

L. MITCHELL JONES (U.S.B. 5979)  
Assistant Attorney General  
MARK L. SHURTLEFF (U.S.B. 4666)  
Attorney General  
Commercial Enforcement Division  
Heber M. Wells Building  
Box 146741  
Salt Lake City, UT 84114-6741  
Telephone: (801) 366-0310

**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSES OF )  
BECKY B. TAYLOR ) **STIPULATION AND ORDER**  
TO PRACTICE AS A )  
CERTIFIED PUBLIC ACCOUNTANT )  
AND AS A CPA FIRM ) **CASE NO. DOPL- 2012 - 427**  
IN THE STATE OF UTAH )

**BECKY B. TAYLOR**, (“Respondent”) and the Division of Occupational and Professional Licensing (“Division”) of the Department of Commerce of the State of Utah stipulate and agree as follows:

1. Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action.
2. Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily.
3. Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent’s signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent’s right to counsel in this matter.

4. Respondent understands that Respondent is entitled to a hearing before the State of Utah's Board of Accountancy ("Board"), or the Division President Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses and confront adverse witnesses. Respondent understands that by signing this document Respondent hereby waives the right to a hearing, the right to present evidence on Respondent's own behalf, the right to call witnesses, the right to confront adverse witnesses, and any other rights to which Respondent may be entitled in connection with said hearing. Respondent understands that by signing this document Respondent hereby waives all administrative and judicial review as set forth in Utah Code Annotated §§ 63G-4-301 through 63G-4-405, and Utah Administrative Code R151-46b-12 through R151-46b-15. Respondent and the Division hereby express their intent that this matter be resolved expeditiously through stipulation as contemplated in Utah Code. Annotated § 63G-4-102(4).

5. Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in this matter.

6. Respondent acknowledges that this Stipulation and Order, if adopted by the Division, will be classified as a public document. The Division may release this Stipulation and Order, and will release other information about this disciplinary action against Respondent's license to other persons and entities.

7. Respondent admits the following facts are true:

- a. Respondent was first licensed as a certified public accountant ("CPA") in the State of Utah on or about September 18, 1991.
- b. Respondent was first licensed as a CPA Firm on or about March 24, 1993.

- c. From approximately 1988 through 2011, Respondent performed professional services, including accounting, bookkeeping, and tax preparations for the joint business holdings of clients, S.B., and her former spouse B S. During this same time Respondent served on the boards for several of the businesses owned by S.B. and B.S.
- d. During the same time Respondent provided professional services for both S.B. and B.S., Respondent engaged in a romantic relationship with client B.S. This relationship created a conflict of interest with S B. which was not disclosed to or consented by S B.
- e. Respondent has represented to the Division that Respondent has not engaged in any other inappropriate conduct, other than the undisclosed conflict of interest regarding clients S.B. and B.S.

8. Respondent admits that Respondent's conduct described above is unprofessional conduct as defined in Utah Code Annotated § 58-1-501(2) and §§ 58-26a-502(1)(a), (c), and (e) and ET Section 54 – Article III and Section 55 – Article IV of the (AICPA) Professional Standards: Code of Professional Conduct and Bylaws. Respondent acknowledges that said conduct justifies disciplinary action against Respondent's license pursuant to Utah Code Annotated § 58-1-401(2)(a). Respondent understands that the issuance of the Order in this matter is disciplinary action by the Division against Respondent's license pursuant to Utah Code Annotated § 58-1-401(2)(a) and Utah Administrative Code R156-1-102(6). Respondent agrees that an Order shall be entered in this matter as follows:

- a. Respondent shall cease and desist from the unprofessional conduct described in paragraph 7.
- b. Respondent's license shall be subject to probation for two years. The period of probation shall commence on the effective date of this Stipulation and Order, which is the date the Division Director signs the Order. During the period of probation, Respondent shall be subject to all of the following terms and conditions. If the Board or Division later deems any of the conditions unnecessary such deletions may be made by an amended order issued unilaterally by the Board or Division.

- c. Respondent shall take and pass the Utah Law & Rules Exam and the AICPA Ethics Exam. The two exams are to be completed within six months of the date this Order is signed and are in addition to the 80 hours of Continuing Professional Education (CPE) required every two years for renewal.
- d. Respondent shall meet with the Board at the first scheduled Board meeting following the effective date of this Stipulation and Order. Respondent shall then meet with the Board on a quarterly basis or at such other greater or lesser frequency as determined by the Board and Division for the duration of the Stipulation and Order. Respondent agrees to meet with an assigned staff member prior to the first Board meeting.
- e. Respondent shall notify the Board in writing within one (1) week of any change of employer, employment status, or practice status. This notification is required regardless of whether Respondent is employed in Respondent's profession.
- f. If Respondent leaves the State of Utah for a period longer than sixty (60) days, Respondent shall notify the Division and Board in writing of the dates of Respondent's departure and return. The licensing authorities of the jurisdiction to which Respondent moves shall be notified by Respondent in writing of the provisions of this Stipulation and Order. Periods of residency or practice outside the State of Utah may apply to the reduction of the period this Stipulation and Order is in effect, if the new state of residency places equal or greater conditions upon the Respondent as those contained in this Stipulation and Order.
- g. If respondent is arrested or charged with a criminal offense by any law enforcement agency, or disciplined as a CPA in any jurisdiction, inside or outside the State of Utah, for any reason, Respondent agrees to cause the Division and Board to be notified immediately. If Respondent at any time during the period of this agreement is convicted of a criminal offense of any kind, or enters a plea in abeyance to a criminal offense of any kind, including a pending criminal charge, the Division may take appropriate action against Respondent, including imposing appropriate sanctions, after notice and opportunity for hearing. Such sanctions may include revocation or suspension of Respondent's license, or other appropriate sanctions.
- h. In the event Respondent does not practice as a certified public accountant for a period of sixty (60) days or longer, Respondent shall notify the Board in writing of the date Respondent ceased practicing. The period of time in which Respondent does not practice shall not be counted toward the time period of this Stipulation and Order. It shall be within the discretion of the Board to modify this requirement if Respondent satisfactorily explains to the Board that compliance in Respondent's case was impractical or unduly burdensome. Respondent must work at least sixteen (16) hours per week and not more than forty-eight (48) hours per week to be considered "practicing" in Respondent's

profession.

- i. Respondent shall provide a copy of this Stipulation and Order to any association with whom Respondent has any formal practice association and to any employer of Respondent.
- j. Respondent shall be responsible for payment of all costs associated with this Stipulation and Order. Failure of Respondent to pay the costs associated with this Stipulation and Order constitutes a violation of this Stipulation and Order.
- k. Respondent shall immediately notify the Division in writing of any change in Respondent's residential or business address.
- l. Respondent shall maintain an active license at all times during the period of this agreement.
- m. In the event that civil litigation between S B. and B S. indicates that Respondent has engaged in misconduct not admitted to in this Stipulation and Order, or if any further information is provided to the Division indicating Respondent has engaged in misconduct not admitted to in this Stipulation and Order, then the Division may reopen its investigation and take further action against Respondent's licensure to practice as a CPA or CPA Firm in the State of Utah.

9 This Stipulation and Order, upon approval by the Division Director, shall be the final compromise and settlement of this non-criminal administrative matter. Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Director and the Respondent waive any claim of bias or prejudice Respondent might have with regard to the Director by virtue of his having reviewed this Stipulation, and this waiver shall survive such nullification.

10. Respondent agrees to abide by and comply with all applicable federal and state laws, regulations, rules and orders related to the Respondent's licensed practice. Respondent understands that failure to comply with this Order may subject Respondent to a civil penalty of up to \$2,000 (two-thousand dollars) for each day the order is violated pursuant to Utah Code

Ann. § 58-1-503(1). If the Division files a Petition alleging that Respondent has engaged in new misconduct or files an Order to Show Cause Petition alleging that Respondent has engaged in new misconduct or files an Order to Show Cause Petition alleging that Respondent has violated any of the terms and conditions contained in this Stipulation and Order, the period of Respondent's probation shall be tolled during the period that the Petition or Order to Show Cause Petition has been filed and is unresolved.

11. This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation and Order. There are no verbal agreements that modify, interpret, construe or affect this Stipulation. Respondent agrees not to take any action or make any public statement, that creates, or tends to create, the impression that any of the matters set forth in this Stipulation and Order are without factual basis. A public statement includes statements to one or more Board members during a meeting of the Board. Any such action or statement shall be considered a violation of this Stipulation and Order.

12. The terms and conditions of this Stipulation and Order become effective immediately upon the approval of this Stipulation and signing of the Order by the Division Director. Respondent must comply with all the terms and conditions of this Stipulation immediately following the Division Director's signing of the Order page of this Stipulation and Order. Respondent shall complete all the terms and conditions contained in the Stipulation and Order in a timely manner. If a time period for completion of a term or condition is not specifically set forth in the Stipulation and Order, Respondent agrees that the time period for completion of that term or condition shall be set by the Division. Failure to complete a term or condition in a timely manner shall constitute a violation of the Stipulation and Order and may

subject Respondent to revocation or other sanctions.

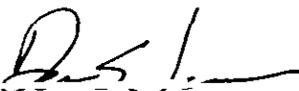
13. If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanction, in the manner provided by law. Such sanction may include revocation or suspension of Respondent's license, or other appropriate sanction.

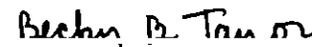
14. Respondent understands that the disciplinary action taken by the Division in this Stipulation and Order may adversely affect any license that Respondent may possess in another state or any application for licensure Respondent may submit in another state.

15. Respondent has read each and every paragraph contained in this Stipulation and Order. Respondent understands each and every paragraph contained in this Stipulation and Order. Respondent has no questions about any paragraph or provision contained in this Stipulation and Order.

DIVISION OF OCCUPATIONAL &  
PROFESSIONAL LICENSING

RESPONDENT

BY:   
DAN S. JONES  
Bureau Manager

  
BECKY B. TAYLOR

DATE: 10-15-12

DATE: 10 11 12

MARK L. SHURTLEFF  
ATTORNEY GENERAL

BY:   
L. MITCHELL JONES  
Counsel for Division

DATE: 10 11 12

**ORDER**

THE ABOVE STIPULATION, in the matter of **BECKY B. TAYLOR**, is hereby approved and constitutes the Findings of Fact and Conclusions of Law in this matter. The issuance of this Order is disciplinary action pursuant to Utah Administrative Code R156-1-102(6) and Utah Code Annotated § 58-1-401(2). The terms and conditions of the Stipulation are incorporated herein and constitute the final Order in this case.

DATED this 16<sup>th</sup> day of October, 2012.

DIVISION OF OCCUPATIONAL AND  
PROFESSIONAL LICENSING

  
MARK B STEINAGEL  
Director

Investigator: Pam Bennett

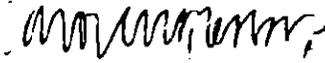
**CERTIFICATE OF SERVICE**

I hereby certify that on the 6 day of Oct, 2012, a true and correct copy of the foregoing STIPULATION AND ORDER has been served on the parties of record in this proceeding by mailing a copy thereof, properly addressed by first class mail with postage prepaid, to the following:

Becky B. Taylor  
Taylor, B. & Associates  
2102 East 3300 South  
Salt Lake City UT 84109

Hand delivered copy to:

L. Mitchell Jones, Assistant Attorney General

  
Carol Inglesby  
Admin. Assistant  
Division of Occupational  
and Professional  
Licensing