

STATE OF MARYLAND
BOARD OF INDIVIDUAL TAX PREPARERS
Business Meeting Minutes
June 26, 2017

TIME: 10:00 a.m.

PLACE: 500 N. Calvert Street
3rd Floor Conference Room
Baltimore, MD 21202

PRESENT:
Jane Bourassa, Acting Chair
Mike Canet
Jacqueline Clarke
Marianela Del-Pino-Rivera
Amy Hennen
Symon Manyara

ABSENT: Kay Riddle, Vice Chair
Steve Wions

DLLR STAFF PRESENT:
Dennis Gring, Executive Director
Matthew Lawrence, Board Counsel and AAG
Alicia Coar, Board Secretary

OTHERS PRESENT:
Tom Brady, MSATP
Mary Beth Halpern, MACPA
Alverta Steinwedel, MSATP

Acting-Chair Ms. Bourassa called the meeting to order at 10:00 AM.

Upon a motion (I) by Mr. Canet and seconded by, Ms. Del-Pino-Rivera the minutes from the May 22, 2017 meeting were approved with corrections unanimously.

Report of the Chair

There was no report of the Chair.

Executive Director's Report

Mr. Gring reported that the investigator for the Board, Mason Land, will begin work on July 12, 2017. Mr. Land is a retired Baltimore City police officer. He is a registered tax preparer, most recently working for H&R Block. Mr. Gring also reported that recruitment for an assistant director is proceeding. The application deadline is July 6, 2017.

Board of Individual Tax Preparers Minutes
June 26, 2017

Mr. Gring reported that the Maryland Tax Payers Protection Act ("Act") goes into effect on Saturday, July 1. The new law provides enhanced enforcement responsibilities and tools for the Board to ensure compliance with its own statute. Highlights of the new law include Board oversight of tax preparation businesses through the Act's requirement that businesses hire only qualified individuals to prepare tax returns; and permitting the Comptroller's office to share pertinent information about tax return preparers with the Board. The Office of the Attorney General is working with the Comptroller's office to execute a memorandum of understanding for the sharing of this information.

Mr. Gring reported that the number of registrants continues to trend lower since November 2015. At that time the Board registered nearly 4,300 individuals. Currently, there are 3,646 registrants, a decrease of over 15%. Of the current registrants, 60% are Maryland Exam qualified, 24% or RTRP Exam qualified, nine percent are experience qualified, and 7% have not qualified by passing the Maryland Exam, the RTRP Exam or qualified through experience.

Mr. Gring reported that shortly before the May 22, 2017 meeting, the Board and the Office of the Comptroller began an effort to identify registered those registered tax preparers who filed tax returns but had not passed the Maryland examination or had been granted a waiver from the examination. The following is a breakdown of the tax return activity of registered tax preparers (no exam) who filed in 2016 and/or in 2017:

78 (25.7%)	More than 100 returns
24 (8.4%)	Between 51 through and 100 returns
46 (16.25%)	Between 11 through and 50 returns
46 (16.25%)	Between 1 through and 10 returns
67 (23.6%)	Did not file any returns
22 (7.7%)	Exempt categories

With respect to the Board's enforcement efforts to date, Mr. Gring advised that 41 administrative actions have resulted in the assessment of more than \$200,000 in civil penalties.

Upon a motion (II) by Ms. Del-Pino-Rivera, and seconded by Mr. Canet, the Board accepted the Executive Director report.

Examination Committee Report

No Examination Committee Report

New Business

No New Business Report

Old Business

With respect to the current proposed regulation clarifying the definition of the provision of individual tax preparation services, Mr. Lawrence advised the Board that, after consulting with the Division of State Documents, in order to most easily effect the substantive changes approved by the Board, the Board should simply withdraw the current proposed regulation, and then submit a new proposed regulation with the changes previously approved by the Board.

Upon a motion (III) by Ms. Hennen, and seconded by Ms. Del-Pino-Rivera, the Board voted to withdraw the current proposed regulation.

Upon a motion (IV) by Mr. Canet, and seconded by Mr. Mayara, the Board voted to submit a new proposed regulation clarifying the definition of the provision of individual tax preparation services and including the substantive changes previously approved by the Board.

After discussion among the Board members in attendance, Ms. Bourassa assigned a number of Board members to the following Board committees:

- Code of Professional Conduct Committee: Marianela Del-Pino-Rivera, Amy Hennen and Jane Bourassa
- Examination Committee: Steve Wions, Jane Bourassa
- Complaint Committee: Jaqueline Clarke, Symon Mayara and Mike Canet

Executive Session

Upon a motion (V) made by Mr. Canet and seconded by Ms. Del-Pino-Rivera the Board voted to go into Executive Session in order to consult with counsel, which is permitted to be closed pursuant to State Government Title Section 10-508 (a), (7) pertaining to an executive session. The Board went into Executive Session at 2:35 p.m. Upon a motion (VIII) by Mr. Canet and seconded by Ms. Hennen, the Board unanimously voted to return to public session at 3:15 p.m.

Complaint Committee

Mr. Canet presented the Complaint Committee Report. During the period May 22, to June 26, 2017 the Complaint Committee has closed 7 complaints.

Upon a motion (VI) by Ms. Del-Pino-Rivera and seconded by Ms. Hennen, the Board unanimously accepted the Complaint Committee Report.

Next Meeting Date

The next meeting of the Board will be held on Monday, August 14, 2017 at 10:00 a.m.

Adjournment

There being no further business, a motion (X) was made by Ms. Del-Pino-Rivera seconded by Mr. Canet and unanimously carried to adjourn the meeting at 3:28 p.m.

With corrections

Without corrections

Signature of File

Jane Bourassa, Acting Chair

August 14 2017
Date