

BEFORE THE ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY

IN THE MATTER OF THE)
COMPLAINT AGAINST:)
MICHAEL V NOYES, CPA) CASE NO. 17-20
CERTIFICATE NO. 2148)
RESPONDENT.)

ORDER

COMES NOW the Alabama State Board of Public Accountancy ("the Board"), and, following a full and fair hearing before the Board on January 19, 2018, in Montgomery, in the matter of the complaint against Michael V. Noyes, CPA, Certificate No. 2148, makes the following Findings of Facts and Conclusions of Law in support of this Order.

FINDINGS OF FACT

1. Respondent is a Certified Public Accountant in the State of Alabama and was so registered at all time relevant to the complaint.
2. Respondent was provided notice of the hearing by certified mail, return receipt requested, and regular first class mail to the most recent address on file with the Board.
3. The certified mail card was signed and returned to the Board office by the U.S. Postal Service.
4. Respondent did not attend the hearing. The hearing was conducted in Respondent's absence, as provided in Section 34-1-14(c) and Section 41-22-12(d), Code of Alabama 1975.
5. Documentary evidence designated as Board's Exhibits 1 through 6 were admitted into evidence and published to the Board.

6. Documentary evidence presented at the hearing established that Respondent failed to complete the requirements of the Peer Review Program established by the Board as specifically set forth in Board rules and regulations, Sections 30-X-8-.01 et seq., (Peer Review Program).

7. Documentary evidence presented at the hearing established that Respondent violated Board rules and regulations, Sections 30-X-6-.05(1) "Conduct in General."

8. Documentary evidence presented at the hearing established that Respondent violated Board rules and regulations, Sections 30-X-6-.03(1)(b) "Due Professional Care."

9. Documentary evidence presented at the hearing established that Respondent violated Board rules and regulations, Sections 30-X-6-.03(2) "Auditing Standards."

10. Documentary evidence presented at the hearing established that Respondent violated Board rules and regulations, Sections 30-X-6-.03(3) "Accounting Principles."

CONCLUSIONS OF LAW

The Board finds that the facts as established at the hearing and as outlined above constitute a violation of Sections 34-1-1, et seq., Code of Alabama 1975, as follows:

1. Respondent's failure to satisfy the requirements of the Peer Review Program constitute a violation of the rules and regulations of the Board, specifically, Board Rules 30-X-8-.01, et seq. (Peer Review Program), in violation of Section 34-1-12(a)(13), Code of Alabama 1975.

2. The acts of the Respondent constitute a violation of the rules of professional conduct established by the Board, specifically, Rule 30-X-6-.05(1), in that the Respondent misrepresented the types of reports issued by his firm.

3. The acts of the Respondent constitute a violation of the rules of professional conduct established by the Board, specifically, Rule 30-X-6-.03(1)(b), in that the Respondent did not exercise due professional care in the performance of an engagement.

4. The acts of the Respondent constitute a violation of the rules of professional conduct established by the Board, specifically, Rule 30-X-6-.03(2), in that the Respondent did not comply with generally accepted auditing standards, in the performance of an audit.

5. The acts of the Respondent constitute a violation of the rules of professional conduct established by the Board, specifically, Rule 30-X-6-.03(3), in that the Respondent did not follow guidance in accordance with generally accepted accounting principles, as it relates to presentation of financial statements.

It is therefore ORDERED, ADJUDGED and DECREED by this Board that the license, registration, certificate and/or permit to practice of the Respondent be REVOKED, that the CPA Certificate number 2148 be REVOKED, that Respondent is fined three thousand (\$3,000.00) per count for a total of fifteen thousand dollars (\$15,000.00), and that Respondent return the revoked Certified Public Accountant Certificate and permit to practice to the Board office within thirty (30) days of this Order.

DONE this 19th day of January 2018.

ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY

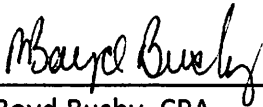
CONCUR:

MESSRS. BARRANCO, BLACKMON, COMER,
GRICE, MADISON, AND SCHAFFERS

RECUSED:

MS. SHEPPARD-HARRIS

ATTEST:



D. Boyd Busby, CPA
Executive Director
January 24, 2018