

**IN THE MATTER OF a Proceeding under  
the *Certified General Accountants Act, 2010*  
and the Association's Bylaws**

**IN THE MATTER OF a Complaint against Sujong Park**

**BETWEEN:**

**The Discipline Committee of The Certified General Accountants Association of Ontario**

**- and -**

**Sujong Park**

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**DECISION OF THE PROFESSIONAL CONDUCT TRIBUNAL**

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**Members of the Professional Conduct Tribunal Panel:**

Peter J. Vaillancourt, CGA, Chair  
Donn Martinson, CGA  
Brian Prendergast, Public Representative

Pursuant to section 25, Article 9 of the Bylaws, the Professional Conduct Tribunal Panel has reviewed the Statement of Facts and Resolution proposed by the parties in this matter, signed by the Chair of the Discipline Committee Sandy Whyte, January 23<sup>rd</sup>, 2014 and signed by Sujong Park, January 30<sup>th</sup>, 2014. The Professional Conduct Tribunal Panel accepts the attached proposal as set out by the parties. The attached proposal is hereby ratified.

Dated this 27<sup>th</sup> day of February, 2014

I, Peter J. Vaillancourt, sign this Decision as Chair of the Panel of the Professional Conduct Tribunal on behalf of the members of the Panel that heard this matter.

  
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Peter J. Vaillancourt

**THE CERTIFIED GENERAL ACCOUNTANTS  
ASSOCIATION OF ONTARIO**

**IN THE MATTER OF A PROCEEDING UNDER SUBSECTION 36(1)  
OF THE CERTIFIED GENERAL ACCOUNTANTS ACT, 2010  
AND THE ASSOCIATION'S BYLAWS**

**IN THE MATTER OF Sujong Park, a member of the  
Certified General Accountants Association of Ontario**

**STATEMENT OF FACTS AND RESOLUTION**

**A. AGREED UPON STATEMENT OF FACTS**

1. Sujong Park ("Park") became a member of CGA Ontario in September 2011.
2. Park's CGA Ontario certificate number is 24568 and his CGA Canada certificate number is 373129.

**Failure to Register a Compilation Engagement Practice**

3. For the periods September 2011, the calendar year 2012 and January to September 2013, Park was not registered with CGA Ontario (the "Association") to prepare compilation engagements as required by the Code of Ethical Principles and Rules of Conduct (the "Code").
4. For the years 2011 through 2013 inclusive, Park compiled balance sheets and income statements for clients and prepared notices to reader with respect to financial statements he had prepared when he was not registered with the Association to do so.
5. In the calendar year 2011 Park prepared approximately 10 notices to reader, balance sheets and income statements.
6. In the calendar year 2012 Park prepared approximately 15 notices to reader, balance sheets and income statements.
7. In the calendar year 2013 Park prepared approximately 16 notices to reader, balance sheets and income statements.

**Failure to Register an Income Tax Preparation Practice**

8. For the periods September 2011, the calendar year 2012 and January to September 2013, Park was not registered with the Association to prepare income tax returns as required by the Code.
9. For the period 2011 through 2013 inclusive, Park prepared corporate tax returns for clients when he was not registered with the Association to do so.
10. For the period 2011 to 2013 inclusive, Park prepared personal income tax returns for clients when he was not registered with the Association to do so.
11. In the calendar year 2011 Park prepared approximately 5 corporate income tax returns and 29 personal income tax returns.
12. In the calendar year 2012 Park prepared approximately 10 corporate income tax returns and 44 personal income tax returns.
13. In the calendar year 2013 Park prepared approximately 12 corporate income tax returns and 46 personal income tax returns.
14. Park earned income from carrying on the practice that he was operating in violation of the Code.
15. Rule 515 of the Code requires a member to adhere to the practice inspection requirements of the Association.
16. Park did not undergo an inspection of his compilation practice with the Association as he had not registered that practice as required.
17. Rule 516 of the Code requires a member engaged in the preparation of compilation engagements or tax returns part-time or full-time to maintain professional liability insurance.
18. Park did not maintain insurance for his full time practice for any of the years in question, namely September 2011 to September 2013, inclusive.
19. The total cost of professional liability insurance for the period September 2011 to September 2013 inclusive was \$3,095.55 inclusive of tax.
20. Park was required to but did not purchase the Public Practice Manual (the "PPM") or the CICA Handbook (the "Handbook") for the period September 2011 through to September 2013 when he was engaged in the preparation of compilation engagements and notices to reader.

21. The total cost of the PPM and applicable renewals was \$864.45 inclusive of tax for the period in question.
22. The total cost of the Handbook was \$1,045.25 inclusive of tax for the period in question.
23. Park's conduct amounted to professional misconduct.

#### **B. AGREED UPON RESOLUTION**

1. Park recognizes that it was contrary to the Code for him to be engaged in the preparation of compilation engagements or tax returns part time or full time (the "Registrable Services") when he was not registered with the Association to do so.
2. Park agrees that he provided Registrable Services to the public when he had not complied with the Association's practice inspection requirements, which was contrary to the Code.
3. Park agrees that he profited from his breaches of the Code by offering Registrable Services that he was not permitted to offer.
4. Park agrees that it was contrary to the Code for him to be engaged in the preparation of compilation engagements and the issuance of notices to reader without a practice inspection and without the PPM and Handbook.
5. Park agrees that it was contrary to the Code for him to offer or perform the Registrable Services without maintaining professional liability insurance.
6. Park agrees that his conduct amounted to a violation of Rules 514, 515 and 516 of the Code.
7. Park accepts a reprimand from the Association as a result of his breaches of the Code.
8. Park accepts a suspension of his membership for a period of three months, from the date of ratification of this agreement by the Professional Conduct Tribunal.
9. Along with his acceptance of this resolution, Park has enclosed both his CGA Ontario membership certificate and his CGA Canada membership certificate to be held for the duration of his suspension.
10. Park understands and agrees that he will not offer Registrable Services until he has registered and completed the requirements associated with such a practice and until his suspension has been completed.

11. Park accepts a fine of \$3,000, being comprised of a fine of \$1,000 for each violation of the Code, namely Rule 514, 515 and 516.
12. Park agrees to pay the sum of \$2,059.02 representing the cost of professional liability insurance that he should have paid for the period September 2011 to September 2013, inclusive.
13. Park agrees to pay the sum of \$1,045.25 representing the cost of the Handbook that he should have paid for the period September 2011 to September 2013, inclusive.
14. Park agrees to pay the sum of \$864.45 representing the cost of the PPM that he should have paid for the period September 2011 through September 2013, inclusive.
15. Park understands that the discipline committee (the "Committee") is not seeking any costs payable from him. However, he understands that if he does not accept this resolution, the matter will proceed to a disciplinary hearing before the Professional Conduct Tribunal and the committee will be seeking costs of that hearing from him.
16. Park understands that, as required by the bylaws, the terms of the resolution will be published in Statements in print and online and the full resolution will be posted on the Association's website.
17. Park understands that, after a ten day waiting period from the date of acceptance of this proposed resolution, the Committee will present this proposed agreed resolution of this complaint to the Professional Conduct Tribunal. The Tribunal may accept or reject the resolution. If it accepts the resolution of the complaint, this ratification shall be the final disposition of the complaint. Where the Tribunal refuses to accept the proposed resolution, it may grant this Committee an opportunity to return before it within 10 days or such other reasonable time as shall be stipulated by the Tribunal, with an amended proposed agreed resolution. Where the Tribunal refuses to ratify a proposed resolution and does not grant the Committee an opportunity to return before it with an amended proposed agreed resolution, a Professional Conduct Tribunal panel of three members shall be appointed to conduct a formal hearing pursuant to sections 20 and 28 of Article 9 of the bylaw.
18. Park further understands that if he and the Committee are unable to resolve this complaint through an agreed upon resolution process, the matter will be referred to the Professional Conduct Tribunal for a hearing.