
ORDER MAKING FINDINGS AND
IMPOSING SANCTIONS

In the Matter of David A. Levy, CPA, PC,

Respondent.

)
)
) PCAOB Release No. 105-2015-043
)
) December 17, 2015
)
)
)
)
)

By this Order, the Public Company Accounting Oversight Board ("Board" or "PCAOB") is censuring David A. Levy, CPA, PC ("Respondent" or "Levy") and imposing a civil money penalty in the amount of \$1,000. The Board is imposing these sanctions on the basis of its findings concerning Respondent's failure to timely file an annual report in 2011 and 2014.

I.

On June 10, 2015, the Board instituted disciplinary proceedings pursuant to Section 105(c) of the Sarbanes-Oxley Act of 2002 ("Act") (as amended) and PCAOB Rule 5200(a)(1) against Respondent. Pursuant to Section 105(c)(2) and PCAOB Rule 5203, the Board determined that good cause was shown to make the hearing in this proceeding public. As permitted by Section 105(c)(2) of the Act and PCAOB Rule 5203, the Division of Enforcement and Investigations consented to making the hearing in this proceeding public. Prior to submitting its Offer of Settlement, Levy filed an answer that did not include its consent to making the hearing public.

II.

In response to these proceedings, and pursuant to PCAOB Rule 5205, Respondent has submitted an Offer of Settlement ("Offer") that the Board has determined to accept. Solely for purposes of these proceedings and any other proceedings brought by or on behalf of the Board, or to which the Board is a party, and without admitting or denying the findings herein, except as to the Board's jurisdiction over Respondent and the subject matter of these proceedings, which is admitted, Respondent consents to entry of this Order Making Findings and Imposing Sanctions ("Order") as set forth below.

ORDER

III.

On the basis of Respondent's Offer, the Board finds¹ that:

A. Respondent

1. David A. Levy, CPA, PC is a corporation located in Needham, Massachusetts. The firm registered with the Board on October 5, 2004, pursuant to Section 102 of the Act and Board rules. Levy is licensed by the Massachusetts Board of Accountancy to engage in the practice of public accounting (License No. 678). A search of public records indicates that the firm has not issued any audit reports or broker-dealer certifications since registering with the Board.

B. Violations

2. Pursuant to Section 102(d) of the Act, PCAOB Rule 2200, *Annual Report*, provides that "[e]ach registered public accounting firm must file with the Board an annual report on Form 2" PCAOB Rule 2201, *Time for Filing Annual Report*, sets forth that the deadline for filing the annual report is June 30 of each year. In violation of Section 102(d) of the Act and Rule 2200, Levy failed to timely file an annual report for 2011 and 2014.

C. Subsequent Events

3. The Board instituted these proceedings on June 10, 2015.

4. On June 18, 2015, Levy filed its annual report for 2011 and 2014.

IV.

In view of the foregoing, and to protect the interests of investors and further the public interest in the preparation of informative, accurate, and independent audit reports, the Board determines it appropriate to impose the sanctions agreed to in Respondent's Offer. Accordingly, it is hereby ORDERED that:

A. Pursuant to Section 105(c)(4)(E) of the Act and PCAOB Rule 5300(a)(5), Levy is censured; and

¹ The findings herein are made pursuant to Respondent's Offer and are not binding on any other person or entity in this or any other proceeding.

ORDER

- B. Pursuant to Section 105(c)(4)(D) of the Act, and PCAOB Rule 5300(a)(4), a civil money penalty in the amount of \$1,000 is imposed upon Levy. All funds collected by the Board as a result of the assessment of this civil money penalty will be used in accordance with Section 109(c)(2) of the Act. Levy shall pay this civil money penalty within 10 days of the issuance of this Order by (a) wire transfer pursuant to instructions provided by Board staff; or (b) United States postal money order, certified check, bank cashier's check or bank money order; (c) made payable to the Public Company Accounting Oversight Board; (d) delivered to the Controller, Public Company Accounting Oversight Board, 1666 K Street, N.W., Washington D.C. 20006; and (e) submitted under a cover letter, which identifies Levy as a respondent in these proceedings, sets forth the title and PCAOB Release number of these proceedings, and states that payment is made pursuant to this Order, a copy of which cover letter and money order or check shall be sent to Office of the Secretary, Attention: Phoebe W. Brown, Secretary, Public Company Accounting Oversight Board, 1666 K Street, N.W., Washington D.C. 20006.

ISSUED BY THE BOARD.

/s/ Phoebe W. Brown

Phoebe W. Brown
Secretary

December 17, 2015