

4701-11-09

Acts discreditable.

- (A) Section 4701.03 of the Revised Code provides that the board may promulgate rules consistent with the goal of maintaining a high standard of integrity and dignity in the accounting profession.
- (B) This rule applies to acts by a person holding an Ohio permit, Ohio registration, CPA certificate, PA registration, or firm registration, by a person holding a foreign certificate whose activities are regulated by the board, or by an owner of a public accounting firm equity interest who does not hold an Ohio permit, Ohio registration, CPA certificate, PA registration, foreign certificate, or firm registration.
- (C) The following acts by any person defined in paragraph (B) of this rule are determined by the board as conduct discreditable to the accounting profession as stated in division (A)(10) of section 4701.16 of the Revised Code:
- (1) Using deceptive representations in connection with the performance of services.
 - (2) Representing that services are of a particular standard when they are not.
 - (3) Promoting one's professional services or registered firm in any manner which is inconsistent with upholding a high standard of integrity and dignity in the accounting profession, including, but not limited to:
 - (a) Misrepresenting facts or failing to disclose relevant facts.
 - (b) Creating a false or unjustified expectation of favorable results.
 - (c) Implying abilities not supported by valid educational background, professional attainments, or licensing recognition.
 - (d) Implying the ability to influence improperly any court, tribunal or other public body or official.
 - (4) Engaging in any deceptive trade practice prohibited by law.
 - (5) Committing fraud or deceit in the act of verifying a CPA candidate's experience in accordance with paragraph (C) of rule 4701-7-05 of the Administrative Code, or making any false statement with respect to such verification.
 - (6) Holding out to the public that an accounting credential issued in a foreign

country is in good standing if that credential has been suspended or revoked under the laws of the foreign country.

- (7) Being convicted of a felony or any crime involving dishonesty or fraud under the laws of a foreign country.
 - (8) Failing to follow specialized professional engagement requirements of governmental bodies, commissions, or regulatory agencies.
 - (9) Assuming responsibility for, associating with, or preparing materially false and misleading financial statements, associated financial data, or accounting entries.
 - (10) Failing to file a tax return or failing to remit taxes collected on behalf of others in a timely manner.
- (D) The acts by a certified public accountant or public accountant outlined in the provisions of paragraph (C) of this rule are not intended to limit the scope of division (A)(10) of section 4701.16 of the Revised Code with respect to investigations concerning alleged discreditable conduct.