

1. Is Garcia & Carlson CPA, PA a licensed CPA firm in the State of Florida?

Answer: Yes. Our CPA Firm license number is #AD6954. In addition, both Evelyn Garcia and Stacy Carlson hold individual active CPA licenses in the State of Florida.

2. Are firms who offer public accounting services through CPA employees required to be licensed as a CPA firm in Florida?

Answer: Yes. (F.S. §473)

3. What if a firm unlawfully practices public accounting (tax, consulting and audit)?

Answer: Any unlicensed CPA firm and/or any individual CPA working for an unlicensed firm may be subject to regulatory disciplinary action by the State of Florida's Division of Certified Public Accounting. (F.S. §473).

4. What is meant by "regulatory disciplinary action"?

Answer: Unlicensed CPA firms and individuals found to be in violation of Florida CPA licensure laws may be subject to licensure denial, revocation, suspension, fines, ordered directives, cease and desist order, or possible criminal prosecution as per Florida Statute 473.323.

5. What if my tax advisor tells me "our firm is not required to be licensed because we only offer tax preparation services?"

Answer: If an accounting firm employs CPA's to perform tax services defined in §473.302(8)(a)(b)(c) then the firm is defined as a public accounting firm and must be licensed as a CPA firm in the State of Florida.

6. I was told CPA licensure is only required for firms that offer audit or "attest" services; not tax services?

Answer: This is false. CPA firm licensure is required for any firm that performs audit or "attest" services and any/all firms performing tax, management, consulting, advisory or financial statement services as defined in Florida Statute §473.302(8)(a)(b)(c).

7. Can a firm simply remove the "CPA" designation from its' website and deny the offering of public accounting services in order to lawfully avoid being licensure as a CPA firm?

Answer: No. The actual conduct, or act, of offering public accounting services through CPA employees is what requires CPA firm licensure in the State of Florida.

8. What is the difference between a licensed CPA firm and an unlicensed CPA firm?

Answer: Licensed CPA firms are governed by the Florida Division of Public Accounting which promotes consumer protection by ensuring that certified public accountants and firms adhere to the highest level of professional and ethical standards as well as meeting competency and continuing education requirements for all licensed CPA's in the State of Florida.

9. Can out-of-state non-CPA investors own 100% of a CPA firm in the State of Florida?

Answer: No. Only Florida licensed CPA individuals may own 100% of a Florida CPA firm. (F.S. §473).

10. Can non-CPA investors create a "paper entity" owned by other persons to satisfy Florida CPA licensure requirements?

Answer: CPA's must be the true 100% voting and financial interest owners of any CPA firm owned. Otherwise, this may be considered a "straw" entity, or "shell", intentionally created to circumvent Florida regulatory requirements for the benefit of the true beneficial owners. However, this answer would depend on the specific circumstances and is best answered by the Florida Division of Public Accounting and the its' legal liason at the Florida Office of the Attorney General which can be reached at (850)414-3300. No legal opinion or advice is offered by Garcia & Carlson CPA, PA.