

BEFORE THE IOWA BOARD OF ACCOUNTANCY
OF THE STATE OF IOWA

IN THE MATTER OF THE COMPLAINT :
AND STATEMENT OF CHARGES AGAINST : FINDINGS OF FACT
CHARLES F. CHURCH : AND
RESPONDENT. : Final DECISION.

THIS matter came up for hearing on the 23rd day of October, 1980, at 1:30 p.m. at hearing room B, seventh floor, State Office Building, 300 Fourth Street, Des Moines, Iowa, before a hearing panel comprised of Harlan L. Gronewold, Ruth E. Kuney, and Jerry J. Perpich, all members of the Iowa Board of Accountancy and holders of permits to practice.

Charles F. Church, the licentiate, was present and was represented by legal counsel. Alice J. Hyde, Assistant Attorney General, represented the State.

The hearing proceeded with evidence being offered by the State of Iowa and evidence being offered on the part of the respondent.

FINDINGS OF FACT

That Charles F. Church, having been duly served with a copy of the Complaint and statement of Charges, Original Notice, and Order of Hearing; the Board now has jurisdiction of the case, and the parties and the subject matter herein; and

That Charles F. Church, is the holder of Iowa CPA certificate No. R-879.

That Charles F. Church, failed to respond, when requested, to letters from the Board dated August 30, 1979, September 19, 1979, November 6, 1979, and March 17, 1980 relative to an apparent deficiency in his continuing education; and

That Charles F. Church failed to respond, when requested, to certified letters, concerning his apparent continuing education deficiency, from the Board dated November 30, 1979 and February 6, 1980 as required by Rule 10-II.6(7) (116) of the Iowa Administrative Code; and

That Charles F. Church practiced as a certified public accountant in the state of Iowa during the period July 1, 1979 to May 22, 1980 without a current permit to practice as required by sections II6.20 and II6.25, The Code 1979, Rule 10-9.II(116) of the Iowa Administrative Code. Since satisfactory completion of continuing education requirements is a prerequisite to renewal of the permit, the Board had determined that the permit to practice could not be issued since Mr. Church had failed to respond to written communications concerning his apparent continuing education deficiency; and

That Charles F. Church attended an informal discussion, without legal counsel, with the Committee on Ethics and Enforcement on May 22, 1980 to discuss the apparent continuing education deficiency as well as his failure to respond to written communications; and

That Charles F. Church failed to respond, when requested, to certified letters from the Board dated June 9, 1980, July 8, 1980, and August 14, 1980 relative to a proposed informal settlement agreement of this matter; and

That the evidence produced at the hearing on the 23rd day of October, 1980, gives the Board reason to believe that the said Charles F. Church, has committed acts which constitute grounds for licensee

discipline under the laws and regulations of the state of Iowa, namely:
Section 258A(3) subsection 2 of the 1979 Code of Iowa and Rule 10-12.8(116)
of the Iowa Administrative Code.

Final DECISION

Therefore, it is the proposed decision of the Panel that the evidence produced at the hearing held on the 23rd day of October, 1980, conclusively proves that Charles F. Church has failed to comply with Rule 10-12.6(7) 116 of the Iowa Administrative Code requiring a licensee to respond to communications from the Board and sections 116.20 and 116.25 of the 1979 Code of Iowa requiring a certified public accountant to obtain a permit to practice in order to practice public accountancy in the state of Iowa.

I. It is therefore proposed that Charles F. Church shall be placed on probation for a period of two years, from the date of this Findings of Fact and Final Decision, in accordance with the following conditions:

A. To not accept any new engagement subsequent to October 23, 1980 that would require the issuance of any opinion contemplated by subparagraphs 8 and 9 of Section 116.25 of the Code of Iowa, or any new engagement that would lead to the issuance of unaudited financial statements (review and compilation statements), unless the person or organization requesting the service was a client of Charles F. Church on October 23, 1980 and Charles F. Church had performed an opinion or nonopinion audit for that client prior to that date. This will prohibit the performing of any audit services for existing tax clients.

B. To pay a fine of \$600 to the Iowa Board of Accountancy within ten days of the date of this Findings of Fact and Final Decision.

C. To furnish the Iowa Board of Accountancy, on a quarterly basis, copies of all year-end financial statements (audit, review, and compilation) that he has issued.


D. To furnish the Iowa Board of Accountancy, within ten days of the date of this Findings of Fact and Final Decision, a corrected copy of his July 1, 1977 continuing education reporting form.

E. To furnish the Iowa Board of Accountancy, within ten days of the date of this Findings of Fact and Final Decision, a transcript of credit earned at the University of Arizona during the period January 1 to December 31, 1976.

2. It is therefore proposed that Charles F. Church shall complete a minimum of ten hours of continuing education courses, in addition to that required by Board of Accountancy rule 10.3, no later than June 30, 1981. These continuing education courses are to consist of a minimum of five hours directed toward the subject of compilation and review. A written plan for completion of ten hours of continuing education courses is to be furnished to the Iowa Board of Accountancy by January 31, 1981.

3. It is therefore proposed that the sanctions imposed on Charles F. Church shall be published in the Iowa Board of Accountancy Newsletter,


Panel Member-Board of Accountancy


Panel Member-Board of Accountancy


Panel Member-Board of Accountancy

Signed this 8TH day of January, 1981.