

President's Message

Do you remember when lead holders, Rapidographs, Maylines, t-squares and triangles were the instruments used to document our architectural designs? When I graduated from Architecture school and entered the profession in the mid 1970's, these were the tools of the trade. Today, you would be hard pressed to find these instruments at many workstations due to the predominance of computers. Tools that we felt were essential to the way we produced architecture not so long ago have become obsolete. Even in the age of computers, changes in technology and software occur so frequently that year after year they are replaced by faster and improved versions. Just like the instruments architects used in the past have changed, so has the profession. Periodically the Board conducts a review of its rules to make sure they are current and reflect the way architecture is practiced. Over the next several months, the Board will be reviewing its rules and regulations to determine if any revisions need to be made. Some of the issues that will be reviewed are:

- *The use of electronic and digital seals.*
 - *Registration of firms*
 - *Rules related to out of state firms seeking and performing work in North Carolina.*
 - *Different design and construction delivery systems*
- If you have issues you feel the



Board should address during our review please forward them to us for consideration.

Use Of Seals
In August, the Board issued a document entitled: Requirements Regarding the Use of Seals and the Practice of Architecture and Engineering in the State of North Carolina. This document was produced as a joint effort between the Engineering and Architecture Boards in response to questions from registrants and regulatory agencies about the proper use of our professional seals. Dan Knight spearheaded this initiative and did an excellent job pulling this document together. Hopefully the document has helped to clarify the differences between how and when engineers and architects use their seals.

Board Vacancy

In April 2003, Norma DeCamp Burns' term on the North Carolina Board of Architecture expired. Needing more time to pursue other interests, Norma has decided to step down as opposed to continuing to serve until replaced. Over the past decade, Norma has served the Board in numerous capacities, which included three years as President. She also served on several NCARB committees. Norma's service and insights will be missed. The Board wishes Norma her well in her future pursuits.

NCARB Committees

For the second consecutive year, all of the architects on the board have been appointed to serve on an NCARB Committee. Typically one or two members of a Board may be appointed to serve on a committee by the incoming NCARB President. The high percentage of participation of NC Board of Architecture members on NCARB committees is indicative of the quality of the individuals and the respect they have within the NCARB community. Having representation on NCARB committees gives North Carolina a voice in determining national policies that impact the practice of architecture.

New Architects' Luncheon

What has become a North Carolina Board of Architecture tradition, the Annual New Architect's Luncheon, was held on Wednesday, November 19th on the Campus of Elon College. This is a great time when all recently licensed architects since last year this time are welcomed to the profession with a luncheon and presentation by Board members and staff on the role of the Board of Architecture in their professional careers. Recognition of new architects is not done in many jurisdictions. In fact a few jurisdictions have adopted North Carolina's practice after hearing about our program. While attendance was down this year the Board is committed to recognizing this important milestone in the life of every architect.

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Up-Coming Board Meetings

January 14, 2004 9:00 a.m. Raleigh

February 25, 2004 9:00 a.m. Raleigh

All Board meetings are open to the public. Contact Julie Piatek (juliap@ncbarch.org) for further information.

From the Executive Director's Desk

GRATITUDE

In April 2003, long-time Board member Norma DeCamp Burns completed her service on the Board. As Burns served two consecutive five-year terms she could not be reappointed, however, she has left us a legacy of service and a tremendous record of achievement over her ten years on the Board. Burns' thoughtful advice and expertise will serve as a model for other Board members to come. I'd like to express my appreciation

for her efforts over the years and for her support to the Board staff. Please join the Board of Architecture in expressing our gratitude to her for her service.

Please take a few moments to read the Board newsletter. It is one of the main vessels through which the Board communicates very valuable information regarding licensure. In reading the Enforcement Report, which you all turn to first, note some of the violations,

especially practicing without a license. Did you know that if you fail to renew your license by July 1 each year you may be in violation state laws? Also, just as you would change your address with magazine subscriptions or the Department of Motor Vehicles, do so with your professional licensing Board, it is mandated in the rules and could save some heartache in the long run.

Cathe M. Evans, Executive Director

ncarb News

A survey by the National Council of Architectural Registration Boards (NCARB) reveals that there are more than 100,000 architects in the United States. Because architects are often registered in more than one jurisdiction and because not all architects have NCARB records, NCARB is not able to use its registration records to determine the exact number of architects. This year's data represent the third iteration of NCARB's survey of registered architects—a project first undertaken in 1999. The Council's Quality Assurance department gathered statistics from the 55 Member Boards comprising NCARB. Results indicate that a total of 101,183 architects are living in the 55 reporting jurisdictions, which include all 50 states, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands.

The survey also reveals a total of 111,642 reciprocal (out-of-state) registrants and 212,825 total registrations in the United States. This means, on average, an architect is registered in two jurisdictions.

California has the highest number of resident architects (16,809) and the highest number of total registrations (21,437). For more infor-

mation about the 2003 Survey of Registered Architects, contact NCARB at 202/783-6500.

Continuing Education Options Improving Building Performance Monograph Debuts

NCARB is pleased to announce the publication of *Improving Building Performance*, the fourteenth title in the Professional Development Program's monograph series investigating health, safety, and welfare topics.

Improving Building Performance offers an introduction to post-occupancy evaluation (POE), a concept that monograph author Wolfgang F.E. Preiser, Ph.D., describes as "programming in reverse." That is, during a POE the "actual performance of a building is assessed and compared to the desired performance delineated during the initial programming phase."

Improving Building Performance sells for \$125 (current NCARB File holders) and \$195 (non-NCARB File holders). The monograph offers four detailed case studies as well as a lengthy resource listing and prototypical POE forms. Those successfully completing the IBP quiz will earn

10 professional development units and 10 AIA learning units in health, safety, and welfare. All monograph quizzes may now be taken online through the NCARB web site—an added convenience that eliminates processing time and provides test takers with immediate results and a printable certificate of completion.

The NCARB monograph series was created in 1993 in order to meet the increasing need for continuing education and professional development verification.

Future monographs will explore topics including crime prevention in the context of design, building security, the building envelope, and smart growth.

NCARB monographs are a portable and economical professional development resource that investigate subject matter of interest to practicing architects and allied design professionals. The AIA and all U.S. jurisdictions requiring CE accept PDP monographs for compliance with state continuing education/professional development requirements. To order an NCARB monograph, visit www.ncarb.org for additional details and online order form.

ARE News

NCARB is announcing improvements to the ARE. They will be implemented in February 2004. From consolidated content areas to revised testing times, ARE Version 3.0 incorporates a number of evolutionary improvements that were first identified in the Architectural Practice Analysis Study conducted during 2000. Most importantly, the Practice Analysis validated the format and content of the current exam. ARE Version 3.0 acts upon study recommendations that increase the exam's relevancy. While ARE Version 3.0 is not a major overhauling of the exam, it is an effort to include more recent topics while adjusting the emphasis of the focus in other areas.

In order to eliminate redundancy, some ARE content areas are shifting; a few others are being strengthened; and a few new content areas are being introduced. What does this mean for ARE candidates? The most obvious

changes are fewer questions in each multiple-choice division and the elimination of two graphic vignettes.

Some specific changes included in ARE Version 3.0:

Multiple-Choice Divisions

- Reduction of the overall number of questions in each division
- A better organized content outline for each division, with more consistent titles
- The reintroduction of questions about site design throughout several divisions
- Questions covering new content areas, including "green architecture," sustainability, and new material technologies
- Renaming the Materials & Methods division Building Design/Materials & Methods to better reflect its expanded scope
- Expansion of practice and project management portions

of the Construction Documents & Services division

- A redesigned screen layout that anticipates new types of questions in the future

Graphics Divisions

- Elimination of the Site Section vignette from the Site Planning division
- Elimination of the Block Diagram vignette from the Building Planning division
- Standardizing the sequence of all three graphic divisions by implementing one mandatory 15-minute break between sections of each division
- Elimination of access to the Practice Program at Prometric test centers during the examination reduces the scheduled appointment time
- The Practice Program remains available for downloading from the NCARB web site.

For further information contact NCARB at 202-783-6500.



Nick Garret, Jr. (left) of Wilmington and Kiki Teague of Winston-Salem serve as the Public Members on the Board. Public Members serve at the pleasure of the Governor. Ms. Teague is the longest serving Board member having been appointed in 1992. Mr. Garrett was appointed in 2002.

Congratulations to the individuals who have successfully passed the ARE

The following individuals have successfully completed the Architectural Registration Exam and were licensed between February 1, 2003 and October 8, 2003.

Alphonso Alonzo
 Jeffrey Todd Bame
 Lawrence Allen Belkin
 Frederick William Belledin
 Rebecca Anne Block
 Matthew David Brown
 Lydia Dominy Burns
 Jennifer Suzanne Carson
 Michael Ligon Chewning, Jr.
 John Hunter Dendy

Bryan S. Desma
 Veronica Susan DeVita
 Jens Ola Ferm
 Susan Loveless Golden
 Gregory Ryan Grueneich
 Alice Caroline Guess
 William Mortimer Harrison III
 Jana Gottlieb Hartenstine
 Charles Daniel Hartenstine
 Alan William Hunter
 Douglas Ethan Janes
 Frederick Arthur Jernigan
 Frank Arnell Little
 Leonard Richard Lyon III
 Craig William Masterson

Randall Clyde Mauney
 Jeffrey Scott McAdams
 Gregory Allen McClure
 Gustavo E. Mibelli
 Ha Tieu Ngo
 James Joseph Patrick
 David John Peronnet
 Kevin Edward Pfirman
 Daniel Stuart Priest
 Brooks Nilsson Runkle
 David J. Thaddeus
 Charles Jesse Todd
 Vincent Barten Whitehurst
 David Yung



Kevin G. Montgomery, AIA
President

G. Dan Knight, AIA
Vice President

Charles H. Boney Jr, AIA
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Kiki Teague, Public Member
Secretary

Jeffrey A. Huberman, FAIA
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**21 NCAC 02 .0201 BOARD LISTING OF
INDIVIDUAL AND FIRM NAMES**

Every individual licensee, partnership, firm or corporation has the continuing responsibility of keeping the Board currently advised of his or its proper and current mailing address and the name or names under which he or it is practicing. Each licensee or firm shall immediately notify the Board in writing of any and all changes of association or address.

Name of Firm

Address for Correspondence:

Street or P.O. Box

City State Zip Code

**Notification of Change of Address
For Individual Licensee
Please PRINT All Information Clearly**

Please send correspondence to my:
HOME or FIRM (Please Circle One Only)

Daytime Phone Number

Fax Number

Last Name

E-Mail Address

First Name Middle Name

Signature of Architect

NC Individual License Number

Date

enforcement report

Following is a report of the cases that were closed during the period April 1, 2003 to November 19, 2003. The Board is not bound by precedence in matters of disciplinary action. It is the prerogative of the Board to be conservative in their review of cases and to enforce the rules and laws with more sanctions and civil penalties as allowed by law.

Closed Without Prejudice

The Board closed eight cases without prejudice.

Letters of Warning

The following individuals received Letters of Warning for the unauthorized use of the title architect or any form thereof without being duly licensed:

Case 516 Michael C. Weiss, Jr. of

The Providence Group

Case 534 David Cameron

Case 530 Houston Hammond

Case 531 Devin Spear of Marketecture, LLC

Case 534 John Williams of Carolina Structural, LLC

Case 537 Gamal Mekki

Letters of Caution

The Board closed two cases with a letter of caution.

Revocations

Thomas E. Bachtold License number 8340— Based on revocation of NCARB certificate due to disciplinary action taken by TN licensing authority.

Consent Orders

The following cases were closed by entry into consent with the Board of Architecture:

Case 388 Lolalisa King

FINDINGS OF FACT

Respondent agreed to prepare as built plans for an addition to the New Galilee Church in Lumberton, NC. At the time Respondent agreed to prepare as built plans, the project was the subject of a stop work order placed upon the project by local building authorities. The stop work order was based upon the absence of properly sealed construction plans and the existence of alleged code violations. Thomas L. Jones, who does not hold an architectural license, had unlawfully prepared drawings for the project and prevailed upon the church's minister to sign the plans. Jones did so in order to obtain a building permit without a required architect's seal by claiming the plans were exempt as prepared by the owner. Thomas Jones had been previously warned by the Board that under North Carolina law, N.C.G.S. 83A-

13, the plans for oneself exemption only applies if the person who draws the plans signs them. Further, the minister of a church is not, as a matter of law, the lawful owner of the church.

As a result of Thomas Jones' unlawful actions, a local code official issued a building permit and Jones began construction. Upon inspection by other local officials, as well as an investigator for the Board, several deficiencies in the design and construction were identified and the aforementioned stop work order was issued.

Respondent minimally inspected the project and relied heavily upon representations and measurements given to her by Mr. Robin Hood Jones, son of Thomas Jones. Respondent did not prepare the drawings herself, but used the off-site drafting services of Robin Hood Jones. Although the drawings were purported to be as built, Respondent did not conduct a sufficient investigation to determine whether certain structural details related to structural integrity and life safety were present in the wall structures and footings.

The "as built" drawings were also incomplete and deficient in the following respects:

- a. The drawings were not dated;
- b. The drawings included engineering drawings Respondent did not prepare;
- d. The drawings included sheets which Respondent had not reviewed;
- e. The drawings were substantially based upon drawings, observations and measurements performed by non-licensed, interested party, Robin Hood Jones, who did not work under Respondent's direct supervision;
- f. The cover sheet, although sealed by Respondent, was actually completed by another interested party, Thomas Jones;
- g. The drawings were purported to be as built and yet included unconfirmed details;
- h. Respondent sealed drawings which portrayed construction that appeared inconsistent with the ADA and the Building Code and was structurally flawed without noting those deficiencies on the documents.

Respondent had subsequently cooperated with the Board in its investigation of this matter and the Board's successful effort to enjoin Thomas Jones from the unauthorized practice of architecture. Respondent has no previous record of complaints with the Board. Respondent contends that she did not willfully violate the Architecture laws and rules and has revised her business practices and affiliations to avoid such entanglements.

enforcement report continued

Case 388 Lolalisa King continued

Respondent wished to resolve the matter by Consent
CONCLUSIONS OF LAW

1. The Board had jurisdiction over the matter and over Respondent and she was therefore subject to the General Statutes of North Carolina and Title 21, Chapter 2 of the North Carolina Administrative Code.

2. Respondent's conduct as described above, if proven at hearing, could constitute violations of N.C.G.S. 83A-15(a)(3)b and 21 NCAC 2 .0206 and .0209 (6)(b).

The Board and Respondent stipulated and agreed to the following:

Respondent shall complete the North Carolina Code Officials Qualification Board course entitled Law and Administration and shall provide proof of such completion to the Board by December 31, 2003. Respondent shall complete and submit to the Board, by October 31, 2003, the Test on the Laws and Rules of the Board provided to her by the Board upon approval of this Order. Respondent shall pay a civil penalty of \$250.00.

Case 522 Michael Morse

Respondent was previously licensed as an architect by this Board. Respondent failed to renew his license by July 1, 2001 for the 2001-2002 license year. Despite not having been licensed to offer or provide architectural services since July 1, 2001, Respondent continued to offer and render services using the title "architect". The conduct described constitutes violations of N.C.G.S. 83A-11, 83A-12, 83A-15 (a)(3) and 21 N.C.A.C. 02.0209 and .0213. Respondent shall come into compliance will all architectural laws and rules governing reinstatement of his license, including proof of meeting continuing education.

Respondent shall pay renewal fees and late fees for 2001-2002 and 2002-2003 totaling \$300.00.

Respondent's license is reinstated as of the date of the consent order. Respondent shall pay civil penalties in the amount of \$2,500.00

Respondent's license will remain on probation until the Civil Penalties are paid in full.

Failure to timely remit the civil penalties as stated shall result in immediate revocation of license.

Further, if, during the period of probation, the Board staff receives evidence that Respondent has violated any other of the above conditions, the Board may serve notice upon Respondent to show cause how Respondent is not in violation of this Consent Order. If the Board determines that such

violations have occurred, then the Board may suspend or revoke the license, or revoke any stay in addition to any other disciplinary action that may be imposed pursuant to a public hearing, if necessary.

545 Christopher Hendrix, Digital Sky Studios, Inc.

Respondent has offered architectural services through the firm Digital Sky Studios, Inc. for the Kilmalric Health and Racquet Club project in Currituck County, North Carolina. Digital Sky Studios, Inc. is not registered with this Board to offer or render architectural services in North Carolina. Respondent's action in practicing architecture through a firm not properly registered with this Board is a violation of G.S. 83A-12 and 21 N.C.A.C. 02.0215. Respondent agrees to within sixty (60) days from the date this Order is approved by the Board, complete the process to properly register Digital Sky Studios, Inc. in North Carolina and shall pay a civil penalty in the amount of \$500 for practicing architecture through a corporation not registered to do so in North Carolina.

Case 548 John Sibert

Respondent was previously licensed as an architect by this Board. Respondent failed to renew his license by July 1, 2002 for the 2002-2003 license year. Despite not having been licensed to offer or provide architectural services since July 1, 2002, Respondent continued to offer and render services using the title "architect". The conduct described constitutes violations of N.C.G.S. 83A-11, 83A-12, 83A-15 (a)(3) and 21 N.C.A.C. 02.0209 and .0213. The Board and Respondent stipulated and agreed to the following:

Respondent shall come into compliance with all architectural laws and rules governing reinstatement of his license, including proof of meeting continuing education.

Respondent shall pay renewal fees and late fees for 2002-2003 totaling \$150.00. Respondent shall submit these fees immediately. Respondent shall pay a Civil Penalty of \$6500. Respondent's license will remain on probation until the Civil Penalty is paid in full.

Failure to timely remit the civil penalties as required shall result in immediate revocation of license. Further, if, during the period of probation, the Board staff receives evidence that Respondent has violated any other of the above conditions, the Board may serve notice upon Respondent to show cause how Respondent is not in violation of this

enforcement report continued

Consent Order. If the Board determines that such violations have occurred, then the Board may suspend or revoke the license, or revoke any stay in addition to any other disciplinary action that may be imposed pursuant to a public hearing, if necessary.

Case 546 Tracy Ward, Benchmark Design International, Inc.

Respondent prepared and sealed architectural drawings for the Springs Village Townhomes in Charlotte, NC. Respondent used the title block Benchmark Design International, Inc for said project. Benchmark Design International, Inc is not registered with this Board to offer architectural services in North Carolina.

Respondent's action in practicing architecture through a firm not properly registered with this Board is a violation of G.S. 83A-12 and 21 N.C.A.C. 02.0215. Respondent shall, within sixty (60) days from the date the Order is approved by the Board, complete the process to properly register Benchmark Design International, Inc. to practice architecture in North Carolina. Respondent shall pay a civil penalty in the amount of \$500 for practicing architecture through a corporation not registered to do so in North Carolina.

Case 549 John Albert Weller

Respondent was previously licensed as an architect by this Board. Respondent failed to renew his license by July 1, 1997 for the 1997-1998 license year. Despite not having been licensed to offer or provide architectural services since July 1, 1997, Respondent has nevertheless offered and rendered services using the title "architect". Respondent placed an embossing type seal on project plans indicating the incorrect name of "John Robert Weller, Jr.". In addition to the incorrect name, the seal did not contain his North Carolina license number, nor was the signature dated. The conduct as described constitutes violations of N.C.G.S. 83A-10, 83A-11, 83A-12, 83A-15 (a)(3)(a) and 21 N.C.A.C. 02.0213, 21 N.C.A.C. 02.0206 (a) (2), 21 N.C.A.C. 02.0206 (5).

Respondent shall come into compliance with all architectural laws and rules governing reinstatement of his license, the license will be reinstated as of the date of the order, shall pay a civil penalty in the amount of \$500.00.

Responsibility

License renewal notices are sent out in mid-May

each year. If you do not receive a renewal notice by June 1st each year it is your responsibility to contact the Board office immediately. In mid-July each year, *as a courtesy*, a second notice is sent to those who have not renewed in a timely manner. Many of you have selected to receive Board correspondence via email, and, many of you have secretaries, assistants, spouses, etc. that have chosen this method for you. Regardless, it is the ARCHITECT'S responsibility, as a 'professional' to ensure that your license is current. Every time you place your seal on a document, you should ask yourself this question: "IS MY LICENSE CURRENT?" Every time you offer or render architectural services you should ask yourself: "IS MY LICENSE CURRENT?" Every time you refer to yourself as an architect you should ask yourself: "IS MY LICENSE CURRENT?" Please review N.C.G.S. 83A-11, 83A-12, 83A-15 (a)(3)(a) and 21 N.C.A.C. 02.0213. Ignorance of the rules and laws of your profession or the delegation of renewal to a spouse, secretary or assistant is not an excuse to practice without a license. Non-licensed practice of architecture is a clear violation of Board rules and laws and will be dealt with accordingly.

North Carolina Board of Architecture License Statistics As of November 21, 2003

Currently licensed architects - 4674

Breakdown:

NC - 1967

Out-of-State - 2707

Emeritus Status - 39

Active ARE Candidates - 335

(This number reflects the number of individuals who are qualified to take the ARE for NC. They may not necessarily be currently signed up to take an exam.)

Currently licensed firms - 935

Breakdown

NC - 475

Out-of-State - 460

Individuals on probation for failure to complete the CE requirements for 2002 - 65

If you are currently on probation for failure to comply with CE rules you have until December 31, 2003 to obtain the delinquent hours. Documentation must be received in the Board office by January 9, 2004.

of relevance

Getting to Know the Board Members

Board Vice Chairman, G. Dan Knight, Jr, A.I.A. of Dove, Knight Whitehurst in Rocky Mount, NC serves on the Board Applications Committee, he is also the Board IDP Liaison for NCARB.



Mr. Knight also serves on the NCARB IDP Committee. A 1959 graduate of NC State with a Bachelors in Architecture, Mr. Knight was appointed to the Board in 1997, he was re-appointed in 2002.

Board legal counsel, Noel Allen of Allen & Pinnix at the New Architect Luncheon. Allen spoke on the Board rules and laws.



President's Message continued

Changing of the Guard

At the Board's annual meeting in July I was honored by my fellow board members by being elected to serve as President for 2003 –2004, succeeding Jeffrey Huberman, FAIA. Jeff served as President for the past two years and holds the distinction of having served as president of AIA North Carolina and the North Carolina Board of Architecture. During his tenure as President, Jeff did an excellent job leading and strengthening the Board. He is recognized throughout the country for the service he has provided to the profession through the AIA and NCARB. I am thankful for the leadership Jeff provided and look forward to continuing to work with him on the Board.

This year will be a full and exciting year for the Board. We look forward to continuing to serve the profession as we protect the health safety and welfare of the public. I wish you a happy holiday season and a prosperous New Year!

Kevin G. Montgomery

REMINDERS....The following is VERY important information.

Wallet Cards

Almost four years ago the Board phased out license wallet cards. We are still receiving calls from individuals looking for wallet cards. As mentioned in many previous newsletters, you can go to the *directory* section of the Board web site and look yourself up by last name or license number. Click on licensees, enter name or license number, click on "create a certificate." The ensuing document is the "new" wallet card.

RENEWALS

On-line renewal is available. It is a fast and efficient way to renew your license. On-line renewal is available in the registrant's only section of the Board web site.

Continuing Education

Please review rule 21 NCAC 02.0900 Continuing Education. The rules and laws may be viewed on the Board web site.

New Address, Moving?

Failure to update your address with the Board is a violation of rule 21NCAC 02.0201 and will result in disciplinary action including civil penalties. Address changes are accepted via the Board web site, U.S. Mail, e-mail or fax. They will not be accepted over the phone. Please be sure that the Board has correct contact information on file for you. You may confirm this information in the registrants' only section of the Board web site. You must have a PIN to access this section. If you have misplaced your PIN you may request it from the Board via email only, include your FULL name and license number in the request. Board web site www.ncbarch.org Board email ncba@ncbarch.org



Wayne Camas, AIA speaks on behalf of the AIA at the New Architect Luncheon held at Elon University.