

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

In the matter of:

Tong Fei

Respondent.

NO. ACB-1484

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND DEFAULT ORDER

1 INTRODUCTION

THIS MATTER, arises out of the Notice of Intent to Deny your Education Application and Impose Sanction issued by the Deputy Director of the Washington State Board of Accountancy (hereinafter Board) on January 23, 2018. The Notice of Intent to Deny your Education Application and Impose Sanction alleges that Tong Fei (hereinafter Respondent) violated the provisions of RCW 18.04. Respondent has failed to answer or otherwise respond to the Notice of Intent to Deny your Education Application and Impose Sanction.

THIS MATTER having come before the Board upon the motion of Elizabeth Thompson-Lagerberg, Assistant Attorney General; Respondent having failed to answer or otherwise respond to the Notice of Intent to Deny your Education Application and Impose Sanction; the Board having reviewed the records herein and the Declaration of Charles E. Satterlund, Executive Director, and being advised in the premises, makes the following:

2 FINDINGS OF FACT

- 2.1 At all times material hereto, Tong Fei, the Respondent herein, submitted an application to qualify for the Certified Public Accounting (CPA) examination.
- 2.2 As part of that application process, Respondent submitted proof of education to the Board's education evaluation organization, National Association of State Boards of Accountancy (NASBA) International Evaluation Services (NIES).
- 2.3 NIES investigated the authenticity of the education documents and found that the listed educational institution(s) had no records of the Respondent's attendance or degree.
- 2.4 NIES reported Respondent's falsification of records to the Board.
- 2.5 On January 23, 2018, a Notice of Intent to Deny your Education Application and Impose Sanction was issued to the Respondent. No response was received.
- 2.6 The Respondent failed to cooperate with investigation by Board staff by not responding to inquiries requesting a response.

3 CONCLUSIONS OF LAW

From the foregoing Findings of Fact, the Board makes the following Conclusions of Law.

- 3.1 The Washington State Board of Accountancy has jurisdiction over Respondent and the subject matter of the case. RCW 18.04.295.
- 3.2 Service is completed when mail is properly stamped, addressed, and deposited in the United States mail to the last known address of record. RCW 34.05.010(19).

- 3.3 Based on the above Findings of Fact, and Conclusions of Law, Respondent has been served with the Notice of Intent to Deny your Education Application and Impose Sanction.
- 3.4 The failure of Respondent to file a request for a hearing in this matter within the time limit established by statute or agency rule constitutes a default, resulting in the loss of Respondent's right to a hearing. The Board is legally entitled to proceed to resolve the matter without further notice to, or hearing for, the benefit of Respondent, except that a copy of this order shall be served upon Respondent. RCW 34.05.440.
- 3.5 Failure to respond to in writing Board communications requesting a response within 20 days, as set out in Findings of Fact 2.1 through 2.6, constitutes cause for Board sanction under RCW 18.04.295 and chapter 18.04 RCW.

4 FINAL ORDER

Based upon the above Findings of Fact and Conclusions of Law, the Board hereby makes the following Order:

- 4.1 The Board will deny the Respondent's application to qualify for the CPA Examination.
- 4.2 The Board will not consider Respondent's application for issuance of licensure unless, prior to the time of application, Respondent:
 - 4.2.1 Pays a fine in the amount of two thousand dollars (\$2000) to the Board.
 - 4.2.2 Satisfies all applicable provisions of WAC 4-30-092, and any other requirement imposed by the Board as a condition for licensure.
 - 4.2.3 Has not otherwise violated any provisions of chapters 18.04 RCW and/or Title 4 WAC.
- 4.4 Any and all costs involved in complying with this order shall be borne by Respondent.

DATED this 12 day of APRIL 2018.

WASHINGTON STATE BOARD OF ACCOUNTANCY

Karen Saunders

Karen R. Saunders, CPA
Chair

Presented by,

Elizabeth Thompson-Lagerberg

Elizabeth Thompson-Lagerberg
WSBA #25159

Assistant Attorney General
Attorneys for Washington State Board of Accountancy