

MARYLAND BOARD OF INDIVIDUAL *
TAX PREPARERS

v.

JOHN A. BAHADORI,
Respondent

BEFORE THE MARYLAND BOARD OF
INDIVIDUAL TAX PREPARERS

CASE NO.: MITP-19-0024

* * * * *

CONSENT ORDER

This matter comes before the Maryland Board of Individual Tax Preparers (the "Board") as a result of a complaint opened by the Board against John A. Bahadori (the "Respondent"), an unregistered professional individual tax preparer. Upon review and investigation, the Board determined that administrative charges against the Respondent were appropriate based on alleged violations of the Maryland Individual Tax Preparers Act. 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 as follows:

THE PARTIES AGREE AND STIPULATE:

1. The Respondent is not currently and has never been registered with the Board to provide services as an individual tax preparer in Maryland. At all times relevant to the matters set forth in this Consent Order, the Board had jurisdiction over the subject matter.

2. In or around October of 2018, a consumer complaint was filed against the Respondent with the Maryland Board of Public Accountancy (the "CPA Board"). The matter was subsequently referred to the Board by the CPA Board and information received reflected that the Respondent had provided individual tax preparation services in the State in recent tax years.

3. A Board investigation revealed that the Respondent had provided individual tax preparation services to Maryland taxpayers from 2016 to 2018 while not registered with the Board.

4. Based on the aforementioned facts, the Respondent admits to violations of Md. Ann. Code, Business Occupations and Professions Article ("BOP"), §§ 21-301 and 21-401 which provide as follows:

§ 21-301. Registration required.

An individual shall be registered by the Board before the individual may provide individual tax preparation services in the State.

§ 21-401. Practice without registration prohibited.

(a) In general. -- Except as otherwise provided in this title, an individual may not provide, attempt to provide, or offer to provide individual tax preparation services in the State unless registered by the Board.

5. As a result of his violations, the Respondent agrees to pay a total civil penalty to the Board in the amount of **\$5000.00** in accordance with the following schedule:

a) There shall be sixteen consecutive monthly payments in the amount of \$312.50 each; and

b) The first of said payments shall become due on June 1, 2019 with the remaining fifteen payments being due on the first day of each month thereafter, respectively, until such time as the total civil penalty amount is paid in full.

6. The Board's records reflect that the Respondent passed the Board's required examination on or about March 5, 2019.

7. The Respondent agrees that he shall not provide, offer, or attempt to provide individual tax preparation services in Maryland until such time as he is properly registered with the Board.

8. The Respondent shall pay the first two required payments (totaling \$625.00) in accordance with Paragraph 5 of this Consent Order prior to becoming registered with the Board. In the event that the Respondent obtains a registration issued by the Board, his failure to make any of the required payments in accordance with the terms of this Consent Order shall result in the immediate and automatic suspension of his registration until such time as the required payment is made.

9. The Respondent shall obtain 16 continuing professional education (CPE) credits in subject matter areas described in Code of Maryland Regulations (COMAR) 09.38.02.03 prior to becoming registered with the Board. At least 4 of the said CPE credits shall be in the subject matter area of Maryland Taxation. The CPE credits obtained in accordance with this paragraph shall be above and beyond any normal statutory or regulatory CPE requirements and, in the event that the Respondent obtains a registration with the Board, shall not be credited toward any future renewal period. The Respondent shall furnish documentary evidence of satisfactory completion of the CPE training prior to becoming registered with the Board.

10. The Respondent shall meet all legal requirements for registration prior to becoming registered with the Board.

11. The Respondent shall abide by the provisions of the Maryland Individual Tax Preparers Act and applicable regulations in all relevant future activities.

12. The Respondent acknowledges and agrees that this Consent Order shall constitute a Final Order of the Board and shall be enforceable as such.

13. The Respondent, by entering into this Consent Order, expressly waives the right to any further written notification of administrative charges, an administrative hearing, any and all further proceedings before the Board to which he may otherwise be entitled in this matter, and any rights to appeal from this Order.

14. The Respondent is represented by counsel and enters into this Consent Order freely, knowingly and voluntarily.

BASED ON THESE STIPULATIONS, IT IS, THIS 13 DAY OF May, 2019, BY THE MARYLAND BOARD OF INDIVIDUAL TAX PREPARERS:

ORDERED that the Respondent has violated BOP, §§ 21-301 and 21-401;

AND IT IS FURTHER ORDERED that the Respondent shall pay a civil penalty in the amount of \$5000.00 to the Board in accordance with the provisions of Paragraph 5 of this Consent Order;

AND IT IS FURTHER ORDERED that the Respondent shall obtain 16 CPE credits in accordance with Paragraph 9 of this Consent Order prior to becoming registered with the Board;

AND IT IS FURTHER ORDERED that this matter shall be resolved in accordance with the terms 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 Maryland Board of Individual Tax Preparers.

Signature on File

Signature on File

John A. Bahadori
Respondent

Amy P. Hennen, Chair
Maryland Board of Individual
Tax Preparers

4/4/2019

Date

5/13/19

Date