

**STATE OF FLORIDA  
BOARD OF ACCOUNTANCY**

**IN RE: THE PETITION FOR DECLARATORY STATEMENT OF  
RENATA DUNN**

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**FINAL ORDER**

THIS MATTER came before the Board of Accountancy, pursuant to Section 120.565, Florida Statutes (F.S.), at a duly-noticed public meeting held on January 31, 2014, in Tampa, Florida, for a hearing on the Petition for Declaratory Statement filed by Renata Dunn (Petitioner) on December 3, 2013, seeking an interpretation of Section 473.315, Florida Statutes (F.S.) and Rule 61H1-21.001, Florida Administrative Code (F.A.C.), regarding independence. The notice of the Petition appeared in the Florida Administrative Law Register in Volume 39, Number 243, on December 17, 2013. No comments by interested persons were received. Petitioner was neither present nor represented by counsel; the Board was represented by Mary Ellen Clark, Senior Assistant Attorney General. Having considered the Petition and relevant statutes and rules, the Board issues the following:

**FACTUAL FINDINGS**

1. Petitioner is a Florida licensed certified public accountant (CPA).
2. Section 473.315(1), F.S., provides that “[a] certified public accountant shall not express an opinion on the financial statements of an enterprise unless she or he and her or his firm are independent with respect to such enterprise.”
3. The Board adopted its standards for determining independence in Rule 61H1-

21.001, F.A.C.

4. Petitioner is the owner of CPA firm that performs audits for homeowners' associations.

5. Petitioner would like to purchase an ownership interest (10-50%) in a second CPA firm that provides bookkeeping, accounting, consulting and tax services. The second firm does not engage in audits but provides accounting services for Petitioner's firm's audit clients. The accounting services provided by the second firm include bank reconciliations and consulting services and its clients are responsible for authorizing or approving transactions, performing management functions, making decisions, and maintain custody of their assets.

6. Petitioner asks two questions:

A. If she purchases an ownership interest (10-50%) in the second CPA firm, can she still separately provide auditing services through her original CPA firm; and

B. If the answer to the first question is yes, would her original firm be independent, pursuant to Section 473.315(1), F.S., and Rule 61H1-21.001, F.A.C., when providing auditing services for clients of the second CPA firm?

#### CONCLUSIONS OF LAW

7. The Board has jurisdiction over this matter pursuant to section 120.565, and Chapter 473, Florida Statutes.

8. The Board answers the questions as follows:

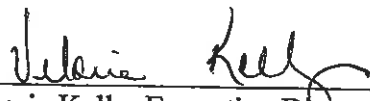
A. Yes; and

B. The Board declines to answer the second question on the basis that insufficient facts were provided on which to base an answer.

This Order shall become effective upon filing with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED, this 13<sup>th</sup> day of March, 2014.

BOARD OF ACCOUNTANCY

  
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Veloria Kelly, Executive Director

**NOTICE OF RIGHTS**

**A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE FLORIDA APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF THE FILING DATE OF THE ORDER TO BE REVIEWED.**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to: **Renata Dunn**, CPA, 14 Aster Terrace, Key Haven, FL 33040; and by interoffice mail to **Mary Ellen Clark**, Senior Assistant Attorney General, Office of the Attorney General, The Capitol, PL-01, Tallahassee, Florida 32399-1050, on \_\_\_\_\_, 2014.