

BEFORE THE ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY

IN THE MATTER OF THE)
COMPLAINT AGAINST:)
RANDELL G NICHOLS, CPA) CASE NO. 18-22/18-24
CERTIFICATE NO. 3763)
NICHOLS & COBB PC)
FIRM NO. F1446)
RESPONDENT.)

ORDER

COMES NOW the Alabama State Board of Public Accountancy ("the Board"), and, following a full and fair hearing before the Board on July 18, 2019, in Montgomery, AL, in the matter of the complaint against Randell G. Nichols, CPA, Certificate No. 3763, makes the following Findings of Facts and Conclusions of Law in support of this Order.

FINDINGS OF FACT

1. Respondent undertook to prepare thirty-five (35) compilation reports with year ends from 2011 through 2018 for submission to the Alabama Licensing Board for General Contractors (ALBGC) in compliance with the ALBGC reporting requirements. Respondent subsequently prepared and submitted to the ALBGC documents comprising of compilation reports intended to be considered as in compliance with the ALBGC reporting requirements.
2. The compilation reports submitted were inadequate in that they reflected a lack of the due professional care required of a certified public accountant; a lack of the planning and supervision required of a certified public accountant; a lack of sufficient relevant data obtained by the certified public accountant; and a lack of compliance with the applicable generally accepted accounting principles promulgated by the American Institute of Certified Public Accountants.

3. The Respondent, at his request, was removed from the peer review program in 2013 and since then has indicated on his registrations that he issues no reports subject to peer review.

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 admits he is subject to the provisions of the ALA. CODE (1975) §§ 34-1-1 – 22 and the jurisdiction of the Board.

2. Respondent stipulates that the circumstances as set for in the “Stipulated Facts” constitutes a violation of one or more of the following statutes and administrative rules: Ala. Code (1975) §§ 34-1-12(a)(4), and 34-1-12(a)(14); and/or Ala. Admin. Code r. 30-X-6-.03(1)(b), 30-X-6-.03(1)(c), 30-X-6-.03(1)(d), 30-X-6-.03(3), 30-X-8-.03(5), and 30-X-8-.04(2).

3. Respondent stipulates the circumstances set forth in the “Stipulated Facts” are a basis for disciplinary action by the Board.

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 Respondent be fined five thousand dollars (\$5,000.00) and that Respondent return the revoked Certified Public Accountant Certificate to the Board office within thirty (30) days of this Order.

DONE this 18th day of July 2019.

ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY

CONCUR:

MS. SHEPPARD-HARRIS AND MESSRS.
BARRANCO, COMER, GRICE, MADISON, AND
SCHAFFERS

RECUSED:

MESSRS. BLACKMON

ATTEST:



D. Boyd Busby, CPA
Executive Director
August 7, 2019