

**PROCEEDINGS BEFORE THE  
WASHINGTON STATE BOARD OF ACCOUNTANCY**

In the Matter of the Certified Public  
Accountant (CPA) Certificate and/or  
Licenses to Practice Public Accounting of:

Jeffrey Cole, CPA  
License No. 32845

Respondent.

No. ACB-1495

CONSENT AGREEMENT

The Washington State Board of Accountancy (Board) and Jeffrey Cole (Respondent), stipulate and agree as follows:

**Section 1: Procedural Stipulations**

- 1.1 Respondent understands that the Board has issued a Statement of Charges in this matter and may proceed to a hearing before the Board upon the merits of said charges. The Board has not done so in order to facilitate resolution of this matter in accordance with the legislative intent endorsed in RCW 34.05.060 and the provisions of WAC 4-30-140.
- 1.2 Respondent has the right to defend against a Statement of Charges by demanding a hearing and presenting evidence on the Respondent's behalf. Respondent voluntarily waives the right to a hearing and all other rights that may be accorded the Respondent by the Administrative Procedures Act, chapter 34.05 RCW, and the laws of Washington, including the right to petition the courts for judicial review.
- 1.3 Respondent understands that should the Board prevail at hearing based on the Statement of Charges that the Board has the power and authority to deny, suspend, revoke, or refuse to renew the Respondent's CPA certificate or any individual or firm licenses to practice

public accounting as a CPA or CPA firm in Washington and may impose a fine plus the Board's investigative and legal costs in bringing charges or impose conditions precedent to renewal of the certificate or license, or impose full restitution to injured parties.

- 1.4 Respondent wishes to expedite the resolution of this matter by means of this Consent Agreement and does not desire to proceed to a formal hearing based on the issuance of a Statement of Charges.
- 1.5 Respondent understands that the terms of this Consent Agreement are not binding unless approved by the Board and fully executed.
- 1.6 Should this Consent Agreement be rejected by the Board and the Board proceeds with the issued Statement of Charges, the Respondent waives any objection to the participation of any members of the Board at a hearing on this matter, other than the consulting Board member in this proceeding.

The parties further stipulate to the following Stipulated Facts, Conclusions of Law, and Agreed Order:

## **Section 2: Stipulated Facts**

- 2.1 At all times material hereto, Jeffrey D. Cole, the Respondent herein, held an individual Certified Public Accountant (CPA) License to practice as a CPA in the state of Washington, No. 32845. Respondent was issued the license on August 15, 2014.
- 2.2 On July 20, 2015, Respondent entered into a Consent Order with the North Carolina State Board of CPA Examiners (NCSB) for failure to identify an employee benefit plan to the peer reviewer. Respondent's individual certificate was revoked, though the revocation stayed. Respondent's NCSB firm license was cancelled, though the cancellation was stayed. As a part of the Consent Order, Respondent agreed to provide compliance attestations to NCSB. Respondent has maintained compliance with the Consent Order.

- 2.3 On July 20, 2015, the American Institute of Certified Professional Accountants (AICPA) suspended Respondent's membership for two years under the automatic disciplinary provisions of the Institute's bylaws.
- 2.4 On March 16, 2017, Respondent submitted an application for the renewal of his Certified Public Accountant (CPA) License. In the application, Respondent answered no to whether since his last renewal he had been issued an order, sanction, modification of a license, certificate, permit or practice rights by the SEC, PCAOB, IRS, AICPA, GAO, OIG, or any other federal regulatory or oversight agency or federal standards setting body, or any state board of accountancy.
- 2.5 On May 7, 2018, the Board mailed an inquiry to Respondent's firm address. The letter was returned to the Board due to an outdated firm mailing address. As of August 17, 2018, the firm's address has not been updated.

### **Section 3: Conclusions of Law**

- 3.1 The Board has jurisdiction over the Respondent and the subject matter of this proceeding.
- 3.2 Failure to notify the Board in writing within thirty days of a change of address, as set out above, constitutes cause for Board sanction under RCW 18.04.295, and WAC 4-30-032.
- 3.3 Suspension or revocation of the right to practice before any state agency is prima facie evidence that a licensee has engaged in dishonesty, fraud, or negligence while representing oneself as a licensee, as set out above, constitutes cause for Board sanction under RCW 18.04.295, and WAC 4-30-142(6)(d).
- 3.4 Sanctions and orders entered by a nongovernmental professionally related standard-setting body for violation of ethical or technical standards in the practice of public

accounting, as set out above, constitutes cause for Board sanction under RCW 18.04.295, and WAC 4-30-142(7).

- 3.5 Failure to notify the Board in writing within thirty days of a sanction, order, suspension, revocation, or modification of a license, as set out above, constitutes cause for Board sanction under RCW 18.04.295, and WAC 4-30-036.
- 3.6 Fraud or deceit in any filings with the Board, as set out above, constitutes cause for Board sanction under RCW 18.04.295, and WAC 4-30-142(1).
- 3.7 Making misleading, deceptive, or untrue representations, as set out above, constitutes cause for Board sanction under RCW 18.04.295, and WAC 4-30-142(5)(d).

#### **Section 4: Agreed Order**

4.1 Respondent consents to the entry of this Agreement and has waived any right to a hearing.

4.2 Pursuant to RCW 18.04.295, the Board has the power to impose discipline. Based on the preceding Stipulated Facts and Conclusions of Law, the Board and Respondent agree that Respondent shall:

4.2.1 Pay the Board a fine in the amount of seven hundred fifty dollars (\$750) within 90 days of the service of this Agreement. Such fine shall be made payable to the Washington State Board of Accountancy and remitted to the Washington State Board of Accountancy at PO Box 9131, Olympia, WA, 98507-9131.

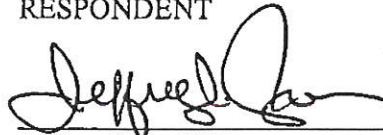
4.2.2 Pay the Board the amount of two hundred fifty dollars (\$250) to reimburse the Board's investigative and legal costs within 90 days of the service of this Agreement. Such reimbursement shall be made payable to the Washington State Board of Accountancy and remitted to the Washington State Board of Accountancy at PO Box 9131, Olympia, WA 98507-9131.

4.2.3 Provide the Board copies of compliance attestations within thirty (30) days of submission to NCSB.

I, Jeffrey Cole, certify that I have read this Consent Agreement in its entirety, and that I fully understand and agree to all of it and that it may be presented to the Board without my appearance. If the Board accepts the Consent Agreement, I understand that I will receive a signed copy.

DATED this 10<sup>th</sup> day of October, 2018.

RESPONDENT



Jeffrey Cole, CPA

The Board accepts and enters this Consent Agreement.

DATED this 19<sup>th</sup> day of October, 2018.

WASHINGTON STATE  
BOARD OF ACCOUNTANCY



Karen R. Saunders, CPA  
Chair