



CHARTERED PROFESSIONAL ACCOUNTANTS OF ONTARIO

*CHARTERED PROFESSIONAL ACCOUNTANTS OF ONTARIO ACT, 2017*

**TO:** S. Allan Madan, CPA, CA

**AND TO:** The Discipline Committee of CPA Ontario

The Professional Conduct Committee of CPA Ontario hereby makes the following Allegations of professional misconduct against S. Allan Madan, CPA, CA, a member of CPA Ontario:

1. THAT the said S. Allan Madan, in or about the period of May 2017 to July 2018, while engaged to provide US personal tax services for "JN" and "RN", failed to perform his professional services with due care contrary to Rule 202.1 of the CPA Ontario Code of Professional Conduct, in that:
  - a. He failed to properly document the arrangement with a third-party consultant, "AT";
  - b. He failed to properly document his supervision of "AT" and staff on the engagement;
  - c. He failed to ensure that the advice communicated to the clients was adequately documented;
  - d. He failed to ensure that the advice communicated to the clients regarding the requirements for the streamlined domestic voluntary disclosure was correct;
  - e. He failed to ensure that the advice communicated to the clients regarding the reporting requirements for the Foreign Bank and Financial Account Reports was correct;
  - f. He assisted the clients in improperly deliberately filing their 2017 US tax returns late; and
  - g. He signed a Form 14654 which erroneously stated that the clients had previously filed their US tax 2014 returns.
2. THAT the said S. Allan Madan, in or about the period of August 2018 to October 2019 while engaged to provide US personal tax services to "CR", failed to perform his professional services with due care contrary to Rule 202.1 of the CPA Ontario Code of Professional Conduct, in that:
  - a. He failed to properly document his supervision of the file;
  - b. He failed to make the appropriate inquiries of "CR" in order to determine whether a Foreign Bank and Financial Account Report was required;
  - c. He failed to obtain the necessary information required to correctly prepare the Forms 5471;



- d. He failed to terminate the engagement when "CR" failed to provide necessary answers to questions asked by the Member's firm;
- e. He failed to include the required narrative when filing Form 14653;
- f. He prepared multiple Forms 5471 containing erroneous information; and
- g. He failed to calculate the Repatriation Tax or document any consideration thereof.

Dated at Ancaster, Ontario, this 17 day of December, 2021.

A handwritten signature in black ink, appearing to read "D.M. Anderson". The signature is fluid and cursive, written over a horizontal line.

D.M. Anderson, CPA, CA – DEPUTY CHAIR  
PROFESSIONAL CONDUCT COMMITTEE