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|-----------------------------|---|------------------------------|
| BOARD OF PUBLIC ACCOUNTANCY | * | BEFORE THE MARYLAND BOARD OF |
|                             | * | PUBLIC ACCOUNTANCY           |
| v.                          | * |                              |
| ROBERT LO,                  | * |                              |
| Respondent                  | * | CASE NO.: CPAS 15-0035       |
|                             | * |                              |

\* \* \* \* \*

**CONSENT ORDER**

This matter comes before the Maryland Board of Public Accountancy (the "Board") as a result of a complaint filed by the Board's continuing professional education ("CPE") auditor against Robert Lo (the "Respondent"), a licensed certified public accountant. The auditor conducted an audit of the CPE courses claimed by the Respondent in his license renewal application that was filed with the Board on or about October 8, 2014. Upon a review of the complaint, the Board determined that administrative charges against the Respondent were appropriate. However, prior to the Board's issuance of a formal charge letter, the parties agreed to enter into this Consent Order as a full and final resolution of this matter, with terms as follows:

THE PARTIES AGREE AND STIPULATE:

1. At all times relevant to the matters set forth in this Consent Order, the Respondent was licensed by the Board as a certified public accountant ("CPA") and/or the Board had jurisdiction over the subject matter.
2. The Respondent became licensed as a CPA on or about April 21, 1986 (License No. 01-12090).
3. On or about October 8, 2014, the Respondent filed a license renewal application with the Board for the period October 8, 2014 through October 24, 2016 by means of the Board's online licensing system.
4. On the renewal application, the Respondent claimed 80 hours of CPE credit that was earned during the previous license term.
5. The Board's license renewal application requires an applicant to certify to the accuracy of the information contained in the application. This certification states, in pertinent part:
 

*"I hereby certify, under penalty of perjury, that the information contained herein is true and correct to the best of my knowledge, information, and belief. . ."*

6. Following the Respondent's submission of the license renewal application and payment

of the license renewal fee, the Respondent was advised that the application was selected for an audit of the CPE credits that were reported and that supporting documents for the CPE hours claimed were required to be received by the Board not later than November 7, 2014.

7. The Respondent submitted documentation to support the 80 CPE hours that were claimed in the license renewal application.

8. The Board's audit review of the documentation submitted by the Respondent established that only 41 of the hours claimed for the applicable renewal reporting period were earned prior to the date of the renewal application.

9. In addition, it was determined that the Respondent had not completed a required four hour course in Ethics as of the date of his renewal application.

10. The Respondent acknowledges that he did not meet the CPE requirements to renew the license at the time the renewal application was filed with the Board on October 8, 2014.

11. Based on the aforementioned facts, the Respondent admits that he has violated Business Occupations and Professions Art. (BOP), §§ 2-312(a)(3), Ann. Code of Maryland, and Code of Maryland Regulations (COMAR) 09.24.02.02 (A) and (B), which state, in pertinent part:

**§ 2-312. Continuing education.**

(a) *In general.* - (1) The Board shall adopt regulations that set, in accordance with this section, continuing education requirements as a condition to the renewal of licenses under this subtitle.

(2) A continuing education requirement does not apply to the first renewal of a license.

(3) (i) To qualify for any further renewal of a license under this subtitle, a licensee shall complete, for each 2-year license term, at least 80 hours in programs that the Board approves.

**09.24.02.02 Basic Requirement.**

A. The applicant shall complete a minimum of 80 hours of acceptable continuing education in each 2-year license term after initial renewal.

B. A minimum of 4 hours of the continuing education for each 2-year license term shall be in professional ethics with no carry forward provision for excess hours.

12. As a result of the above described violations, the Respondent agrees to pay a civil penalty

to the Board in the amount of \$1000.00 in accordance with the following schedule:

- a. The first payment shall be in the amount of \$300.00 and shall be due within 30 days of the date of this Consent Order;
- b. The second payment shall be in the amount of \$350.00 and shall be due within 60 days of the date of this Consent Order; and
- c. The third and final payment shall be in the amount of \$350.00 and shall be due within 90 days of the date of this Consent Order.

13. The Respondent further agrees to complete eight (8) hours of CPE credits in Ethics within 60 days of the date of this Consent Order. These credits shall be in addition to, and shall not count toward the fulfillment of, the normal CPE requirements.

14. The Respondent shall abide by the provisions of the Maryland Public Accountancy Act, BOP § 2-101, *et. seq.* and COMAR 09.24.01, *et. seq.*

15. The Respondent, by entering into this Consent Order, expressly waives the right to have the pending allegations by the Board reduced to written charges, the right to an administrative hearing on the charges and the making of Findings of Fact and Conclusions of Law, any and all further proceedings before the Board to which the Respondent may otherwise be entitled in this matter, and any rights to appeal from this Order.

16. The Respondent enters into this Consent Order freely, knowingly and voluntarily.

BASED ON THESE STIPULATIONS, IT IS, THIS 8 DAY OF April, 2015, BY THE BOARD OF PUBLIC ACCOUNTANCY:

**ORDERED** that the Respondent has violated BOP, §2-312(a)(3) and COMAR 09.24.02.02(A) and (B);

**AND IT IS FURTHER ORDERED** that the Respondent shall pay a **civil penalty in the amount of \$1000.00** to the Board, in accordance with the schedule set forth in Paragraph 12 of this Consent Order;

**AND IT IS FURTHER ORDERED** that the Respondent shall **complete eight (8) additional CPE credits in Ethics** as set forth in Paragraph 13 of this Consent Order;

**AND IT IS FURTHER ORDERED** that the additional CPE credit hours completed to satisfy the requirements of this Consent Order shall not be eligible to be claimed in connection with the Respondent's next license renewal application;

**AND IT IS FURTHER ORDERED** that, if the Respondent fails to comply with the terms of this Consent Order, including the failure to make a required payment or complete additional CPE

credits, the Respondent's license shall be immediately and automatically suspended until such time as compliance occurs;

**AND IT IS FURTHER ORDERED** that the Respondent shall submit documentation supporting the CPE credit hours claimed in connection with the Respondent's next renewal application upon the request of the Board;

**AND IT IS FURTHER ORDERED** that this matter shall be resolved in accordance with the terms of this Consent Order, and that the same shall be reflected among the records of the Board.

(RESPONDENT'S SIGNATURE APPEARS  
ON ORIGINAL ORDER)

\_\_\_\_\_  
Robert Lo

3/31/15  
\_\_\_\_\_  
Date

(BOARD CHAIR'S SIGNATURE APPEARS  
ON ORIGINAL ORDER)

\_\_\_\_\_  
Elizabeth S. Gantnier  
Chairman

FSG/kmk