

BEFORE THE ACCOUNTANCY EXAMINING BOARD  
OF THE STATE OF IOWA

IN THE MATTER OF:

David Lewis Negley,  
CPA Certificate #O13122

Respondent.

Case No. 21-11

COMBINED STATEMENT OF  
CHARGES, SETTLEMENT  
AGREEMENT, AND FINAL ORDER

**A. Statement of Charges**

1. The Iowa Accountancy Examining Board (“Board”) has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 542 and authority to issue this Combined Statement of Charges, Settlement Agreement, and Final Order (the “Consent Order”).

2. Respondent David Lewis Negley, was issued Iowa CPA Certificate number O13122 on January 17, 2013. Respondent’s certificate is currently active and will next expire the 30th day of June, 2022.

3. By correspondence dated March 1, 2021, administrative staff for the Board sought proof from Respondent of continuing professional education (“CPE”) hours for Respondent’s Iowa license pursuant to Iowa Admin. Code r. 193A-10.9(1) as part of a random compliance review. On April 15, 2021, Respondent replied to the Board’s request. The Board’s executive officer clarified in subsequent communication that some of the hours reported predated the reporting period and were not countable in the current reporting period. Ultimately, by email of June 30, 2021, Respondent confirmed that based on his mistaken understanding of how the reporting periods worked, he only had 101 CPE hours that were taken within the reporting period. Respondent also noted that he submitted an additional 19 hours of CPE that he had already taken after the reporting period to make up for the shortfall of hours in the reporting period.

4. Based on the foregoing, the Board charges Respondent with failing to comply with the continuing education requirements applicable to Respondent’s license in violation of Iowa Admin. Code r. 193A-10.5.

5. The Board and Respondent have agreed to fully resolve these charges through the following Settlement Agreement and Final Order, rather than proceed to contested case hearing.

**B. Settlement Agreement and Final Order**

1. Respondent admits the above-referenced allegations as set forth in the Statement of

Charges.

2. Respondent has a right to a hearing on the charges, but waives Respondent's right to hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily entering into this Agreement. This Agreement constitutes discipline against Respondent, and is the final agency order in the contested case, pursuant to Iowa Code section 17A.10 and Iowa Admin. Code r. 193-7.4. Respondent acknowledges that Respondent had an opportunity to review this Agreement with legal counsel before signing it.

3. This Agreement shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any future disciplinary action to be imposed in the event of any future violations.

4. Failure to comply with the provisions of this Agreement shall be grounds for further disciplinary action pursuant to Iowa Code section 272C.3(2)(a). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

5. This Agreement shall not preclude the Board from taking appropriate action in the event the Board receives any further complaints or information against Respondent.

6. This Agreement is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22.

7. Respondent agrees the State's counsel may present this Agreement to the Board and may have ex parte communications with the Board while presenting it.

8. This Agreement is subject to approval of the Board:

- a. If the Board fails to approve this Agreement, it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter;
- b. If the Board approves this Agreement, it shall fully dispose of all issues in this case.

**IT IS THEREFORE ORDERED:**

**A. Reprimand.** Respondent is reprimanded for failing to maintain a sufficient number of continuing professional education hours in conformance with Iowa Admin. Code r. 193A-10.5 to maintain his license in Active status.

**B. Civil Penalty.** Respondent shall pay a civil penalty of \$250 within thirty (30) days from the date this Agreement is signed by all parties. *See* Iowa Admin. Code r. 193A-5.5(7).

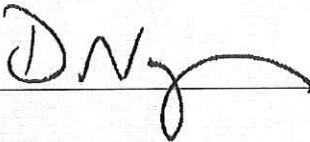
**C. Restriction on Reporting Hours & Education Requirement.** Respondent shall refrain from reporting in any future reporting period the 19 CPE hours that were used to make up for the shortfall of hours in the current reporting period. In addition, Respondent shall take an additional 8 hours of CPE in professional ethics

earned by October 8, 2021 and documented to the Board.

**D. Additional Terms.** Respondent shall provide the Board with access to his records as is necessary for the Board to verify compliance with this Settlement Agreement.

**AGREED AND ACCEPTED:**


**Respondent**

  
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09/02/21

\_\_\_\_\_  
Date

**Iowa Accountancy Examining Board**

  
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By: Rudolfo Reyes, CPA, Chair

9/23/21  
\_\_\_\_\_  
Date