
 - ii. during the period November 17, 2020 until August 19, 2021 while the Ablett firm was not insured in compliance with the Bylaws of CPA Alberta;
 - b. Mr. Ablett representing himself as a CPA after his registration was suspended by CPA Alberta on June 15, 2021; and
 - c. Failing to ensure that Mr. Ablett, as the designated member of a professional accounting firm that ceases to practice, carried professional liability insurance for 6 years following the cessation of practice of the Ablett firm, covering professional services rendered prior to the cessation of practice;
3. Mr. Ablett failed to report his insolvency, at or around November 17, 2020, to CPA Alberta within 21 days of him becoming insolvent, as required by Rule 601.2 of the CPA Alberta Rules of Professional Conduct and after having been directed to do so by CPA Alberta on April 26, 2021; and
4. Mr. Ablett failed to cooperate with the requirements of the Complaints Inquiry Process of CPA Alberta in that Mr. Ablett, on his own and on behalf of the Ablett firm, failed to provide a response to the July 12, 2021 and September 1, 2021 communications of the CIC Secretary that required a response.

SANCTIONS

Sean Ablett and Sean Ablett (the accounting firm) and the Complaints Inquiry Committee agreed that the sanctions to be imposed in consequence thereof would be:

1. Payment of a fine of \$2,500 within 12 months of the statement of costs being served;
2. Payment of \$1,000 in costs of the investigation, hearing, and compliance with the orders, in accordance with bylaw 1601, within 12 months of the statement of costs being served;
3. Mandatory publication pursuant to section 98 of the *CPA Act* and bylaws 1550-1557; and
4. If Mr. Ablett and the Ablett firm fail to comply with these sanctions within the time specified, their registrations will be deemed cancelled for conduct reasons.

IN THE MATTER OF a Sanction Agreement entered into by the Complaints Inquiry Committee and Geoff Heal CPA, CA and Geoff Heal Professional Corporation Chartered Professional Accountant, the registrants against whom a complaint was made:

FACTS

Practice reviews of Heal PC were conducted by CPA Alberta in 2018, 2019, 2020, and 2021—the initial, first follow-up, second follow-up, and third follow-up practice reviews, respectively. In each of those practice reviews, Heal PC received a “Non-comply” assessment, including serious deficiencies identified in the area of audit engagements in each practice review.

In respect of Heal PC’s “Non-comply” assessment in the 2020 practice review, the Practice Review Committee Chair had required Mr. Heal to attend a course entitled *Audit Engagements – Review of the Standards*, which was worth 12 hours of Continuing Professional Development. Mr. Heal enrolled in, first accessed, last accessed, and completed that course, for a total training time of 21 minutes.

In respect of Heal PC’s “Non-comply” assessment in the 2021 practice review, the PRC Chair had required Mr. Heal to attend two courses: *Audit Engagements – Review of the Standards*, which was worth 14 hours of CPD; and, *Quality Control – Review of CSQC1*, which was worth 3.5 hours of CPD. Mr. Heal enrolled in, first accessed, last accessed, and completed those courses. Mr. Heal completed the Audit Engagements course for a total training time of 58 minutes. Mr. Heal completed the Quality Control course for a total training time of 12 minutes.

At Heal PC’s January 2023 practice review—the fourth follow-up practice review—the practice reviewer identified that there were six reportable audit deficiencies in Heal PC’s practice review, including two significant audit deficiencies.

FINDINGS

Geoff Heal CPA, CA and Geoff Heal Professional Corporation Chartered Professional Accountant admitted to unprofessional conduct, in that:

1. Mr. Heal failed to sustain professional competence in all the areas in which he was providing professional services, in that serious deficiencies were noted in the area of audit engagement in four consecutive practice reviews conducted of Heal PC; and
2. They failed to cooperate with the regulatory processes of CPA Alberta in that Mr. Heal did not fully participate in the professional development courses as directed by the Practice Review Committee, including:
 - a. the direction on December 20, 2021 to complete the courses, *Audit Engagements - Review of the Standards* and *Quality Control - Review of CSQ1*, in conjunction with the 3rd follow-up practice review of Heal PC; and
 - b. the direction on November 9, 2020 to complete the course, *Audit Engagements - Review of the Standards*, in conjunction with the 2nd follow-up practice review of Heal PC.

SANCTIONS

Geoff Heal CPA, CA and Geoff Heal Professional Corporation Chartered Professional Accountant and the Complaints Inquiry Committee agreed that the sanctions to be imposed in consequence thereof would be:

1. Payment of a fine of \$2,500 within 30 days of the statement of costs being served;

2. Practice restriction whereby Heal PC is restricted from issuing, releasing, or otherwise disclosing any assurance engagement work product until such work product has been reviewed and approved by a CPA Alberta-appointed supervisor, the fees for such supervisor to be paid by Heal PC, and such practice restriction to be in effect until Mr. Heal takes CPA Canada's CPA Post Designation Public Accounting Program and successfully completes the PDPA module and passes the PDPA exam;
3. Payment of costs of the investigation, hearing, and compliance with the orders, in accordance with bylaw 1601, within 30 days of the statement of costs being served;
4. Mandatory publication pursuant to section 98 of the *CPA Act* and bylaws 1550-1557; and
5. If Mr. Heal and Heal PC fail to comply with these sanctions within the time specified, the registration of Mr. Heal and Heal PC will be cancelled.

IN THE MATTER OF a Sanction Agreement entered into by the Complaints Inquiry Committee and Jeyanthi Krishnapillai, the registrant against whom a complaint was made:

FACTS

Ms. Krishnapillai was registered as a CPA candidate in the Professional Experience Program of the CPA Western School of Business. At the time that Ms. Krishnapillai enrolled in the PEP, she was aware of the CPAWSB Training Contract and CPA Examination Regulations, which included the approved procedure for writing exams.

From time to time, Ms. Krishnapillai received recommendations in order to further her employment opportunities. First, she received a recommendation to modify her résumé to show that she was employed by one of her employers for three and a half years, despite her only having worked there for one and a half years. She was told that showing only one and a half years did not make it look like she was stable in her employment. Ms. Krishnapillai accepted these recommendations and authorized the alteration of her résumé, which she submitted to her prospective employer.

Second, Ms. Krishnapillai received a recommendation to modify her CPAWSB transcript. She was told that it did not look good because of some failing grades and that this would affect her future opportunities. Ms. Krishnapillai accepted these recommendations and authorized the alteration of her CPAWSB transcript, which was taken from her CPA portal. Following modification, the transcript showed that Ms. Krishnapillai passed five modules—Core 1, Core 2, Assurance, Performance Management and Tax—each with one attempt, even though she had: only completed four modules; took two attempts to pass Core 1; took two attempts to receive a marginal pass on Core 2; and, had two failed attempts in each of the Finance and Performance Management modules.

Thereafter, while in the course of her PEP Audit and Tax module exams, Ms. Krishnapillai was physically unable to type quickly and asked a colleague to type for her while she dictated her answers, despite this not being an approved procedure under the circumstances.

CPA Alberta initiated a complaint against Ms. Krishnapillai. During the complaint proceedings, Ms. Krishnapillai acknowledged three things. First, she had someone else prepare her résumé to show that she had been with a previous employer for considerably longer than she had, so that she would not be seen as being unstable in her employment, and she submitted that résumé to her prospective employer. Second, she had someone alter her CPAWSB transcript, to remove failures and a marginal pass grade and to present her more favourably to her prospective employer, and she submitted the transcript to her prospective employer. Third, she had someone type out what she dictated when she was writing her exams, since she had a hand injury that prevented her from typing quickly.

FINDINGS

Jeyanthi Krishnapillai admitted to unprofessional conduct, in that she:

1. Submitted a résumé to Company A in 2019 that misrepresented her term of employment with a former employer;
2. Submitted false transcripts of her academic history in the PEP of the CPAWSB to Company A, her employer, in the fall of 2020; and
3. Did not follow the approved procedure for writing her Audit and Tax exams in 2020, as set out in the CPAWSB Training Contract and CPA Examination Regulations and as agreed to by her upon her enrollment in the PEP.

SANCTIONS

Jeyanthi Krishnapillai and the Complaints Inquiry Committee agreed that the sanctions to be imposed in consequence thereof would be:

1. Suspension of registration as a candidate for a period of eight months;
2. Requirement to complete a course that is satisfactory to the CIC Secretary, either online or in-person, in the subject area of professional ethics for CPAs and to provide evidence to the Discipline Tribunal Secretary of having successfully completed the course, with completion of the course to occur not more than eight months from the date of the start of the suspension of registration of Ms. Krishnapillai;
3. Payment of a fine of \$500 within 30 days of the statement of costs being served;
4. Payment of 50% of the costs of the investigation, hearing, and compliance with the orders, to a maximum of \$2,000, in accordance with bylaw 1601, within 20 months of the statement of costs being served;
5. Mandatory publication pursuant to section 98 of the *CPA Act* and bylaws 1550-1557; and
6. If Ms. Krishnapillai fails to comply with these sanctions within the time specified, her registration will be cancelled.

IN THE MATTER OF a discipline hearing into the conduct of Michelle Janz CPA, CA, the registrant against whom a complaint was made:

FACTS

In 2018, Ms. Janz was a member of a niche group within Firm M that serviced Hutterite colony clients.

At that time, the niche group initiated the preparation of a document that would support Firm M's meetings with Hutterite colony clients. The meetings were to celebrate the niche group's successes regarding colonies' eligibility for a particular tax benefit. The document was to be provided as a handout to attendees of those celebration meetings. That document came to be known as "Colony Member Update".

The initial draft of the Colony Member Update was prepared on May 14, 2018. Various versions of the document were exchanged by members of the niche. Ms. Janz was involved in the creation of the earliest versions of the Colony Member Update, and she received, reviewed, and provided varying degrees of input to various iterations of the document that was sent to Firm M's marketing department.

Firm M's marketing department raised concerns with the content of the Colony Member Update that was provided to it. In particular, they flagged comments in the document about accountants outside of Firm M. In response, Ms. Janz emphasized the importance of those comments and was personally supportive of including negative comments about other accountants.

On May 24, 2018, Firm M's marketing department issued an updated version of the Colony Member Update. It removed negative comments about other accountants. It also removed statements, the contents of which could not be substantiated. Members of the niche group were displeased with the updated version.

On May 28, 2018, the niche group prepared their own updated version of the Colony Member Update. It was very similar in content to the initial draft and very different from the marketing department's draft. Specifically, it contained negative comments about another accountant. It also contained statements, the contents of which could not be substantiated. At the celebration meetings in June 2018, the niche group distributed a version of the Colony Member Update that was virtually indistinguishable in content from the May 28 version.

Ms. Janz was responsible for co-creating the bulk of the content in the Colony Member Update. She edited and agreed with the iterations of inappropriate content as it was carried forward into the distributed version of the document. She also knew that the last version of the Colony Member Update would be distributed in information packages at the celebration meetings.

FINDINGS

Ms. Janz was found guilty of unprofessional conduct, in that she advertised and sought publicity for the professional services she and Firm M rendered, or sought to provide, in the Firm M marketing material entitled "Colony Member Update – June 1, 2018" which she participated in authoring and distributing, by:

- a. making unfavourable reflections on the competency of other registrants of CPA Alberta; and
- b. making statements, the contents of which could not be substantiated.

SANCTIONS

The discipline tribunal ordered that the sanctions to be imposed in consequence thereof would be:

1. Payment of a fine of \$5,000 within 90 days of the statement of costs being served;
2. Payment of 25% of the complaint review costs, 25% of the complaint investigation costs, and 37.5% of the costs relating to the hearing, within 90 days of the statement of costs being served;
3. Payment of 100% of the compliance costs;
4. Mandatory publication under section 98 of the *CPA Act* and CPA Alberta Bylaws 1550-1557; and
5. If Ms. Janz fails to comply with these sanctions within the time specified, her registration will be cancelled.

STATUS

Ms. Janz has appealed the decision of the Discipline Tribunal.

IN THE MATTER OF a discipline hearing into the conduct of Gordon Tait CPA, CA, the registrant against whom a complaint was made:

FACTS

In 2018, Mr. Tait was a member of a niche group within Firm M that serviced Hutterite colony clients.

At that time, the niche group initiated the preparation of a document that would support Firm M's meetings with Hutterite colony clients. The meetings were to celebrate the niche group's successes regarding colonies' eligibility for a particular tax benefit. The document was to be provided as a handout to attendees of those celebration meetings. That document came to be known as "Colony Member Update".

The initial draft of the Colony Member Update was prepared on May 14, 2018. Various versions of the document were exchanged by members of the niche. Mr. Tait was involved in the creation of the earliest versions of the Colony Member Update, and he received, reviewed, and provided varying degrees of input to various iterations of the document that was sent to Firm M's marketing department.

Firm M's marketing department raised concerns with the content of the Colony Member Update that was provided to it. In particular, they flagged comments in the document about accountants outside of Firm M.

On May 24, 2018, Firm M's marketing department issued an updated version of the Colony Member Update. It removed negative comments about other accountants. It also removed statements, the contents of which could not be substantiated. Members of the niche group were displeased with the updated version.

On May 28, 2018, the niche group prepared their own updated version of the Colony Member Update. It was very similar in content to the initial draft and very different from the marketing department's draft. Specifically, it contained negative comments about another accountant. It also contained statements, the contents of which could not be substantiated. At the celebration meetings in June 2018, the niche group distributed a version of the Colony Member Update that was virtually indistinguishable in content from the May 28 version.

Mr. Tait was responsible for co-creating the bulk of the content in the Colony Member Update. He edited and agreed with the iterations of inappropriate content as it was carried forward into the distributed version of the document. He also knew that the last version of the Colony Member Update would be distributed in information packages at the celebration meetings.

FINDINGS

Mr. Tait was found guilty of unprofessional conduct, in that he advertised and sought publicity for the professional services he and Firm M rendered, or sought to provide, in the Firm M marketing material entitled "Colony Member Update – June 1, 2018" which he participated in authoring and distributing, by:

- a. making unfavourable reflections on the competency of other registrants of CPA Alberta; and
- b. making statements, the contents of which could not be substantiated.

SANCTIONS

The discipline tribunal ordered that the sanctions to be imposed in consequence thereof would be:

1. Payment of a fine of \$5,000 within 90 days of the statement of costs being served;
2. Payment of 25% of the complaint review costs, 25% of the complaint investigation costs, and 37.5% of the costs relating to the hearing, within 90 days of the statement of costs being served;
3. Payment of 100% of the compliance costs;
4. Mandatory publication under section 98 of the *CPA Act* and CPA Alberta Bylaws 1550-1557; and
5. If Mr. Tait fails to comply with these sanctions within the time specified, his registration will be cancelled.

STATUS

Mr. Tait has appealed the decision of the Discipline Tribunal.

IN THE MATTER OF proceedings under section 108 of the *CPA Act* in respect of Charlotte Clarkson:

FACTS

On July 29, 2021, CPA Alberta initiated a complaint upon learning that Ms. Clarkson had been charged with 6 counts of theft and fraud contrary to the *Criminal Code* of Canada.

Effective July 1, 2022, Ms. Clarkson resigned her registration as a member of CPA Alberta.

On direction from her father, Ms. Clarkson moved money into various corporations, including corporations in which both she and her father were significant shareholders, by creating invoices in a way that was inconsistent with legitimate business practices, and while choosing not to make inquiries. On some occasions, Ms. Clarkson and her father took a commission when carrying out these transactions.

On October 13, 2022, Ms. Clarkson pleaded guilty to and was convicted in the Court of King's Bench of Alberta of an indictable offence for contravening sections 7(a) and 75(1)(b) of the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act*.

OUTCOME

The discipline tribunal ordered:

1. That the registration of Ms. Clarkson be deemed cancelled under section 108(3)(b)(ii) of the *CPA Act*;
2. That the time period before Ms. Clarkson is entitled to apply for reinstatement of her registration under section 57(3)(a) of the *CPA Act* is abridged from 5 years to 4 years; and
3. Publication pursuant to CPA Alberta Bylaw 1523.

IN THE MATTER OF a discipline hearing into the conduct of Gordon Kenneth Mah and GK Mah, the accounting firm, the former registrants against whom a complaint was made:

FACTS

A practice review of the Mah Firm was originally required in May 2020. Mr. Mah did not respond to the Practice Review department other than one communication on December 3, 2019. Despite at least 11 attempts between December 19, 2019 and October 20, 2020 to attain information and to schedule the practice review of the Mah Firm, Mr. Mah did not respond.

The Practice Review Chair made a complaint against Mr. Mah and the Mah Firm. Despite attempts to contact Mr. Mah and deadlines for him to respond having been extended several times, he did not respond to communications from CPA Alberta regarding that complaint. With absolutely no response, the matter was referred for investigation. While Mr. Mah agreed to be interviewed by the investigator, when asked for specific information, he responded that he would have to look into it and get back to the investigator. However, no further information or communication was supplied by Mr. Mah, despite follow-ups by the investigator.

During the interview with Mr. Mah, the investigator inquired about the status of the Mah Firm's insurance, given the requirement to maintain insurance for 6 years following the cessation of practice. Mr. Mah was unsure when his insurance expired and again stated he would have to look into that. The investigator ascertained from CPA Alberta and the insurance provider that the Mah Firm's insurance had expired in August 2020. The investigator provided information, including contact information, to Mr. Mah, but no response was received.

FINDINGS

Gordon Kenneth Mah and GK Mah, the accounting firm, were found guilty of unprofessional conduct, in that they, or either of them:

1. Failed to cooperate with the requirements of the practice review process of CPA Alberta in that Mr. Mah, on behalf of the Mah Firm, failed to provide a response to communications from the Practice Review department of CPA Alberta that required a response during the period December 2019 to October 2020;
2. Failed to cooperate with the requirements of the Complaints Inquiry Process of CPA Alberta in that Mr. Mah, on his own and on behalf of the Mah Firm, failed to provide a response to communications of the CIC Secretary during the period November 23, 2020 to February 22, 2021, and the communications of the Investigator that required a response in November 2021; and
3. Failed to ensure that Mr. Mah, as the registrant that was the designated member for a professional accounting firm that ceased to practice, carried professional liability insurance for 6 years following the cessation of the Mah Firm's practice, covering professional services rendered prior to the cessation of practice.

SANCTIONS

The discipline tribunal ordered that the sanctions to be imposed in consequence thereof would be:

1. Payment of a fine of \$2,500 for each of allegations 1, 2, and 3, within 30 days of the statement of costs being served;

2. Payment of a maximum of \$15,000 of costs of the investigation, hearing, and compliance with the Tribunal's orders, in accordance with CPA Alberta Bylaw 1601, within 30 days of the statement of costs being served;
3. Mandatory publication pursuant to section 98 of the *CPA Act* and CPA Alberta Bylaws 1550-1557; and
4. If Mr. Mah and the Mah Firm fail to comply with these sanctions within the time specified, their registrations will be deemed cancelled for conduct reasons.

IN THE MATTER OF a Sanction Agreement entered into by the Complaints Inquiry Committee and Dallas Christopher Greene, the former registrant against whom a complaint was made:

FACTS

Mr. Greene had his CPA Alberta registration suspended (and thereafter cancelled) for his continued non-payment of member dues. He was given Notice of Suspension of his CPA Alberta member registration by way of an August 3, 2022 letter. Mr. Greene was informed that he was prohibited from using the initials “CPA” and “CA”, either alone or in combination with any other word, letter, symbol, initials, or abbreviations, and he was informed that he was required to change all signs, business cards, signature blocks and the like so as to remove all references to the CPA and CA designations.

However, Mr. Greene represented himself on his online LinkedIn profile as “Dallas Greene, CPA, CA, MPAcc” and as “CEO @ CPA Connected” until at least September 27, 2022.

Mr. Greene had an accounting firm, Chartered Professional Accountant Connected Professional Corporation, which was registered with CPA Alberta on July 25, 2018 as a professional accounting firm. CPA Connected PC provided bookkeeping services, tax return services, and preparation of tax slips.

As a result of its failure to pay Practice Review costs, CPA Connected PC had its CPA Alberta registration suspended and, thereafter, cancelled. On June 29, 2022, Mr. Greene was sent a Notice of Suspension, informing him that the firm registration of CPA Connected PC was suspended. Within and enclosed to the Notice of Suspension, Mr. Greene was informed of restrictions on a suspended PAF including that CPA Connected PC was prohibited from using the initials “CPA”, either alone or in combination with any other word, letter, symbol, initials or abbreviations, was required to change all signs, business cards, signature blocks and the like so as to remove all references to the CPA designation, and was prohibited from conducting any aspect of a professional accounting practice or public accounting practice.

Mr. Greene also had two other companies: CPA Connected Ltd., which commenced operations in October 2018, and through which Mr. Greene provided accounting services; and Pura Vida Bookkeeping Ltd., through which Mr. Greene provided bookkeeping services until Pura Vida ceased operations on July 1, 2022. Neither CPA Connected Ltd. nor Pura Vida was registered with CPA Alberta.

CPA Connected Ltd. had a Facebook page, on which it represented itself as a “CPA Cloud Accounting Firm for S&M Business, Specializing in Profit Maximization for our Clients” until at least September 27, 2022. It also had a website, on which it represented itself as “a CPA firm” and offered to provide accounting services, including preparation of financial statements, preparation of corporate tax filings, and tax planning services.

From at least August 14, 2020 to July 1, 2022, Mr. Greene represented Pura Vida online using descriptions like “CPA Wisdom”, “Bookkeeping created by CPA tech-savvy entrepreneurs for entrepreneurs”, “Founded & supported by Chartered Professional Accountants (CPA)”, “Designed and implemented by tech savvy CPA’s for simplicity”, “CPA Support”, “A streamlined bookkeeping system designed and implemented by tech-savvy CPA’s for entrepreneur’s who challenge the status quo”, and “CPA Partners”.

FINDINGS

Dallas Christopher Greene admitted to unprofessional conduct, in that he:

1. Offered to provide aspects of a professional and public accounting practice through his corporations, CPA Connected Ltd. and Pura Vida, while those entities were not properly registered as a professional accounting firm with CPA Alberta, including:
 - a. Advertising registerable services and associating with a CPA on the website for Pura Vida;
 - b. Advertising registerable services and associating with a CPA on the Facebook page for CPA Connected Ltd.
2. Failed to cooperate with the regulatory processes of CPA Alberta with respect to the suspension of his registration, and that of his firm, Chartered Professional Accountant Connected Professional Corporation, by:
 - a. Continuing to use the professional designation, “CPA, CA”, and the protected words, “Chartered Professional Accountant”, after the suspension of his registration:
 - i. in online information postings related to CPA Connected Ltd.;
 - ii. on his Facebook site for CPA Connected Ltd.; and
 - iii. on his LinkedIn profile;
 - b. Continuing to advertise to provide registerable professional services after the suspension of his registration and the registration of his firm.

SANCTIONS

Dallas Christopher Greene and the Complaints Inquiry Committee agreed that the sanctions to be imposed in consequence thereof would be:

1. Payment of a fine of \$2,000 for allegation 1, within 90 days of the statement of costs being served;
2. Payment of a fine of \$6,000 for allegation 2, within 90 days of the statement of costs being served;
3. Payment of 65% of the costs of the investigation, hearing, and compliance with the orders, in accordance with CPA Alberta Bylaw 1601, within 90 days of the statement of costs being served;
4. Mandatory publication pursuant to section 98 of the *CPA Act* and bylaws 1550-1557; and
5. If Mr. Greene fails to comply with these sanctions within the time specified, his registration will be deemed cancelled under Part 5 of the *CPA Act*.

IN THE MATTER OF a Sanction Agreement entered into by the Complaints Inquiry Committee and Nam Thi Lien Nguyen CPA, CGA, the registrant against whom a complaint was made:

FACTS

When Ms. Nguyen became a member of CPA Alberta, she had 10-15 bookkeeping clients for whom she also prepared corporate tax returns. She had incorporated her bookkeeping services as Flex Accounting Today Inc. on March 30, 2016.

CPA Alberta's Registrations department received information that Ms. Nguyen might have been practising professional or public accounting. Registrations gave her notice that she might need to register a professional accounting firm. Ms. Nguyen tried to register Flex Accounting Today Inc. as a firm but was not eligible to do so. Thereafter, Registrations informed Ms. Nguyen that Flex Accounting Today Inc. was not a registered firm, that Ms. Nguyen had to cease working with that entity, and that Ms. Nguyen was prohibited from providing any aspect of a professional accounting practice or public accounting practice until she was registered to do so.

Consequently, Ms. Nguyen changed the name of her company from Flex Accounting Today Inc. to Thinkbuzz Inc. She continued doing bookkeeping, T1-personal income tax return services, and T2-corporate income tax return services for clients because she had been advised that it was the name Flex Accounting Today Inc.—and, in particular, the reference to “Accounting”—that was problematic. She continued doing bookkeeping part-time and she was employed as a bookkeeper and financial controller during 2018-2020. She was laid off due to the COVID-19 pandemic by the end of 2020. Due to the effects of the COVID-19 pandemic, she could not return to the workforce, and she decided to continue the bookkeeping services in late 2021.

In July 2022, it came to CPA Alberta's attention that Ms. Nguyen was advertising registerable services online. One of those platforms was on the website, www.fastitax.ca, on which she offered to perform tax, accounting, and controller services; specifically, “Corporate income tax T2”, and “Annual Financial Reports”. Upon being directed by Registrations, Ms. Nguyen stopped performing T2 services but was permitted to complete one T2.

In April 2023, Ms. Nguyen was once again in contact with Registrations to ask for permission to prepare a T2 for small business clients, as well as completing T2125-Statement of Business or Professional Activities forms along with T1 filings for clients. The permission was denied.

In June 2023, Ms. Nguyen successfully registered the firm, TaxCare4You Professional Corporation, Chartered Professional Accountant, with CPA Alberta.

FINDINGS

Nam Thi Lien Nguyen CPA, CGA admitted to unprofessional conduct, in that she conducted aspects of a public accounting practice while not properly registered as a professional accounting firm with CPA Alberta, including:

- a. Advertising registerable services on the website www.fastitax.ca including providing accounting services, “*Corporate income tax T2*”, and “*Annual Financial Reports*”;
- b. Prepared T2-Corporate Tax Returns for clients; and
- c. Prepared T1-Personal Income Tax Returns for self-employed clients, which included completing the form T2125-Statement of Business or Professional Activities.

SANCTIONS

Nam Thi Lien Nguyen CPA, CGA and the Complaints Inquiry Committee agreed that the sanctions to be imposed in consequence thereof would be:

1. Written reprimand;
2. Payment of \$1,500 in costs of the investigation, hearing, and compliance with the orders, in accordance with CPA Alberta Bylaw 1601, within 60 days of the statement of costs being served;
3. Mandatory publication pursuant to section 98 of the *CPA Act* and bylaws 1550-1557; and
4. If Ms. Nguyen fails to comply with these sanctions within the time specified, her registration will be cancelled.

IN THE MATTER OF a Sanction Agreement entered into by the Complaints Inquiry Committee and Ronald Shelley CPA, CMA and Shelley & Company, Chartered Professional Accountant, the registrants against whom a complaint was made:

FACTS

Mr. Shelley and his firm acted as the accountants for BA, RA, members of their family, and their corporations, including KR Ltd. BA was the primary contact on behalf of KR Ltd. in respect of accounting matters. RA is BA's husband.

BA asked Mr. Shelley to send her the general ledgers and adjusting entries, including for KR Ltd., that had been done for them. In response, Mr. Shelley stated that he could forward the requested documents electronically. Mr. Shelley then notified BA that the requested documents were ready to be picked up. However, he insisted that Shelley & Co.'s outstanding account be paid before he released the requested documents to BA. BA expressed her disappointment to Mr. Shelley for being held "for ransom" and stated that she never received copies of general ledgers or any reports that she could review for data entry.

Thereafter, TT CPA, CA of Firm B sent a courtesy letter to Shelley & Co. in respect of KR Ltd., BA and RA. TT asked to be provided with "the latest trial balance, adjusting entries, and the general ledger for 2016 & 2017 from the Sage50 or Simply bookkeeping file" for KR Ltd. Mr. Shelley responded to the courtesy letter the same day, saying that, once the Shelley & Co. account was paid, he would forward "the general ledger packages to [Firm B] in Simply format."

Mr. Shelley and TT arranged to meet. Two days before the meeting, TT wrote to Mr. Shelley, asking him to have certain information pertaining to KR Ltd. available at that meeting. The next day, Mr. Shelley wrote back to TT saying that: he was prepared to send TT the KR Ltd. general ledger in Simply format for the 2016 year since BA had paid for those services; it was unprofessional of TT to criticize Mr. Shelley's work; and, he was not prepared to meet with TT the next day.

TT responded to Mr. Shelley. He expressed disappointment with Mr. Shelley's latest email. He asserted that he did not criticize Mr. Shelley's work as he had not been able to see enough information to make a full assessment of the work prepared and was only able to review the financial statements and tax returns. He also stated that he spoke with CPA Alberta about cooperation among registrants and about client interests. TT provided a link for Mr. Shelley to upload KR Ltd. files and documents. Lastly, TT stated that the Rules of Professional Conduct required that a client's interest must be put before the registrant's, such that withholding client information for failure to pay is not in line with the Rules. TT clarified that his request for information was to enhance Firm B's understanding of the client and give them the ability to fulfil the engagement with KR Ltd.

Several days later, the lawyer for KR Ltd. sent a letter by email to Mr. Shelley's attention. The lawyer demanded that Mr. Shelley return all KR Ltd. books and records forthwith by forwarding them to TT within 48 hours. That same day, Mr. Shelley sent an email to TT, saying that, a few days earlier, he had sent to TT by courier a hard copy version of all the A family's general ledgers and journal entries for the 2016 tax year. TT confirmed that he received the couriered documents, and he asked that Mr. Shelley send him the general ledger from December 31, 2017 so that TT could "see what makes up the accounts." The next day, Mr. Shelley hand-delivered certain documents to TT. A few days later, TT informed Mr. Shelley that he told the lawyer that he had everything he needed.

A year later, Mr. Shelley filed a lawsuit against KR Ltd. to recover the value of unpaid invoices issued between January 1, 2018 and January 31, 2019. KR Ltd. counterclaimed against Mr. Shelley to recover

damages associated with allegedly negligent work. Mr. Shelley reported the matter to the professional liability insurer for Shelley & Co. An insurance adjuster was appointed to investigate.

The lawyer for KR Ltd., BA, and RA then wrote to the adjuster, asking that he arrange to obtain from Mr. Shelley, as soon as possible, all records maintained by Mr. Shelley for KR Ltd., BA, and RA since January 1, 2012. A few weeks later, BA and RA submitted a complaint against Mr. Shelley to CPA Alberta. One of the issues they described in the complaint was that they did not receive their client tax records from Mr. Shelley for the years requested at the time the services were provided. They also explained their wish that their records be returned.

A few months later, TT wrote to the lawyer for KR Ltd, BA, and RA. First, he stated that he was looking through what Mr. Shelley provided and did not receive a complete general ledger (the files contained bank statements and print-outs from the Simply Accounting file but only one side, whereas there should have been a debit and credit side), so it “essentially does not help”. Second, he confirmed that Mr. Shelley gave him “trial balances, balance sheet, and income statements as well as some of the adjusting entries and a few of the income statement ledgers [but] a lot of the adjusting entries are handwritten and not legible”. Third, he proposed that one of his options was to get the Simply Accounting file from Mr. Shelley.

Several months later, a Court Order was pronounced, requiring Mr. Shelley to produce, within 14 days, the most recent backup files from Simply Accounting for, among others, KR Ltd., BA, and RA. Mr. Shelley complied with the Court Order within 6 days.

FINDINGS

Ronald Shelley CPA, CMA and Shelley & Company, Chartered Professional Accountant admitted to unprofessional conduct, in that they failed to provide the accounting records of RA and BA and their various family members and family farming operations to the clients or successor accountant on a timely basis.

SANCTIONS

Ronald Shelley CPA, CMA and Shelley & Company, Chartered Professional Accountant, and the Complaints Inquiry Committee agreed that the sanctions to be imposed in consequence thereof would be:

1. Written reprimand;
2. Payment of a fine of \$2,500 within 30 days of the statement of costs being served;
3. Payment of \$16,000 in costs of the investigation, hearing, and compliance with the orders, in accordance with CPA Alberta Bylaw 1601, within 30 days of the statement of costs being served;
4. Mandatory publication pursuant to section 98 of the *CPA Act* and bylaws 1550-1557; and
5. If Ronald Shelley CPA, CMA and Shelley & Company, Chartered Professional Accountant fail to comply with these sanctions within the time specified, their registrations will be cancelled.