

North Carolina Board of Architecture & Registered Interior Designers
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The purpose of this guidance is to help the regulated public comply with the Board's laws and rules. Please be advised that the guidance below is subject to change. If you disagree with the guidance, you may have the right to request a declaratory ruling from, or hearing before, the Board pursuant to Chapter 150B of the N.C. General Statutes. Moreover, an occupational licensing board does not have the authority to order an unlicensed person or entity to discontinue its practices. Only a court may determine whether an unlicensed person or entity has violated or is violating any law and, if appropriate, impose a remedy or penalty for the violation.

North Carolina Board of Architecture & Registered Designers

SUCCESSOR ARCHITECT OR REGISTERED INTERIOR DESIGNER POLICY

This policy is intended as guidance in situations in which the architect or registered interior designer in responsible control of a project has either left the project, left a firm, has been taken ill or has died, or for some other reason is no longer associated or in responsible control of the project. In special circumstances, specifically where the original architect or registered interior designer, for whatever reason, is no longer associated with the project, a successor architect or registered interior designer may perform work on a set of plans originally prepared by the design professional.

A successor architect or registered interior designer is prohibited from sealing incomplete plans originally begun or prepared under the original architect's or registered interior designer's responsible control. If the plans are incomplete, which is defined as having plans that are at a stage prior to submittal for use in this state, the successor architect or registered interior designer may not seal, the set of drawings prepared by the original architect or registered interior designer. Rather, the successor architect or registered interior designer must take all steps necessary to ensure that the drawings are prepared under his or her responsible control and make it his or her work product. This may include completely recreating the documents in their entirety.

If the plans are complete and have been sealed for use in this state, the successor architect or registered interior designer may prepare and seal addenda sheets or cloud revisions or changes if they are necessary.

The successor architect or registered interior designer may also use a disclaimer indicating that he or she is the 'successor architect' or 'successor registered interior designer' and is only responsible for the indicated work done under their seal.

This policy may not be applicable when there are copyright disputes or contractual issues.

Pertinent Sections of the Rules (Entire rule may not be quoted.)

21 NCAC 02 .0203 RULES OF PROFESSIONAL CONDUCT

- (4) Responsible Control. No architect or registered interior designer shall affix his or her seal and signature to contract documents developed by others not under the architect's or registered interior designer's responsible control. "Responsible control" means that amount of control over and professional knowledge of the content of technical submissions during their preparation as is exercised by an architect or registered interior designer applying the required professional standard of care, including:
 - (a) dissemination of programmatic requirements;
 - (b) ongoing coordination and correlation of services with other aspects of the total design of the project;
 - (c) verification with consultant that owner's requirements are being met;
 - (d) authority over the services of those who assisted in the preparation of the documents;
 - (e) assumption of responsibility for the services;
 - (f) incorporation of services and technical submissions into design documents to be issued for permitting purposes; and
 - (g) incorporation and integration of information from manufacturers, suppliers, installers, the architect's or registered interior designer's consultants, owners, contractors, or other sources the architect or registered interior designer knows to be reliable that is incidental to and intended to be incorporated into the architect's or registered interior designer's technical submissions if the architect or registered interior designer has coordinated and reviewed such information.
- (9) A licensee or registrant shall solicit or accept work on the basis of qualifications and:
 - (e) shall represent to a prospective or existing client or employer their qualifications and the scope of their responsibility in connection with work for which they are claiming credit. Misrepresentation shall be found if any of the following is not complied with:
 - (i) Each licensee or registrant shall state their prior professional experience and the firm they are representing while presenting qualifications to all prospective clients. If the licensee or registrant uses visual representations of prior projects or experience, all designers or architects of record shall be identified.

- (ii) An architect or registered interior designer who has been an employee of another firm may not claim credit for projects contracted for in the name of the previous employer. They shall indicate, next to the listing for each project, that individual experience gained in connection with the project was acquired as an employee and identify the previous firm. The architect or registered interior designer shall also describe the nature and extent of their participation in the project.
 - (iii) An architect or registered interior designer who presents a project that has received awards or public recognition shall comply with the requirements in this Sub-Item with regard to project presentation to the public and prospective clients.
 - (iv) Projects that remain unconstructed and are listed as credits in presentation items shall be listed as "unbuilt" or a similar designation, as determined by the architect or registered interior designer.
- (c) It is unprofessional conduct for an architect or registered interior designer to be found by a court to have infringed upon the copyrighted works of other architects, registered interior designers or other design professionals.

21 NCAC 02 .0206 REQUIREMENT FOR AND USE OF PROFESSIONAL SEAL BY AN ARCHITECT OR REGISTERED INTERIOR DESIGNER

(a) An architect shall seal his or her work whether or not the work is for an exempt project as defined in G.S. 83A-13. An architect shall not sign nor seal drawings, specifications, reports, or other professional work that were not prepared by the architect or under his or her responsible control. Documents shall be sealed as follows:

- (1) An architect may seal those portions of the professional work that:
 - (A) were prepared by or under the responsible control of persons who are licensed architects in this State if the architect has reviewed in whole or in part such portions and has either coordinated their preparation or integrated them into his or her work; and
 - (B) are not required by law to be prepared by or under the responsible control of an architect if the architect has reviewed and adopted in whole or in part such portions and has integrated them into his or her work.
- (2) A registered interior designer may seal those portions of the professional work that were prepared by or under the responsible control of persons who are registered interior designers in this State if the registered interior designer has reviewed in whole or in part such portions and has either coordinated their preparation or integrated them into their work

- (7) Architects and registered interior designers shall affix their seal on one original of all their drawings and sets of specifications prepared by them for use in this State as follows:
 - (A) on the cover sheet of each design and on each drawing prepared by the architect or registered interior designer for the design;
 - (B) on the index page identifying each set of specifications; and
 - (C) on the index page of all other technical submissions. For the purposes of this Rule, "technical submissions" refer to plans, drawings, specifications, studies, addenda, and other technical reports prepared in the course of practicing architecture or registered interior design.
- (8) Presentation documents, such as renderings created by an architect or registered interior designer used to communicate conceptual information, shall not be sealed or signed.
- (9) Documents considered incomplete by the architect or registered interior designer may be released for interim review without the architect's or registered interior designers seal or signature affixed, but shall be dated, bear the architect's or registered interior designer's name, and be marked or designated as follows "Incomplete - for interim review only and not intended for bidding, procurement, permit, or construction purposes."
- (10) Those sheets or pages prepared by licensed professional consultants, such as structural, mechanical or electrical engineers, retained by the architect or registered interior designer shall bear the seal and registration or license number of the consultant responsible therefore and shall not be sealed by the architect or registered interior designer.
- 11) The use of the prescribed seal on paper is an individual act whereby the architect or registered interior designer must personally sign over the imprint of the seal. By sealing documents for use in this State, an architect or registered interior designer is representing that he or she is in responsible control over the content of such documents and has applied the required professional standard of care. The architect or registered interior designer is responsible for security of the seal when not in use.

Approved by the Board of Architecture on April 13, 2018.
Revised on September 13, 2023