

BEFORE THE STATE OF MARYLAND BOARD OF PUBLIC ACCOUNTANCY

BOARD OF PUBLIC ACCOUNTANCY

v.

RICHARD H. HUFF,  
(a/k/a RICHARD H. HUFF, JR.)

*Respondent*

Agency Case No.: CPAS-19-0076

\* \* \* \* \*

SETTLEMENT AGREEMENT AND CONSENT ORDER

The Maryland Board of Public Accountancy ("Board") initiated a complaint in this matter as a result of an Order Instituting Disciplinary Proceedings, Making Findings, and Imposing Sanctions issued by the Public Company Accounting Oversight Board ("PCAOB") against Richard H. Huff, Jr., ("Respondent") on or about February 26, 2019. Upon review of the matter, the Board determined that administrative charges against the Respondent were appropriate. Prior to issuance of formal administrative charges, the Board and the Respondent (collectively "Parties") have agreed to enter into this Settlement Agreement and Consent Order ("Consent Order") as full and final resolution of this matter, and agree and stipulate as follows:

1. At all times relevant to the matters set forth in this Consent Order, the Board had jurisdiction over the Respondent, who holds a license issued by the Board to practice certified public accountancy ("license") under number 01-37117, and the subject matter of this complaint.
2. The Respondent became licensed by the Board on or about December 18, 2008. The license was renewed for subsequent periods and is currently due to expire on December 18, 2020.
3. On or about February 26, 2019, the PCAOB issued an order (Release No. 105-2019-001), attached hereto and incorporated herein by reference, imposing sanctions against the Respondent for violations of PCAOB rules and auditing standards. Pursuant to the PCAOB order, the Respondent was censured, suspended from being an associated person of a registered public accounting firm for one year, limited in his activities in connections with any audit<sup>1</sup>, for one year following the termination of the suspension, and required to complete ten hours of additional professional education.

<sup>1</sup> As that term is defined in Section 110(1) of the Sarbanes-Oxley Act of 2002, as amended.

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4. Based on the above, the Respondent acknowledges and admits that his actions were in violation of Md. Ann. Code, Business Occupations and Professions Article ("BOP") §2-315(a)(1)(xi) and (xii), and Code of Maryland Regulations ("COMAR") 09.24.01.06I(1), which state, in pertinent part:

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

**(a) Grounds. --**

(1) Subject to the hearing provisions of Section 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:

(xi) has been sanctioned by any unit of State or federal government, or any regulatory entity established by law, for an act or omission that directly relates to the fitness of the applicant or licensee to practice public accountancy; or

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

**COMAR 09.24.01.06**

**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.

5. Pursuant to BOP § 2-315(a)(2)(i), "[i]nstead of or in addition to reprimanding a licensee or suspending or revoking a license under this subsection, the Board may impose a penalty not exceeding \$ 5,000 for each violation."
6. Based on the aforementioned violations, the Respondent agrees to the following sanction: the Respondent shall, immediately upon executing this Consent Order, pay a civil monetary penalty made payable to the "Maryland Board of Public Accountancy" in the amount of One Thousand Five Hundred Dollars (\$1,500.00) by certified check, cashier's check, or money order.
7. The Respondent agrees that if the Respondent fails to comply with the terms of this Consent Order, the Respondent's license will immediately and automatically be suspended without a hearing on the suspension, and that the suspension will continue until the Board determines that the Respondent has evidenced compliance with the Consent Order's terms.
8. The Respondent acknowledges and agrees that this Consent Order shall constitute a Final Order of the Board and shall be enforceable as such.

9. By entering this Consent Order the Respondent, in relation to this matter, expressly waives the right to have charges reduced to writing, to an administrative hearing before the Board or its designee on any charges, to the making of Findings of Fact and Conclusions of Law, to any and all other proceedings before the Board or its designee on this matter, and to any rights to appeal from this Consent Order to any court of competent jurisdiction.
10. The Respondent acknowledges and agrees that the Respondent is entering this Consent Order freely, voluntarily, and with the advice of counsel.
11. The Parties acknowledge and agree that this Consent Order will serve as the final resolution of Complaint No. CPAS-19-0076, serve as the Final Order in this matter, be a part of the Respondent's record that is maintained by the Board, and that the Board's records and publications will reflect the terms of the Consent Order.

**BASED ON THESE STIPULATIONS AND AGREEMENTS, IT IS THIS 3<sup>rd</sup>  
DAY OF March, 2020, BY THE STATE BOARD OF PUBLIC  
ACCOUNTANCY HEREBY:**

- I. **ORDERED**, that the Respondent violated Bus. Occ. & Prof. § 2-315(a)(1)(xi) and (xii), and COMAR 09.24.01.06(I)(1); and it is further
- II. **ORDERED**, that the Respondent shall immediately upon executing this Consent Order pay a civil monetary penalty made payable to the "Maryland Board of Public Accountancy" in the amount of One Thousand Five Hundred Dollars (\$1,500.00) by certified check, cashier's check, or money order; and it is further
- III. **ORDERED**, that if the Respondent fails to comply with the terms of this Consent Order, the Respondent's license will immediately and automatically be suspended without a hearing on the suspension, and that the suspension will continue until the Board determines that the Respondent has evidenced compliance with the Consent Order's terms; and it is further
- IV. **ORDERED**, that unless otherwise specified in this Consent Order, each provision herein shall remain in effect and enforceable as herein agreed unless the Board in writing stays, modifies, terminates, or suspends it; and it is further
- V. **ORDERED**, that this document shall constitute a Final Order of the Board, and the Board may consider this Settlement Agreement and Consent Order and the facts set forth herein in connection with, and in deciding, any subsequent action or proceeding before the Board, and that this Settlement Agreement and Consent Order may, if relevant, be admitted into evidence in any matter before the Board, its designee, and/or any court; and it is further

VI. **ORDERED**, that the Board's records and publications shall reflect that the Respondent and the Board resolved this matter through this Settlement Agreement and Consent Order.

AGREED:

(RESPONDENT'S SIGNATURE  
APPEARS ON ORIGINAL DOCUMENT)

RICHARD H. HUFF  
Respondent

2/10/20

Date

(BOARD CHAIR'S SIGNATURE APPEARS ON  
ORIGINAL DOCUMENT)

JAMES E. MARSHALL, JR., CPA, Chair  
Maryland Board of Public Accountancy

3/3/20

Date