

**STATE OF FLORIDA
BOARD OF ACCOUNTANCY**

**IN RE: PETITION FOR WAIVER BY
KAREN BUCKLEY CAMPIONE**

FILED	
<small>Department of Business and Professional Regulation</small>	
Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	6/2/2016
File #	2016-04189

VW 2016-067

NOTICE OF INTENT TO DENY PETITION

Petitioner, Karen Buckley Campione, filed a petition for a temporary waiver of Rules 61H1-31.004 and 61H1-31.006, Florida Administrative Code (FAC) on March 22, 2016. The notice of the petition appeared in the Florida Administrative Weekly on March 29, 2016, in Volume 42 Number 61; no comments by interested persons were received. The petition was heard at a duly-noticed public meeting of the Board of Accountancy on April 29, 2016, in Tampa, Florida. At the hearing on this matter, Petitioner was neither present nor represented by counsel. The Board was represented by Mary Ellen Clark, Senior Assistant Attorney General.

STATEMENT OF RELEVANT FACTS

The facts relevant to the petition are as follows:

1. Petitioner is licensed as a Florida certified public accountant and her license became delinquent on January 1, 2016, when her renewal fees were not timely received. When Petitioner renewed her license on January 19, 2016, she was charged a \$50.00 delinquency fee and a \$250.00 reactivation fee, in addition to the regular renewal fee.
2. Petitioner states that her failure to renew timely was inadvertent, that her employer (IRS) does not pay her renewal fees, and that she is not presently practicing public accounting.
3. Rule 61H1-31.004, FAC, provides that "a delinquent status licensee shall pay a

delinquency fee of \$50.00 when the licensee applies for active or inactive status."

4. Rule 61H1-31.006, FAC, provides the application fee for reactivation of a delinquent status license shall be \$250.00.

5. Petitioner requests a temporary waiver of Rules 61H1-31.004 and 61H1-31.006, FAC, to allow the delinquency and reactivation fees she paid at the time of licensure renewal to be refunded to her.

GROUND FOR DENIAL

The Board determined that the petition should be denied on the following grounds:

6. Petitioner failed to establish that the purpose of Section 455.271, Florida Statutes, would be met were she to be granted a waiver of the rules.

7. Petitioner further failed to establish that the Board's full application of Rules 61H1-31.004, and 61H1-31.006, FAC, to her circumstances would violate principles of fairness and would impose a substantial hardship on her.

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

DONE AND ORDERED this 24th day of May,
2016, by the Florida Board of Accountancy.

Veloria A. Kelly
Veloria A. Kelly, Division Director ✓

NOTICE TO APPLICANT

You may seek review of this Order, pursuant to Sections 120.569 and 120.57, Florida Statutes, by filing a petition with the Division Director of the Board, 240 Northwest 76th Drive, Suite A, Gainesville FL 32607, within 21 days of receipt of this Order. If you dispute any material fact upon which the Board's decision is based, you may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes; your petition must contain the information required by Rule 28-106.201, Florida Administrative Code, a copy of which is enclosed, including a statement of the material facts which are in dispute. If you do not dispute any material fact, you may request a hearing before the Board pursuant to Section 120.57(2), Florida Statutes; your petition must include the information required by Rule 28-106.301, Florida Administrative Code, a copy of which is enclosed. If you request a hearing, you have the right to be represented by an attorney or other qualified representative, to take testimony, to call or cross-examine witnesses, to have subpoena and subpoena duces tecum issued, and to present written evidence or argument.

Pursuant to Section 120.573, Florida Statutes, you are hereby notified that mediation pursuant to that section is not available.

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Certified Mail to Karen Buckley Campione, 271 Grove Avenue, Metuchen, New Jersey 08840; and to Jesslyn Krouskroup, Chief Attorney, Joint Administrative Procedures Committee, Pepper Building, Room 680, 111 W. Madison Street, Tallahassee, Florida 32399-1400, and Mary Ellen Clark, Senior Assistant Attorney General, PL-01 The Capitol, Tallahassee, Florida 32399-1050 this 2nd day of June, 2016.


Brandon M. Nichols

7010 1870 0000 4473 7288

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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Total Postage & Fees	\$	

Sent To	Karen Buckley Campione
Street, Apt. No., or PO Box No.	AC204181
City, State, ZIP+4	

PS Form 3800, August 2000

See Reverse for Instructions

ELECTION OF RIGHTS FORM
DEPARTMENT OF BUSINESS & PROFESSIONAL REGULATION
BOARD OF ACCOUNTANCY

Applicant Name: Karen Campione
License Number: AC20418
Date of Review: April 29, 2016

ELECTION OF OPTION TO SUPPLEMENT THE APPLICATION

____ I would like to supplement my application. I understand that any additional information must be submitted to the Board of Accountancy on or before the twenty-first (21) day from the date on which I received my Notice of Intent to Deny. I understand also that the Board will only reconsider its action if the additional material adequately addresses the deficiencies in my application. I understand further that my right to have a hearing will be lost if I do not now also elect to have a hearing.

ELECTION OF RIGHT TO HEARING

____ I want to have a hearing. If I have also elected to supplement my application, I understand that the hearing will not be scheduled unless and until the Board declines to reconsider its denial of my application. IF YOU HAVE ELECTED TO HAVE A HEARING, FLORIDA LAW REQUIRES THAT YOU ALSO DECIDE THE TYPE OF HEARING THAT YOU WANT TO HAVE. THERE ARE TWO TYPES OF HEARINGS UNDER THE LAW. YOU MUST CHOOSE ONE OR THE OTHER. IF YOU FAIL TO CHOOSE ONE AT THE PRESENT TIME, YOU WILL BE ACCORDED A HEARING UNDER OPTION #2.

Option #1 ____ I dispute the materials facts and want an evidentiary hearing pursuant to Section 120.57(1), Florida Statutes. This is a hearing before an independent Administrative Law Judge assigned by the Division of Administrative Hearings. To avail yourself of this option, the law requires that you submit a separate petition that complies with Section 120.57(1), Florida Statutes, and Rule 28-106.201 Florida Administrative Code. The petition must specify disputed issues of material fact. If you fail to include a separate petition or if that separate petition fails to meet the requirements of Section 120.57(1), F.S. and Rule 28-106.201, F.A.C., your request for this hearing will be denied and instead, you will be accorded the hearing described under option #2.

Option #2 ____ I do not dispute the material facts and want a hearing pursuant to Section 120.57(2), Florida Statutes, and Rule 28-106.301, F.A.C. This is a hearing before the Board of Accountancy.

Please Note: The law requires that your request for hearing be received by the Board Office on or before the twenty-first (21) day after your receipt of the enclosed Notice of Intent to Deny. IF IT IS NOT RECEIVED ON OR BEFORE THE TWENTY-FIRST DAY, YOUR REQUEST FOR A HEARING MUST BE DENIED.

*Please print your name, address and telephone #:

Return this form to:
Denise Graves

Board of Accountancy
240 Northwest 76th Drive, Suite A
Gainesville, FL 32607-6635
Phone: 352-333-3505
Fax: 352-333-2508

REC MAR BY:	FILED
	Department of Business and Professional Regulation
	Deputy Agency Clerk
	CLERK Brandon Nichols
Date	3/22/2016
File #	

Florida Board of Accountancy
240 N.W. 76th Drive, Suite A
Gainesville, FL 32607

PETITION FOR VARIANCE FROM RULE 61H1-33.006
PETITION FOR WAIVER OF RULE 61H1-31.004 AND/OR 61H1-31.006

License Number AC0020418
Karen Buckley Campione
271 Grove Avenue
Metuchen, NJ 08840
732-266-9737
855-645-5385 EEFax
Karen.b.campione@irs.gov

VW 2016-067

FACTS

I filed my application for renewal of my CPA license on January 19, 2016. I wrote a letter to the Board of Accountancy on January 22, 2016 explaining the reason for my inadvertent tardiness (copy enclosed). I respectfully requested a waiver of the delinquency fee of \$50.00 (Rule 61H1-31.004)^{Note 2} and/or the renewal reactivation fee of \$250.00 (Rule 61H1-31.006).

I have been a CPA since 1996, licensed in the State of Florida. My license inadvertently expired December 31, 2015 due to the holiday confusion and my current bills getting misplaced. In addition, I was on leave from work, and therefore did not receive your reminder e-mails in late December.

I do not practice public accounting and have been since May 1996. I have been employed by the Internal Revenue Service for over 10 years, and I intend to remain here until I retire.

I respectfully request a waiver of these fees so that I can continue to maintain my professional license. Thank you for your consideration.

Note 1: Rulemaking Authority 455.271, 473.305 FS. Law Implemented 455.271, 455.281, 473.305 FS. History—New 1-7-13.

Note 2: Rulemaking Authority 473.305, 473.313 FS. Law Implemented 473.305, 473.313 FS. History—New 1-7-13.

cc: Joint Administrative Procedures Committee
Room 120, The Holland Building
Tallahassee, Florida 32399-1300