

BOARD OF PUBLIC ACCOUNTANCY * BEFORE THE MARYLAND BOARD
 v. * OF PUBLIC ACCOUNTANCY
 WILLIAM HOFFMAN, *
 Respondent * CASE NO.: CPAS 16-0042
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* * * * *

CONSENT ORDER

On or about May 2, 2016, the Maryland Board of Public Accountancy (the “Board”) initiated a complaint against William Hoffman (the “Respondent”), a licensed certified public accountant (“CPA”), alleging that he failed to disclose a prior conviction at the time of his application for reinstatement of his CPA license in Maryland. Upon the Board’s receipt of his response to the complaint, the Respondent was notified by the Board of its intention to issue formal administrative charges in this matter. Prior to the issuance of formal administrative charges, the parties agreed to enter into this Consent Order as a full and final resolution of this matter, with terms and conditions as follows:

THE PARTIES AGREE AND STIPULATE:

1. At all times relevant to the matters set forth in this Consent Order, the Respondent was licensed by the Board as a certified public accountant (“CPA”) and/or the Board had jurisdiction over the subject matter.

2. The Respondent became licensed as a CPA in Maryland on or about August 9, 1974 (Registration No. 01-4042). The Respondent’s license was subsequently renewed for several terms but expired on or about December 31, 1990. He was not licensed again until 2014.

3. On or about August 18, 1988, the Respondent was convicted on 36 criminal counts in the United States District Court for the Eastern District of Kentucky based on findings of violation of the following statutes:

- a. 18 USC §§ 371 and 2 - conspiracy to defraud the United States by impairing and obstructing the FDIC in the discharge of its function of administering banking laws of the United States;
- b. 18 USC §§ 1005 and 2 - without authority, willfully and knowingly issuing letters of credit of Northern Kentucky Bank; and

c. 18 USC §§ 656 and 2 - willfully and knowingly misapplying funds belonging to Northern Kentucky Bank.

4. As a result of his convictions, the Respondent was sentenced to incarceration for a period 10 years.

5. Years later, on or about December 31, 2014, the Respondent filed an application for reinstatement of his CPA license with the Board.

6. In his application for reinstatement, the Respondent falsely certified under the penalty of perjury that he had never been convicted of a crime and failed to disclose any prior convictions.

7. Based on his application, the Respondent's CPA license was reinstated on December 31, 2014 for the period ending on December 31, 2016.

8. The Board became aware of the Respondent's criminal history from a source other than the Respondent after his license was reinstated.

9. Based on the aforementioned facts, the Respondent admits that he has violated Md. Ann. Code, Business Occupations and Professions Art. (BOP), §§ 2-315(a)(1)(i), 2-315(a)(1)(iii), and 2-315(a)(1)(xii), and Code of Maryland Regulations (COMAR) 09.24.01.06 (I)(1), which state, in pertinent part:

**§ 2-315. Denials, reprimands, suspensions, and revocations –
Grounds; license certificate**

(a) *Grounds.*--

(1) Subject to the hearing provisions of §2-317 of this subtitle, the Board, on the affirmative vote of a majority of its members may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if the applicant or licensee:

(i) fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;

(iii) under the laws of the United States or any state, is convicted of:

1. a felony; or

2. a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to practice certified public accountancy; [or]

(xii) violates a rule of professional conduct adopted by the Board.

COMAR 09.24.01.06 Code of Professional Conduct

I. Other Responsibilities and Practices.

(1) A licensee may not commit any act that reflects adversely on the licensee's fitness to engage in the practice of public accountancy.

10. Based on the aforementioned violations, the Respondent agrees and hereby consents to the **Revocation** of his license to practice as a certified public accountant in Maryland. The Respondent further agrees to pay a civil penalty to the Board in an amount of **\$1000.00** within 30 days of the date of this Consent Order.

11. The Respondent, by entering into this Consent Order, expressly waives the right to a written notification of formal charges, an administrative hearing on formal charges, the making of Findings of Fact and Conclusions of Law, any and all further proceedings before the Board to which the Respondent may otherwise be entitled in this matter, and any rights to appeal from this Order.

12. The Respondent enters into this Consent Order freely, knowingly and voluntarily, and with the advice of counsel.

BASED ON THESE STIPULATIONS, IT IS, THIS ____ DAY OF _____, 2016, BY THE BOARD OF PUBLIC ACCOUNTANCY:

ORDERED that the Respondent has violated BOP, §2-315(a)(1)(i), 2-315(a)(1)(iii), 2-315(a)(1)(xii) and COMAR 09.24.01.06(I)(1);

AND IT IS FURTHER ORDERED that the Respondent's license to practice as a certified public accountant in Maryland is hereby **Revoked**;

AND IT IS FURTHER ORDERED that the Respondent shall pay a civil penalty in the amount of **\$1000.00** to the Board within 30 days of the date of this Consent Order;

AND IT IS FURTHER ORDERED that this matter shall be resolved in accordance with the terms and conditions of this Consent Order, and that the same shall be reflected among the records of the Board.

AND IT IS FURTHER ORDERED that this Consent Order shall constitute a Final Order of the Board.

(RESPONDENT'S SIGNATURE
APPEARS ON ORIGINAL DOCUMENT)

(BOARD CHAIR'S SIGNATURE
APPEARS ON ORIGINAL DOCUMENT)

Respondent

**Maryland Board of Public
Accountancy**

Date

Date

AEF/kmk