

Summary of Decision from Discipline Tribunal Hearing 2015.05
Nixon Tebo
Date of Hearing – January 13, 2016

Publication Notice

After the January 13, 2016 completion of a hearing regarding Nixon Tebo (Tebo) a summary of the decision must be published to the membership and to the public, pursuant to (legacy) CGA Bylaw 11001.

Background Facts of the Hearing

The CIC Secretary became aware through a 3rd party that Tebo had undertaken and produced a review engagement. A copy of a letter addressed to Tebo's client in the original complaint information showed Tebo referring to himself as a Director of T-Tax & Business Solutions and indicated that it was an "Auditor's Review Engagement Report". Tebo was not registered as a public accounting firm at that time.

Information going back to 2010 between staff and Tebo included warnings to Tebo of the need for additional registration requirements and professional liability insurance to engage in public accounting.

Included in the information were references to Rule R510 of the Code of Ethical Principles and Rules of Conduct about naming a public accounting firm, and the need to have the name pre-approved by CGA Alberta.

Hearing Decision

Tebo admitted that:

- He signed the review engagement letter on behalf of himself and T-Tax & Business Solutions
- T-Tax & Business Solutions was a registered trade name
- He knew he was not approved and registered to perform review engagements
- He was not registered as a public accounting firm

The Discipline Tribunal found that Tebo's acknowledged conduct proved that Tebo operated as a public accounting firm when not registered to do so, and this conduct was unprofessional.

The Discipline Tribunal found that Tebo's acknowledged use of T-Tax & Business Solutions violated the Code of Ethical Principles and Rules of Conduct, Rule 510 – Name of Firm by using the firm name of T-Tax & Business Solutions and this conduct was unprofessional

Sanctions

1. Tebo is to receive a written reprimand.
2. Tebo is to pay the follow fines within 30 days of the date of the Statement of Costs:
 - \$8000 for issuing the review engagement while not registered to do so; and
 - \$2000 for using a firm name that is not permitted under Rule R510 of the Code of Ethical Principles and Rules of conduct.
3. Tebo is to pay full costs related to the investigation and hearing, as set out in the Statement of Costs and in accordance with bylaws 12001 and 12201. If the costs are not paid within the established timeframe, Tebo's registration will be cancelled.
4. Publication in accordance with Bylaw 11002 shall be to:

- all members of the Association;
- members of the public by having the notice on the CPA Alberta website for a period of 1 year; and
- any other accounting organization in Alberta, any organization outside of Alberta that regulates accounting and to any other professional organization in which the registrant or former registrant is known to hold concurrent membership at the time of the suspension, resignation, cancellation or restriction on practice.

April 2016