

**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:

James C. Howell
License No. 17503

Respondent.

No. ACB-1512

CONSENT AGREEMENT
AND AGREED ORDER

The Washington State Board of Accountancy (Board) and James C. Howell
(Respondent), stipulate and agree as follows:

Section 1: Procedural Stipulations

- 1.1 The parties wish to enter into this Consent Agreement and Agreed Order (Consent Agreement) 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 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.
- 1.3 Respondent has the right to defend against a Statement of Charges issued by the Board 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.

- 1.4 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.

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, James C. Howell, the Respondent herein, held an individual Certified Public Accountant (CPA) license to practice as a CPA in the state of Washington, No. 17503, issued on May 1, 1995.
- 2.2 James C. Howell, CPA, PS, held a CPA firm license to practice as a CPA firm in the state of Washington, No. 3578, issued on December 18, 1996. The license was dissolved due to non-renewal on June 30, 2019.
- 2.3 On April 12, 2018, Respondent entered into Consent Agreement ACB-1479 with the Board due to failure to meet quality assurance review requirements. Respondent's firm failed to complete a peer review for the firm's renewal in 2016, and failed to complete a peer review within an extension period, which was extended through December 29, 2017. As a part of the Consent Agreement, Respondent agreed to complete an accelerated peer review, to pay the Board a \$1,000 fine and \$500 investigative and legal cost reimbursement within 90 days.
- 2.4 Respondent failed to complete a peer review, to pay the Board a \$1,000 fine and \$500 investigative and legal cost reimbursement by the July 11, 2018 due date.

- 2.5 On February 1, June 18, and June 25 of 2019, Board staff contacted Respondent requesting an update on the terms of the Consent Agreement. Respondent failed to provide an update on the terms.
- 2.6 On June 30, 2019, Respondent's firm license was automatically dissolved due to non-renewal. Respondent did not submit a firm renewal application. The deadline for renewal was June 30, 2019.
- 2.7 On July 2, 2019, Board staff received an email from Respondent, as the only follow-up to the multiple inquiries. Respondent stated, "My final step is to remove CPA from associated [sic] with my name electronically and in all forms. I am working on this today and plan to carry forward until complete." Respondent did not answer the Board's questions regarding a status update for the fine, cost recovery, and accelerated peer review.
- 2.8 On July 2, 2019, Board staff replied asking for clarification. As of September 10, 2019, no response was received.

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 comply with the Board's quality assurance requirements, as set out above, constitutes cause for Board sanction under RCW 18.04.295 and WAC 4-30-142(10)(g).
- 3.3 Failure to comply with an order of the Board, as set out above, constitutes cause for Board sanction under RCW 18.04.295 and WAC 4-30-142(14).
- 3.4 Failure to furnish in writing a full and complete explanation related to a complaint as requested by the Board, as set out above, constitutes cause for Board sanction under RCW 18.04.295 and WAC 4-30-142(13)(b).

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 to the following:
 - 4.2.1 Respondent's individual CPA license is revoked.
 - 4.2.2 The Board shall not consider any application from Respondent until Respondent complies with the following:
 - 4.2.2.1 A minimum of five years have passed from the effective date of this Consent Agreement.
 - 4.2.2.2 Respondent has retaken, and passed, the CPA examination as a new candidate.
 - 4.2.2.3 Respondent has paid the Board a fine in the amount of two thousand dollars (\$2,000).
 - 4.2.2.4 Respondent has paid the Board the amount of seven hundred fifty (\$750) to reimburse the Board's investigative and legal costs.
 - 4.2.2.5 Respondent has, in addition, paid all fines and fees imposed by ACB-1479.

I, James C. Howell, 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 17th day of December, 2019.

RESPONDENT

James C. Howell

The Board accepts and enters this Consent Agreement.

DATED this 6th day of January, 2020.

WASHINGTON STATE
BOARD OF ACCOUNTANCY

Mark Hugh, CPA
Chair