CALIFORNIA BOARD OF ACCOUNTANCY
QUALIFICATIONS COMMITTEE

AMENDED
MEETING NOTICE & AGENDA

Wednesday, January 25, 2017
10:00 a.m. – 4:00 p.m.

Wyndham Irvine Orange County Airport Hotel
17941 Von Karman Avenue
Irvine, CA 92614
Telephone: (949) 863-1999

Important Notice to the Public

All times indicated are approximate and subject to change. Agenda items may be discussed and action taken out of order at the discretion of the committee Chair. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-3680 or access the California Board of Accountancy website at www.cba.ca.gov.

Call to Order, Roll Call, Establishment of Quorum, and Opening Remarks (David Evans, Chair).

I. Chairperson’s Report (David Evans).
   A. Introduction of California Board of Accountancy Member Liaisons and Executive Officer.
   B. Approval of the October 19, 2016, Qualifications Committee Meeting Minutes.
   C. Discussion Regarding the Organizational Structure Needed to Properly Transact Committee Business and the Creation of Subcommittees to Facilitate Committee Business (Veronica Daniel, Acting Licensing Chief).

II. Report of the California Board of Accountancy Liaison (Karriann Farrell Hinds, California Board of Accountancy Member).
    A. Report on the November 17-18, 2016, California Board of Accountancy Meeting.
III. Report on Activities for the Initial Licensing Unit (Veronica Daniel).

IV. Public Comment for Items Not on the Agenda*.
   Break.

V. Conduct Closed Hearings [The QC will meet in closed session as authorized by Government Code sections 11126(c)(2) and (f)(3), and BPC section 5023 to conduct closed hearings to interview individual applicants for CPA licensure.]
   Return to Open Session.
   Adjournment.

In accordance with the Bagley-Keene Open Meeting Act, all meetings of the California Board of Accountancy are open to the public.

*Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Qualifications Committee prior to the Qualifications Committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Qualifications Committee, but the committee Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Qualifications Committee to discuss items not on the agenda; however, the Qualifications Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).

The meeting is accessible to individuals with physical disabilities. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Janet Zimmer at (916) 561-1756, or by email at janet.zimmer@cba.ca.gov, or send a written request to the California Board of Accountancy Office at 2000 Evergreen Street, Suite 250, Sacramento, CA 95815. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

For further information regarding this meeting, please contact:

Janet Zimmer, Licensing Coordinator
(916) 561-1756 or janet.zimmer@cba.ca.gov
QC Item I.B.
January 25, 2017

DEPARTMENT OF CONSUMER AFFAIRS (DCA)
CALIFORNIA BOARD OF ACCOUNTANCY (CBA)

MINUTES OF THE
October 19, 2016
QUALIFICATIONS COMMITTEE (QC) MEETING

California Board of Accountancy
2000 Evergreen Street, Suite 250
Sacramento, CA 95815
Telephone: (916) 263-3680

The regularly scheduled meeting of the QC was called to order at 10:08 a.m. on October 19, 2016, by QC Chair, Jenny Bolsky.

QC Members
Jenny Bolsky, CPA, Chair
David Evans, CPA, Vice-Chair
Eric Borigini, CPA
Saboohi Currim, CPA
Christine Gagnon, CPA – Absent
Kristian George, CPA
Casandra Moore-Hudnall, CPA
Jose Palma, CPA
Nasi Raissian, CPA – Absent
Robert Ruehl, CPA
Thomas Sauer, CPA – Absent
Virginia Smith, CPA – Arrived at 10:13 a.m.
Kimberly Sugiyama, CPA

CBA Staff
Veronica Daniel, Acting Licensing Division Chief
Janet Zimmer, Licensing Coordinator
I. Chairperson’s Report.

Ms. Bolsky welcomed the QC Members and read the CBA Mission Statement to open the meeting.

Ms. Bolsky announced that Tracy Garone has resigned from the QC.

A. Approval of the July 27, 2016 QC Meeting Minutes.

It was moved by Mr. Palma and seconded by Mr. Borigini to approve the minutes of the July 27, 2016 QC Meeting.

Yes: Mr. Borigini, Ms. Currim, Ms. George, Mr. Palma, Mr. Ruehl, Ms. Sugiyama, Mr. Evans, Ms. Bolsky.

No: None.

Abstain: Ms. Moore-Hudnall.

Absent: Ms. Gagnon, Ms. Raissian, Mr. Sauer, Ms. Smith.

II. Report of the CBA Liaison.


Ms. Daniel provided a report for this item on behalf of Kathleen Wright.

During the September CBA meeting, the CBA announced that the annual officer elections will take place at the November CBA meeting.

Patti Bowers, CBA Executive Officer, stated that the state fire marshal has signed off on the CBA’s floor plans for the new office location and a construction timeline and additional information regarding the move-in date will be provided as soon as it becomes available.

The CBA continued to maintain its current position on several legislative bills. The bills are listed on the CBA’s website for review.

The CBA approved a comment letter in response to the American Institute of Certified Public Accountants (AICPA) paper titled Proposed Evolutions of Peer Review Administration, A Supplemental Discussion Paper Seeking Input from State Boards of Accountancy. The CBA’s comment letter states that the CBA is in support of the efforts undertaken by the AICPA to enhance the effectiveness, consistency, and quality of peer review. One area the CBA will be paying close attention to is the peer reviewer population.
The CBA’s Annual Report for Fiscal Year 2015-16 was approved and will be posted on the CBA’s website.

The 2017 QC meeting dates were approved and the calendar on the CBA website has been updated to include these dates.

The CBA will hold its next meeting in Sacramento on November 17-18, 2016.

III. Report on the Activities of the Initial Licensing Unit (ILU).

Ms. Daniel provided the licensing statistics for three fiscal years through September 30, 2016. Ms. Daniel noted that the current processing timeframe for all licensing applications has a target goal of 30 days. Currently, CPA licensure applications are being reviewed within an average of 26 days. Firm applications for corporations are being reviewed within an average of 21 days, firm applications for partnerships are being reviewed within an average of 27 days, and applications for fictitious name permits are being reviewed within an average of 24 days. Staff are working towards final implementation of changes to the ethics study education requirement. As of January 1, 2017, all applicants for CPA licensure will be required to have a minimum three semester units or four quarter units specifically in a course devoted to accountants’ ethics or accountants’ professional responsibilities. The initial licensing unit anticipates a surge in applications during the last quarter of this year and that may cause some fluctuations in the overall processing times.

Mr. Ruehl asked about statistics listed for applicants licensed under pathway 1 and 2 on the agenda item. Ms. Daniel explained that while pathway 1 and 2 are now closed, there is still an opportunity for reissuance applicants to come back and become licensed again under their original licensure pathway. Reissuance applicants are previous licensees who had their license cancelled for non-renewal and are pursuing licensure again.

IV. Public Comment for Items Not on the Agenda.

None.

V. Review Files on Individual Applicants [The QC will meet in closed session to review and deliberate on applicant files as authorized by Government Code section 11126(c)(2), and Business and Professions Code (BPC) sections 5022 and 5023.]

The QC conducted its annual internal audit of files approved for licensure. A total of 100 files were reviewed and the QC concurred with staff’s assessment on all 100.
VI. Conduct Closed Hearings [The QC will meet in closed session as authorized by Government Code section 11126(c)(2) and (f)(3), and BPC section 5023 to conduct closed hearings to interview individual applicants for CPA licensure.]

The following Section 69 reviews took place on October 19, 2016 and are made a part of these minutes.

16-030C – The applicant and respective employer appeared and presented work papers from the applicant’s public accounting experience. The applicant has 1,085 hours of attest experience, with a 500-hour attest experience requirement.

The employer’s understanding of the Certificate of Attest Experience (CAE) was adequate and the CAE was accurately prepared. The employer has been removed from reappearance status. The work performed by the applicant was reviewed and was adequate to support licensure.

Recommendation: Approve.

16-031C – The applicant and respective employer appeared and presented work papers from the applicant’s public accounting experience. The applicant has 1,273 hours of attest experience, with a 500-hour attest experience requirement.

The employer’s understanding of the CAE was inadequate and the CAE was inaccurately prepared. The employer has been placed on reappearance status. The work performed by the applicant was reviewed and was adequate to support licensure.

Recommendation: Approve pending submission of a revised CAE.

16-032C – The applicant was unable to attend, however the respective employer appeared and presented work papers from the applicant’s public accounting experience. The applicant has 2,265 hours of attest experience, with a 500-hour attest experience requirement.

The employer’s understanding of the CAE was adequate and the CAE was accurately prepared. The employer has been removed from reappearance status. The work performed by the applicant was reviewed and was adequate to support licensure.

Recommendation: Approve.

The following Section 69 reviews took place on October 26, 2016 and are made a part of these minutes.
16-033C – The applicant and respective employer appeared and presented work papers from the applicant’s public accounting experience. The applicant has 545 hours of attest experience, with a 500-hour attest experience requirement.

The employer’s understanding of the CAE was adequate however the CAE was inaccurately prepared. The work performed by the applicant was reviewed and was adequate to support licensure.

Recommendation: Approve pending submission of a revised CAE.

16-034C – The applicant appeared and presented work papers from foreign public accounting experience. The applicant has 4,551 hours of attest experience, with a 500-hour attest experience requirement.

The work performed by the applicant was reviewed and was adequate to support licensure.

Recommendation: Approve.

16-035C – The applicant and respective employer appeared and presented work papers from the applicant’s public accounting experience. The applicant has 1,177.5 hours of attest experience, with a 500-hour attest experience requirement.

The employer’s understanding of the CAE was adequate and the CAE was accurately prepared. The work performed by the applicant was reviewed and was adequate to support licensure.

Recommendation: Approve.

Adjournment.

There being no further business to be conducted, the meeting was adjourned at approximately 3:04 p.m. on October 19, 2016. The next meeting of the QC will be held on January 25, 2017 in Southern California.

_____________________________
Jenny Bolsky, CPA, Chair

Prepared by: Janet Zimmer, ILU Coordinator
QC Item I.C.  
January 25, 2017

Discussion Regarding the Organizational Structure Needed to Properly Transact Committee Business and the Creation of Subcommittees to Facilitate Committee Business

Presented by: Veronica Daniel, Acting Chief, Licensing Division

Purpose of the Item
The purpose of this agenda item is to ensure meeting processes by which the Qualifications Committee (QC) conducts its meetings are compliant with the Bagley-Keene Open Meeting Act (Open Meeting Act).

Consumer Protection Objectives
In an advisory capacity to the Licensing Division, the QC provides technical expertise related to the licensure activities of the California Board of Accountancy (CBA).

Action(s) Needed
The action of the QC is twofold:

1. The QC will need to authorize the creation of subcommittees for the purpose of conducting work paper reviews of experience of applicants for certified public accountant (CPA) licensure as authorized by Business and Professions Code (BPC) section 5023 (Attachment 1), and interviewing employers that appear before the committee pursuant to CBA Regulations section 69 (Attachment 2).

2. The QC will need to delegate to the QC Chair the authority to establish the subcommittees.

Background
All meetings of the QC are subject to the Open Meeting Act. The Open Meeting Act is summarized in a document developed by the Department of Consumer Affairs (DCA) (Attachment 3). All QC meetings are to occur in open setting, with limited exceptions to occur in a closed session as follows:

- To conduct work paper reviews of experience of applicants appearing before the committee (Government Code section 11126(c)(2) and (f)(3), and BPC section 5023).

- To interview employers that appear before the committee under the provision of CBA Regulations section 69.
Recently, staff held discussions with the DCA Legal Counsel regarding the procedures for establishing and maintaining a quorum during committee meetings. The purpose of the meeting was to ensure that the committee meetings were in compliance with the Open Meeting Act.

**Comments**

To ensure compliance with the Open Meeting Act, the following changes to the QC activities will occur:

- The QC will need to authorize the creation of subcommittees for the purposes of conducting work paper reviews of experience of applicants for CPA licensure and interviewing employers that appear before the committee. The QC will also need to delegate to the QC Chair the authorization to establish the subcommittees.

- The QC subcommittees must have their recommendations approved by the full committee prior to the recommendations being acted on by the Licensing Division.

- Any closed sessions held between meetings will need to have the recommendations approved by the full committee at the next regularly scheduled QC meeting.

- Any closed sessions held between meetings will be limited to two members.

- Licensing Division staff will prepare minutes for closed session.

Additionally, and most importantly, the QC will need to ensure a quorum of members be present for the duration of the meeting and closed session. This is to ensure continued compliance with the Open Meeting Act. QC Members will no longer be able to leave at the conclusion of their respective closed session schedule as it could jeopardize the quorum requirement. Without a continued quorum of the QC, the meeting and, more importantly, the closed session cannot be conducted. Further, as noted above, following the closed session, the QC must vote on the various subcommittee recommendations. Therefore, it is important that members plan their schedules to ensure they will be present for the duration of the meeting schedule.

**Fiscal/Economic Impact Considerations**

There are no fiscal/economic impact considerations.

**Recommendation**

Staff recommend that the QC authorize the creation of subcommittee for the purposes of conducting work paper reviews and interviews as authorized by BPC section 5023 and CBA Regulations section 69, and to delegate to the QC Chair the authority to establish the subcommittees.
Discussion Regarding the Organizational Structure Needed to Properly Transact Committee Business and the Creation of Subcommittees to Facilitate Committee Business
Page 3 of 3

Attachments
1. Business and Professions Code Section 5023
2. California Board of Accountancy Regulations Section 69
3. Bagley-Keene Open Meeting Act Top Ten Rules
5023.

The board may establish a qualifications committee of its own certified public accountant members or other certified public accountants of the state in good standing, to perform the following advisory duties:
(a) To examine the qualifications of all applicants for the license of certified public accountant.
(b) To recommend to the board applicants for the certified public accountant license who fulfill the requirements of this chapter.

(Amended by Stats. 2009, Ch. 307, Sec. 67. Effective January 1, 2010.)
CALIFORNIA BOARD OF ACCOUNTANCY REGULATIONS
SECTION 69

Certification of Applicant’s Experience.

(a) Any licensee who shall have been requested by an applicant to prepare and submit to the board certification of the applicant’s experience and shall have refused to prepare and submit said certification shall, when requested by the board, explain in writing, or, when so requested by the board, explain in person, the basis for refusal to complete and submit said certification.
(b) Any licensee who shall have signed a certification of experience shall, when requested by the board, explain in writing, or, when so requested by the board, explain in person, the information provided on any said certification of experience, in any situation including, but not limited to, the following:
   (1) Where there is an alleged disagreement between an applicant and any licensee as to dates and/or type of work performed;
   (2) Where there is satisfactorily answered certification of experience submitted to the board, but the period of experience appears to be unduly short;
   (3) Where the board seeks to verify on a sample basis information submitted by an applicant or attested thereto on a certification of experience; or
   (4) Where the board reasonably believes that the information in the certification of experience may be false or incorrect.
(c) Any false or misleading statement, made by a licensee as to material matters in the certification of an applicant's experience, shall constitute a violation of Section 5100(g) of the Accountancy Act.
(d) Inspection by the board or its representatives of documentation relating to an applicant’s fulfillment of the experience requirements set forth in Sections 5092, 5093, and 5095 of the Accountancy Act and Sections 12 and 12.5 herein above may be made at any of the board’s offices or at such other places as the board may designate.
(e) The failure or refusal, by any licensee to complete and submit a certification of experience or to comply with a request for explanation of said certification or inspection of documentation as set forth in this rule constitutes a violation of Section 5100(g) of the Accountancy Act.
(f) Any unreasonable act or failure to act which jeopardizes an applicant's chances for obtaining a certificate, shall constitute a violation of Section 5100(g) of the Accountancy Act.

Note: Authority cited: Sections 5010 and 5018, Business and Professions Code.
Reference: Sections 5018 and 5100, Business and Professions Code
BAGLEY-KEENE OPEN MEETING ACT

TOP TEN RULES

[NOTE: GC § = Government Code Section; AG = Opinions of the California Attorney General]

1. All meetings are public. (GC §11123.)

2. Meetings must be noticed 10 calendar days in advance--including posting on the Internet. (GC §11125(a).)

3. Agenda required--must include a description of specific items to be discussed (GC §§ 11125 & 11125.1). *No item may be added to the agenda after it has been noticed unless it meets criteria for an emergency. (GC §11125(b).)

4. Meeting is “gathering” of a majority of the board or a majority of a committee of 3 or more persons where board business will be discussed. Includes telephone & e-mail communications. (GC §11122.5; Stockton Newspapers Inc. v. Members of the Redevelopment Agency of the City of Stockton (1985) 171 Cal.App.3d 95.)

5. Law applies to committees, subcommittees, and task forces that consist of 3 or more persons (includes all persons whether or not they are board members). (GC §11121)

6. Public comment must be allowed on agenda items before or during discussion of the items and before a vote, unless: (GC §11125.7.)
   a. The public was provided an opportunity to comment at a previous committee meeting of the board. If the item has been substantially changed, another opportunity for comment must be provided.
   b. The subject matter is appropriate for closed session.

7. Closed sessions (GC §11126.) At least one staff member must be present to record topics discussed and decisions made. No electronic recording or transcript is required. (GC §11126.1).

Closed session allowed:
   a. Discuss and vote on disciplinary matters under the Administrative Procedure Act (APA). (GC §11126, subd. (c)(3).)
   b. Prepare, approve or grade examinations. (GC §11126, subd. (c)(1).)
   c. Pending litigation. (GC §11126, subd. (c)(1).)

Revised January 2014
BAGLEY-KEENE OPEN MEETING ACT

TOP TEN RULES

d. Appointment, employment, or dismissal of executive officer (EO) unless EO requests such action to be held in public. (GC §11126, subd. (a),(b).)

e. Qualifications Committee may meet to examine the qualifications of CPA applicants and to recommend CPA applicants to the CBA who fulfill the requirements of the law. (Government Code Sections 11126(c)(2) and (f)(3), and Business and Professions Code Section 5023.)

f. Enforcement Advisory Committee may meet to provide technical expertise and advice to the CBA (Executive Officer) on enforcement matters. (Government Code section 11126(c)(2) and Business and Professions Code section 5020.)

No closed session allowed for:

a. Election of board officers. (68 AG 65.)

b. Discussion of controversial regulations or issues.

8. No secret ballots or votes except mail votes on APA enforcement matters. (68 AG 65; GC §11526.)

9. No proxy votes. (68 AG 65.)

10. Meetings by teleconferencing (GC §11123.)

a. Suitable audio or video must be audible to those present at designated location(s). (GC §11123, subd. (b)(1)(B).)

b. Notice and agenda required. (GC §11123, subd. (b)(1)(A).)

c. Every location open to the public and at least one member of board physically present at the specified location. All members must attend at a public location. (GC §11123, subds. (b)(1) (C), and (F).)

d. Roll call vote required. (GC §11123, subd. (b)(1)(D).)

e. Emergency meeting closed sessions not allowed. (GC §11123, subd. (b)(1)(E).)


Revised January 2014
California Board of Accountancy  
Report on the Activities for the Initial Licensing Unit  
As of December 31, 2016

**Initial Licensing Unit Statistics**

<table>
<thead>
<tr>
<th>Individual License Applications</th>
<th>FY 2014/15</th>
<th>FY 2015/16</th>
<th>FY 2016/17</th>
</tr>
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<tbody>
<tr>
<td>CPA Licensure Applications Received by Type</td>
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<td></td>
<td></td>
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<tr>
<td>Type A</td>
<td>2,417</td>
<td>2,821</td>
<td>1,748</td>
</tr>
<tr>
<td>Type B</td>
<td>168</td>
<td>246</td>
<td>99</td>
</tr>
<tr>
<td>Type C</td>
<td>503</td>
<td>589</td>
<td>239</td>
</tr>
<tr>
<td>Type D</td>
<td>44</td>
<td>45</td>
<td>20</td>
</tr>
<tr>
<td>Type E</td>
<td>26</td>
<td>24</td>
<td>13</td>
</tr>
<tr>
<td>Total Received</td>
<td>3,158</td>
<td>3,725</td>
<td>2,119</td>
</tr>
<tr>
<td>Total Approved</td>
<td>2,682</td>
<td>3,470</td>
<td>1,373</td>
</tr>
<tr>
<td>Average Days to Process</td>
<td>24</td>
<td>24</td>
<td>29</td>
</tr>
</tbody>
</table>

| Method of Licensure             |            |            |            |
| Pathway 1 – attest              | 182        | 115        | 12         |
| Pathway 1 – general             | 272        | 336        | 34         |
| Pathway 2 – with attest         | 320        | 224        | 6          |
| Pathway 2 – without attest      | 921        | 618        | 3          |
| New Requirements – attest       | 245        | 567        | 355        |
| New Requirements – general      | 742        | 1,610      | 963        |

<table>
<thead>
<tr>
<th>Firm License Applications</th>
<th>FY 2014/15</th>
<th>FY 2015/16</th>
<th>FY 2016/17</th>
</tr>
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<tbody>
<tr>
<td>Corporation</td>
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<tr>
<td>Total Received</td>
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<td>270</td>
<td>99</td>
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<tr>
<td>Total Approved</td>
<td>208</td>
<td>228</td>
<td>89</td>
</tr>
<tr>
<td>Average Days to Process</td>
<td>16</td>
<td>15</td>
<td>21</td>
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</table>
California Board of Accountancy
Report on the Activities for the Initial Licensing Unit
As of December 31, 2016

<table>
<thead>
<tr>
<th>Firm License Applications (cont.)</th>
<th>FY 2014/15</th>
<th>FY 2015/16</th>
<th>FY 2016/17</th>
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<tbody>
<tr>
<td><strong>Partnership</strong></td>
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<tr>
<td>Total Received</td>
<td>92</td>
<td>87</td>
<td>25</td>
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<tr>
<td>Total Approved</td>
<td>76</td>
<td>72</td>
<td>18</td>
</tr>
<tr>
<td>Average Days to Process</td>
<td>16</td>
<td>18</td>
<td>22</td>
</tr>
<tr>
<td><strong>Fictitious Name Permit</strong></td>
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<tr>
<td>Total Received</td>
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<td>157</td>
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<tr>
<td>Total Approved</td>
<td>87</td>
<td>132</td>
<td>37</td>
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<tr>
<td>Average Days to Process</td>
<td>16</td>
<td>13</td>
<td>22</td>
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<table>
<thead>
<tr>
<th>Customer Service</th>
<th>FY 2014/15</th>
<th>FY 2015/16</th>
<th>FY 2016/17</th>
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<tr>
<td>Telephone Calls Received</td>
<td>22,993</td>
<td>25,772</td>
<td>N/A&lt;sup&gt;1&lt;/sup&gt;</td>
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<tr>
<td>Emails Received</td>
<td>14,160</td>
<td>17,947</td>
<td>11,200</td>
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<table>
<thead>
<tr>
<th>Certifications</th>
<th>FY 2014/15</th>
<th>FY 2015/16</th>
<th>FY 2016/17</th>
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<tbody>
<tr>
<td>Total Received</td>
<td>1,051</td>
<td>991</td>
<td>520</td>
</tr>
<tr>
<td>Total Processed</td>
<td>1,042</td>
<td>788</td>
<td>448</td>
</tr>
<tr>
<td>Average Days to Process</td>
<td>20</td>
<td>21</td>
<td>28</td>
</tr>
</tbody>
</table>

**Initial Licensing Unit Highlights**

- The Initial Licensing Unit (ILU) is currently recruiting for an Associate Governmental Program Analyst, a Staff Services Analyst, a Program Technician II (Limited Term) and two Seasonal Clerk positions.

- On November 10, 2016, ILU staff attended the California Society of CPA’s Annual Student Outreach Luncheon at the Sacramento State Alumni Center to provide information and answer questions regarding CPA examination and licensure requirements.

<sup>1</sup> Telephone calls received are not available at this time due to technical difficulties with obtaining statistics from the CBA phone system. It is anticipated that the ability to report these statistics will resume once the CBA transitions to a new phone system as part of the office relocation in 2017.