

BEFORE THE MARYLAND BOARD OF INDIVIDUAL TAX PREPARERS

MARYLAND BOARD OF  
INDIVIDUAL TAX PREPARERS

v.

MERCEDES NADAL,  
*Respondent*

CASE NO.: MITP-2-2024

\* \* \* \* \*

**SETTLEMENT AGREEMENT AND CONSENT ORDER**

This matter comes before the Maryland Board of Individual Tax Preparers ("Board") based on a Complaint filed by the Board against Mercedes Nadal ("Respondent"), an unregistered professional individual tax preparer, as a result of a referral by the Maryland Office of the Comptroller. Upon review of the Complaint and investigation, the Board determined that administrative charges against the Respondent were appropriate for alleged violations of the Maryland Individual Tax Preparers Act ("Act"), codified at Maryland Code Annotated, Business Occupations and Professions Article ("Bus. Occ. & Prof.") §§21-101 to 21-502. Prior to the issuance of formal charges, the Board and the Respondent (collectively "Parties") agreed to enter into this Settlement Agreement and Consent Order ("Consent Order") as a full and final resolution to this matter and agree and stipulate that:

1. The Respondent has never been registered with the Board to provide individual tax preparation services in Maryland, and at all relevant times, the Board had jurisdiction over the Respondent and related subject matter.
2. Upon investigation, the Board determined that the Respondent provided individual tax preparation services to Maryland taxpayers on multiple occasions from 2021 to 2023 while not registered with the Board.
3. Based upon the aforementioned facts, the Respondent admits to violations of Bus. Occ. & Prof. §§21-301 and 21-401(a), which provide:

**§ 21-301. Registration required.**

An individual shall be registered by the Board before the individual may provide individual tax preparation services in the State.

**§ 21-401. Practice without registration prohibited.**

(a) Except as otherwise provided in this title, an individual may not provide, attempt to provide, or offer to provide individual tax preparation services in the State unless registered by the Board.

4. As a result of her violations, the Respondent agrees to pay a civil penalty in the amount of **\$500.00** on or before September 15, 2003, pursuant to Bus. Occ. & Prof. §21-405(a).
5. The Respondent agrees that she will not provide, offer to provide, or attempt to provide individual tax preparation services in Maryland unless and until such time as the Respondent is properly registered with the Board or otherwise permitted by law.
6. If the Respondent intends to register with the Board, prior to registering, the Respondent shall both meet all legal requirements for registration and obtain sixteen (16) continuing professional education ("CPE") credits in the subject matter areas described in Code of Maryland Regulations ("COMAR") 09.38.02.03. At least four (4) of the said CPE credits shall be in the subject matter areas of Maryland Taxation, and at least four (4) of the said CPE credits shall be in the subject matter of ethics. The CPE credits obtained in accordance with this paragraph shall be above and beyond any normal statutory or regulatory CPE requirements and, if the Respondent ever obtains a registration with the Board, shall not be credited toward any future renewal period. The Respondent shall furnish documentary evidence of satisfactory completion of the CPE training prior to becoming registered with the Board.
7. The Respondent shall abide by the provisions of the Act and applicable regulations in all relevant future activities.
8. By entering this Consent Order the Respondent, in relation to this matter, expressly waives the right to any further written notification of administrative charges, an administrative hearing before the Board or its designee on any charges, to the making of Findings of Fact and Conclusions of Law, to all other proceedings before the Board or its designee on this matter, and to any rights to appeal from this Consent Order to any court of competent jurisdiction.
9. The Parties agree that a waiver of any of the rights or duties provided herein must be explicit and in writing, and that any waiver constitutes a one-time waiver on a case-by-case basis and not a waiver of this entire Consent Order or the subject provision(s) unless otherwise explicitly stated in writing.
10. The Parties agree that this Consent Order represents the final expression of their intent and agreement relating to the subject matter of this Consent Order, that this Consent Order contains all the terms the Parties agreed to on the subject matter of this Consent Order and intend for this Consent Order to replace all of the Parties' previous discussions, understandings, and agreements relating to the subject matter.
11. The Respondent agrees that this Consent Order shall constitute a Final Order of the Board and shall be enforceable as such.
12. The Respondent knowingly, freely, and voluntarily enters this Consent Order having had the opportunity to consult, or after having consulted, with counsel.



13. The Parties agree that this Consent Order will serve as the Final Order in Case No. MITP-2-2024 and the Board's records and publications will reflect its terms.

**BASED ON THE AGREEMENTS AND STIPULATIONS SET FORTH HEREIN, IT IS, THIS 13 DAY OF September, 2023, BY THE MARYLAND BOARD OF INDIVIDUAL TAX PREPARERS HEREBY:**

**ORDERED**, that the Respondent, Mercedes Nadal, has violated Bus. Occ. & Prof. §§21-301 and 21-401(a); and it is further

**ORDERED**, that based on the Respondent's violations, pursuant to Bus. Occ. & Prof. §21-405(a), and after having considered the factors provided therein, the Board hereby imposes on the Respondent a \$500.00 civil monetary penalty that the Respondent shall pay to the Board on or before September 15, 2023; and it is further

**ORDERED**, that the Respondent shall pay the civil monetary penalty by certified check, cashier's check, or money order made payable to the "Maryland Board of Individual Tax Preparers"; and it is further

**ORDERED**, that the Respondent shall meet all legal requirements for registration and obtain sixteen (16) CPE credits in accordance with the provisions of Paragraph 6 of this Consent Order prior to becoming registered with the Board; and it is further

**ORDERED**, that unless otherwise specified in this Consent Order, each provision herein shall remain in effect and enforceable as herein agreed unless the Board in writing stays, modifies, terminates, or suspends it; and it is further

**ORDERED**, that this document shall constitute a Final Order of the Board, and the Board may consider this Consent Order and the facts set forth herein in connection with, and in deciding, any subsequent action or proceeding before the Board, and that this Consent Order may, if relevant, be admitted into evidence in any matter before the Board, its designee, and/or any court.

**MARYLAND BOARD OF  
INDIVIDUAL TAX PREPARERS**

**SIGNATURE APPEARS**

**ON ORIGINAL DOCUMENT**

By: Steven P. Wions, Chair

Maryland Board of Individual Tax Preparers

**SIGNATURE APPEARS**

**ON ORIGINAL DOCUMENT**

Mercedes Nadal, Respondent

**AGREED:**

9/13/2023  
Date