

CHARTERED PROFESSIONAL ACCOUNTANTS OF ONTARIO
CHARTERED PROFESSIONAL ACCOUNTANTS OF ONTARIO ACT, 2017

DISCIPLINE COMMITTEE

IN THE MATTER OF: Allegations against **JAY D. MARU, CPA**, under **Rules 101.1 and 201.1** of the CPA Code of Professional Conduct.

BETWEEN:

**Chartered Professional Accountants of Ontario
Professional Conduct Committee**

-and-

Jay D. Maru

APPEARANCES:

For the Professional Conduct Committee:	Lindsay Bandini, Counsel
For Jay D. Maru:	Not Present and Not Represented
Heard:	April 4 and 7, 2025
Decision and Order effective:	April 7, 2025
Release of written reasons:	May 13, 2025

REASONS FOR THE DECISION AND ORDER MADE APRIL 7, 2025

I. OVERVIEW

- [1] The Professional Conduct Committee (“the PCC”) of the Chartered Professional Accountants of Ontario (“CPA Ontario”) made Allegations of Professional Misconduct that Jay D. Maru (the “Member”) committed professional misconduct, in that: (a) he failed to act in a manner which would maintain the good reputation of the profession and its ability to serve the public interest when he provided a falsified medical note to CPA Ontario in an effort to obtain a refund; and, (b) he advertised that he provided public accounting services in Ontario which required a public accounting licence (“PAL”), when he did not hold a PAL.
- [2] This hearing was held to determine whether the Allegations of Professional Misconduct were established and whether the conduct breached Rules 101.1 and 201.1 of the *CPA Code of*

Professional Conduct (the “Code”).

II. THE COMPLAINT AND THE ALLEGATIONS

- [3] On January 22, 2024, the Registrar of CPA Ontario complained to Standards Enforcement in respect of two matters:
- a) The Member submitted a falsified medical note to CPA Ontario’s Education team in an attempt to obtain a refund for a CPA Reciprocity Exam (“CPARE”) after he withdrew from CPARE; and
 - b) Although he did not hold a PAL, the Member advertised that he provided public accounting services in Ontario.
- [4] Following an investigation of the Registrar’s complaint, the PCC issued Allegations of Professional Misconduct on December 10, 2024.

III. PRELIMINARY ISSUES

- [5] The hearing for this matter was scheduled to be heard electronically on Friday, April 4 and Monday, April 7, 2025. The parties also agreed to hold April 8, 2025 in the event that an additional day was necessary to complete the hearing. Because the Member lived in Mumbai, the hearing days were scheduled to start at 8:30 AM to accommodate his time zone.
- [6] The Member failed to attend the hearing day on Friday, April 4, 2025 at 8:30 AM. At the request of the Panel, the Tribunals Office emailed the Member at 8:33 AM to ask him to join the hearing and also re-sent him the Zoom link. When he had not joined the hearing after approximately a half hour, the Panel asked counsel for the PCC to make submissions about continuing the hearing that day in the Member’s absence. Counsel for the PCC indicated that she was surprised that the Member was not present as he had been engaging with CPA Ontario in respect of the hearing throughout and had signed an Agreed Statement of Facts (“ASF”) on March 21, 2025. The Panel asked counsel for the PCC to file an Affidavit of Service to establish that the Member was aware of the hearing date. Counsel for the PCC said that she would file the Affidavit of Service later that day.
- [7] In the circumstances where the Member was living abroad and may have had difficulty joining the hearing virtually and without the Affidavit of Service to consider, the Panel adjourned the hearing to the following Monday. The Panel also directed the Tribunals Office to attempt to contact the Member by email after the hearing and tell him that the hearing would be

proceeding on April 7, 2025, with or without him being in attendance.

- [8] Counsel for the PCC filed an Affidavit of Service on the afternoon of April 7, 2025, establishing that the Member was aware of the dates set for the hearing (Exhibit 2).
- [9] On Monday, April 7, 2025, the Tribunals Office received an email from the Member that explained that his mother had been hospitalized since Friday morning and he could not attend the hearing. He concluded: "Please go ahead with the hearing in my absence" (Exhibit 1).
- [10] Having considered the evidence before it, particularly the Member's consent to proceed with the hearing on April 7, 2025, the Panel concluded that it was appropriate to proceed with the hearing in the Member's absence.

IV. ISSUES ON FINDING

- [11] The Panel identified the following issues arising from the Allegations of Professional Misconduct:
- a) Did the evidence establish, on a balance of probabilities, the facts on which the Allegations made by the PCC were based?
 - b) If the facts alleged by the PCC were established on the evidence on a balance of probabilities, did the Allegations constitute professional misconduct?

V. DECISION ON FINDING

- [12] The Panel found that the evidence clearly established the facts on which the Allegations were based.
- [13] The Panel was satisfied that the Allegations were proven and constituted breaches of Rules 101.1 and 201.1 of the *Code*. The Panel determined that the Member committed professional misconduct.

VI. REASONS FOR THE DECISION ON MISCONDUCT

- [14] The Panel carefully reviewed the ASF (Exhibit 3) and the Joint Book of Documents (Exhibit 4). In paragraph 38 of the ASF, the Member admitted that his conduct, as detailed in the Allegations, established substantive breaches of Rules 101.1 and 201.1 of the *Code* and constituted professional misconduct. The PCC did not call any witnesses.

Member's Background

- [15] The Member was 33 years old and lived in Mumbai, India at the time of the hearing.
- [16] In 2010, the Member obtained his Bachelor of Commerce degree from RA. Podar College in Mumbai.
- [17] Although the Member never lived in the United States, he passed the uniform CPA exam for Washington State in 2016. In his application for this CPA program, the Member falsely listed his home city and state as Wilmington, Delaware. The Member obtained his United States CPA designation in 2021.
- [18] In January 2021, the Member registered "Jay Maru CPA LLC." in Mumbai and in June 2022 he registered "Jay Maru CPA LLC." in Delaware. In August 2022, the Member established his own business called Prudence Advisors Public Accountants ("Prudence Advisors USA"). He was listed as the Director and Principal Auditor of Prudence Advisors USA.
- [19] While still in India, the Member submitted a Mutual Recognition Agreement ("MRA") application with CPA Ontario on February 19, 2023. The MRA is an agreement between a foreign CPA organization and CPA Ontario that establishes an arrangement whereby qualified members of one body may be admitted to membership in the other organization.
- [20] On the Member's application to CPA Ontario, he did not include Prudence Advisors USA in the Employment Information section.
- [21] On June 13, 2023, the Member was admitted into CPA Ontario membership via his MRA application.
- [22] The Member moved to Brampton, Ontario in June 2023 with the intention of conducting business in Canada. His Canadian business, Prudence Advisors Inc. Public Accountants ("Prudence Canada") was incorporated under the *Canada Business Corporations Act* on June 1, 2023.
- [23] After he became aware of the Registrar's Complaint, the Member returned to India in February 2024. Prudence Canada was dissolved on February 13, 2024. References to an Ontario location and Canadian GAAP and GAAS standards were removed from the Prudence Advisors USA website in April 2024.

Issue 1: False Medical Note Submitted to CPA Ontario

- [24] In June 2023, the Member applied to CPA Ontario for a PAL. To obtain a PAL, the Member was required to complete the CPARE. The Member paid a fee of \$1,469 for the CPARE module and exam.
- [25] On July 16, 2023, the Member asked CPA Ontario to allow him to withdraw from the CPARE and requested a refund of the fee that he had paid. On August 9, 2023, a CPA Ontario representative told the Member that he was only eligible for a deferral of the CPARE.
- [26] The Member complained to CPA Ontario that he should receive a refund, saying in an email dated August 13, 2023, amongst other things: “Show some basic level of empathy for a person in medical and mental trauma rather than greediness to make only MONY [sic]” and threatening to take his case to “higher authorities and all professional media with legal assistance.”
- [27] In reply, CPA Ontario told the Member that a refund would only be granted if he submitted a valid medical note indicating that he was no longer able to complete the course.
- [28] On August 29, 2023, the Member submitted a medical note from North York General signed by a “Dr. NJ” to CPA Ontario’s Education team. The note stated that the Member had been ill from July 29, 2023 to present and he “shall be excused from attending any office work or exams till further check-ups or at least 6 months [sic].”
- [29] The Education team became suspicious of the note because there was a stamp on the note that did not correctly match information on the Member’s profile, including his date of birth, age, address and phone number. CPA Ontario staff called the clinic at North York General which had purportedly issued the medical note and learned that they had no record of the Member going to the clinic.
- [30] The Member subsequently admitted that he had downloaded the medical note from the internet and used a PDF editor to edit his name, the doctor’s name, dates, and the false explanation excusing him from writing exams.
- [31] In an interview with the Investigator appointed by the PCC to review this matter, the Member admitted to falsifying the doctor’s note and explained that he needed the exam fee refund to cover his rent. The only evidence that the Member provided respecting his impecuniosity was a tax return for Prudence Canada showing \$NIL income in 2023.

Issue 2: Advertising Public Accounting Services without a PAL

- [32] The Member applied for a PAL in June 2023, but he subsequently cancelled his application. He never held a PAL and was never authorized to provide public accounting services in Ontario.
- [33] Despite this, from June 2023 to April 2024, the Member advertised on Prudence Advisors USA's website that the company had an Ontario office and provided US - Canada GMP Audits & Reviews. The Member's profile on the USA website stated:
- [The Member] engages in performing financial statement audits in accordance with Generally Accepted Accounting Principles (US/Canada GMP) & Generally Accepted Auditing Standards (US/Canada GMS).
- [34] In his interview with the PCC Investigator, the Member explained that he intended to provide public accounting services in Canada under Prudence Canada but in fact he had never provided such services. Prudence Canada did not hold Canadian firm insurance.
- [35] Prudence Advisors USA and Prudence Canada were never registered firms with CPA Ontario. When asked why he did not register his firm with CPA Ontario, the Member stated that it was his understanding through friends that he could provide some accounting services without being a registered firm.
- [36] The Member also stated that it was unintentional that he identified Prudence Advisors USA as having a location in Ontario without proper firm registration. When asked during his interview why he advertised that he serviced clients from the U.S., India, and Canada on his website, he responded, "that is one of the marketing techniques I wanted to implement" and he was attempting to build his business in Canada.

Analysis

- [37] Rule 201.1 of the *Code* states that a member or firm shall act at all times with courtesy and respect and in a manner which will maintain the good reputation of the profession and serve the public interest. In creating a false medical note and holding it out as evidence that he was too unwell to continue his exam (in his case, the CPARE), the Member acted dishonestly.
- [38] Furthermore, under section 205 of the *Code*, members shall not make or associate with any "letter, report, statement or representation" which the member knows to be false or misleading. The Member's actions in creating and submitting a false medical note to CPA

Ontario in order to obtain a refund were clearly in breach of both Rule 205 and Rule 201.1 of the *Code*.

[39] With respect to the Member holding himself out as a Licensed Public Accountant when he did not hold a PAL, members of CPA Ontario, regardless of their jurisdiction of residence or operation, are required to comply with the legislation, bylaws, and regulations of CPA Ontario (Rule 101.1(b)). *The Public Accounting Act, 2004* ('the Act') prohibits an individual who is not licensed under the Act from taking or using any term, title, initials, designation or description implying that they are licensed as a public accountant (subsection 13(1)(d) of the Act). This prohibition also applies to corporations who do not hold a valid certificate of authorization under the Act (section 13(2)(d)).

[40] The Member directly stated on his Prudence Advisors USA website that he was providing services (i.e. financial statement audits) in Ontario that could only be conducted by a person holding a PAL. Thus, he was implying that he was licensed in Ontario as a public accountant, which was not true. The Panel therefore found that the Member breached Rule 101.1 of the *Code*.

VII. DECISION AS TO SANCTION

[41] After considering the evidence, the law, and the submissions of the PCC, the Panel accepted the position of the PCC and ordered the Member's membership in CPA Ontario be suspended for a period of six months, that the Member pay a fine of \$15,000 to CPA Ontario within one year, that the Member attend and successfully complete a professional development course related to ethics, and that notice of the decision and order be given to all members of CPA Ontario, all provincial bodies, and be made available to the public.

VIII. REASONS FOR THE DECISION AS TO SANCTION

[42] There was no agreement between the parties about the appropriate sanction in this matter. The Member was not in attendance at the hearing and did not make submissions on sanction. Counsel for the PCC proposed the sanctions set out above.

[43] The purpose of sanction in a professional discipline matter is to provide specific deterrence to the member or student who has committed professional misconduct and general deterrence to others in the profession at large. Sanctions are intended to demonstrate to the public that CPA Ontario is diligent about disciplining its members and students for contraventions of their respective Codes. Sanctions are intended to protect both the public

and the high reputation of the profession.

[44] The mitigating factors in this matter were as follows:

- a) The Member cooperated with CPA Ontario during the investigation (for example, attending an interview with the Investigator);
- b) He cooperated in the discipline process (for example, by signing the Agreed Statement of Facts, although he failed to attend the hearing); and
- c) He had no prior discipline history (although, in fairness, he was only licensed for a short period of time before these issues arose).

[45] The Panel found that there were several aggravating factors to the Member's misconduct in these two matters. Both matters involved dishonesty: first, by providing a false medical note he attempted to mislead his regulator for personal gain; and second, by advertising public accounting services when he did not hold a PAL, he attempted to mislead the public and acquire clients when he was not authorized to perform the advertised services. These were not single, impulsive acts but rather planned actions.

[46] The Panel also noted other instances in the materials before it where the Member was not candid or honest, for example he provided the U.S. CPA program with a false address and did not include Prudence Advisors in his MRA application to CPA Ontario.

[47] CPAs hold the confidential information of their clients and must be trusted to act with integrity and honesty at all times; this cannot be compromised. The Member's deceptive conduct in these matters was very serious. In some professions, acts of dishonesty result in the revocation of their licences or memberships. The Panel found that this was significant misconduct that deserved robust and meaningful sanctions.

[48] Counsel for the PCC presented a number of CPA Ontario decisions where members and students had acted dishonestly and received sanctions that included suspensions ranging from three months to twelve months and fines ranging from \$5,000 to \$15,000. Although many of these Discipline Committee decisions involved students, the Panel agreed with the submission of counsel for the PCC that the requirement of honesty and integrity applies equally to students and members.

[49] The Panel found that the sanctions sought in this matter, namely a six-month suspension and

a fine of \$15,000 were consistent with and fell within the expected range of sanctions. The three most recent decisions were: [Lu](#), May 31, 2024; [Mehta](#), September 18, 2024 and [Singh](#), January 17, 2025, which are summarized below. In all of these decisions, the student or member signed an agreed statement of facts.

- [50] In *Lu*, in the process of selling a retail food franchise, the member recording a series of temporary wholesale orders which inflated the daily sales for the franchise and failed to record the wholesale orders because he wanted to avoid paying royalty fees to the franchisor. While the member's actions took place outside of his CPA designation, the Discipline Committee was gravely concerned about the member's intentional acts of deception. The Committee considered revocation of the member's membership in CPA Ontario but concluded that a 12-month suspension as well as a \$15,000 fine and a prescribed professional development course on ethics were sufficient to send a message to the profession that honesty, integrity and candour are necessary traits for members of the profession.
- [51] In *Mehta*, the student's brother submitted false information to CPA Ontario related to the student's qualifying experience and hours. When a former mentor complained to CPA Ontario about the student, the student made an unfounded complaint against the mentor. The student was also uncooperative with the investigation, although he claimed that this was due to technical issues. The Discipline Committee accepted a joint submission on sanction from the parties that included a six month suspension and a fine of \$10,000.
- [52] Finally, in *Singh*, the student submitted false and misleading information to CPA Ontario regarding his work experience and his participation in an External Audit Pre-Approved Program. The student advised a mentor that he would complain about them to CPA Ontario after he received negative feedback from the mentor. He also failed to co-operate with the investigation. The Discipline Committee, being mindful of the high threshold in [Anthony-Cook](#), accepted the parties' joint submission on sanction, which was almost identical to those set out in *Mehta*.
- [53] Here, the Panel found that the falsified medical note demonstrated an astonishing lack of judgment and honesty, particularly since it was intended to be relied upon by CPA Ontario. Although the Member's advertisement of public accounting services when he was not qualified in Ontario or Canada was serious, it appeared that he never in fact provided such services. Both issues required a significant regulatory response and the Panel was satisfied that the sanctions it imposed would send an important message to the Member about his

continued relationship with the profession and the high standards that are expected of him going forward if he intends to provide CPA services in Canada after his suspension.

IX. COSTS

- [54] The PCC asked that the Member be required to pay costs in the amount of \$15,000, representing 2/3 of costs for the investigation and prosecution, and payable within 12 months of the date of the Panel's Order. In support of its position on sanction, the PCC filed a Bill of Costs.
- [55] The Panel found that the costs claimed for legal fees (\$4,500) and Discipline counsel fees (\$1,000) were reasonable and proportionate for a two-day hearing. However, the costs claimed for the investigation (\$15,562.50 for the Investigator and \$5,025 for an investigator in training) were high given that the Member promptly agreed that he had provided a false medical note to CPA Ontario and the issue relating to his unauthorized advertising of public accounting services was relatively straightforward. When asked about the quantum of these fees, counsel for the PCC said that there were issues investigated that were not before the Panel. The Panel determined that the Member should not be required to pay costs for matters that were not related to the Allegations of Professional Misconduct or that were not before the Panel.
- [56] The Panel concluded that costs in the amount of \$10,000 were proportionate to the issues in this matter and were consistent with the costs ordered in similar disciplinary matters.

DATED this 13th day of May, 2025



Jeremy Cole, FCPA, FCA
Discipline Committee – Deputy Chair

Members of the Panel

Michael Minnes, CPA, CA, Professional Representative
Barbara Ramsay, Public Representative

Independent Legal Counsel

Susan Heakes, Barrister & Solicitor