

President's **Message**

In addition to my role as president of your Board, I'm also serving as chair of NCARB's Reciprocity Impediments Task Force. This committee has been reviewing impediments to reciprocity within each of NCARB's fifty-five jurisdictions, with the goal of eliminating impediments for reciprocity for individuals who have been certified by NCARB and who have what is commonly referred to as NCARB's Blue Cover. NCARB's ultimate goal is for NCARB certificate holders to be able to receive reciprocal registration in any of the fifty-five jurisdictions with minimal effort and in a timely manner.

Our Task Force has defined impediments to individual reciprocity "as any requirement or delay imposed upon an NCARB-certified architect beyond presentation of the certificate". Examples of impediments include the following:

- Jurisdictions that look behind the Blue Cover, including re-verifying items in your certificate that you've already answered, or asking you for additional information not covered in your NCARB records.
- Jurisdictions that require an NAAB (professional) degree prior to 1984, which was the date that NCARB adopted the NAAB degree requirement. North Carolina does not have such a requirement.
- Jurisdictions that require you to take special technical



examinations in addition to passing the Architectural Registration Examination.

- Jurisdictions that require you to take special examinations on jurisdictional laws and rules. In North Carolina, we require you to certify that you have read the

architectural rules and regulations, but there is no test.

- Jurisdictions that require you to appear before their board for a personal interview even though you have a Blue Cover.
- Jurisdictions that don't accept another jurisdictions' continuing education requirements. North Carolina accepts, without conditions, another jurisdiction's requirements if that jurisdiction accepts ours.
- Jurisdictions that take longer than 15 days after receipt of your completed application and NCARB records for approval of your license. In North Carolina, Cathie Evans, our Executive Director, has the delegated authority to issue reciprocal licenses for NCARB-certified architects so that there is no delay until the next Board meeting. Turn-around time is usually under 15 days once all documentation is received.
- Jurisdictions that don't allow you to market architectural services or enter design competitions without first being licensed in that jurisdiction.

Of the above, North Carolina's only impediment to reciprocity is the last item cited, and the Board is

in the process of discussing how to remove this impediment. North Carolina recently began a rulemaking process that may reduce or eliminate that impediment. Once implemented, I hope that we will only require that the architect be NCARB-certified, notify our Board in writing prior to soliciting for services or entering into a design competition, and receive his/her North Carolina license prior to signing an architectural agreement. Without these, the architect will be practicing illegally.

Now you may ask why would we consider changing our regulations to allow non-resident architects to look for work in North Carolina? There are several answers. First, we want to know who is seeking work in North Carolina and allow a mechanism for control. Second, we would like to encourage other jurisdictions to change their regulations to allow North Carolina architects the ability to legally seek work in other states. Third, by changing our regulations we could be consistent with NCARB's model laws that will make an even playing field for NCARB-certified architects across the country.

As architects and clients do more work outside their home states, we believe this will allow all of us the opportunity to practice nationally.

If you have any comments, please feel free to email me at jhuberman@gantthuberman.com

Jeffrey A. Huberman, FAIA

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Up-Coming Board Meetings

- May 14, 2003 9:00 a.m. Raleigh
- July 16, 2003 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

Once again renewal time is upon us. Renewal notices are sent out around mid-May. If you do not receive a notice by June 1st you should contact the Board office. This year the renewal form has a new look. Please read the form carefully and complete all sections. It is the responsibility of the architect (not his or her assistant, secretary, spouse, or employer) to complete the renewal form accurately and return it to the Board office in a timely manner. All active licenses expire on June 30th, therefore, in order to avoid a late penalty fee you must return the renewal form and fee to the Board office prior to that date.

The Board has seen an increase in cases related to **in-state** architects failing to renew their license yet continuing to practice architecture. As you can see from the enforcement report this is not a violation the Board takes lightly.

Don't forget that you must obtain 12 contact hours in the areas of health, safety and welfare during each calendar year in order to renew your license. I have heard from many architects that the NCARB Monographs are a convenient as well as economical

way to obtain the required continuing education credit. Currently NCARB offers thirteen different monographs. The subjects range from Wind Forces to "Cracking the Codes." You can obtain more information about the monographs by visiting www.ncarb.org

NCBA License Statistics as of April 16, 2003:

Currently Licensed Architects - 4808
Breakdown of that total is as follows:
In NC - 1976
Out of state - 2832
Architect Emeritus - 35
Active ARE Candidates - 326
(This is the number of people who are qualified to take the ARE for NC. They may not necessarily be currently signed up to take an exam.)
Currently Licensed Firms - 876

I'd like to take this opportunity to remind you that 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 www.ncbarch.org

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

In the summer of 2002 a committee made up of members of the North Carolina Board of Architecture and the North Carolina Board of Examiners for Engineers and Surveyors was created. It was the charge of this committee to identify frequently asked questions and to clarify requirements regarding the use of professional seals and the practice of architecture and engineering in North Carolina. The result of the committee's work is a brochure that addresses those issues. The committee plans to distribute the brochure to all Building Inspections Departments, Architects and Professional Engineers. Watch for it to arrive this summer.

Cathe M. Evans
Executive Director

ncarb News

Licensing of Foreign Architects By Kevin Montgomery

Recent articles in the professional journals suggest that foreign architects are on the verge of receiving reciprocal recognition of their professional credentials in the United States similar to the way holding a NCARB Certificate allows American architects to receive reciprocal licensing between states without re-examination. This is incorrect. The recent signing of the Mutual Recognition Agreement (MRA)

between AIA, NCARB and the Architects' Council of Europe (ACE) only commits the parties to begin negotiations. This comes at a time when the World Trade Organization is attempting to build a system for MRA's. NCARB, AIA and ACE are at the forefront of establishing uniformity for architectural practice. NCARB's staff and standing committees are in the process of evaluating European architectural licensing requirements to determine if they are comparable to NCARB's certifica-

tion requirements of Education (graduation from a NAAB accredited institution), Experience (completion of the Intern Development Program) and Examination (passing of the Architectural Registration Examination). NCARB requirements through the years have provided an excellent system for the preparing of and determining the competency of individuals who practice architecture to protect the health safety and welfare of the public and there are no intentions of abandoning them.

enforcement **report**

The following is a report of the cases that were closed during the period August 1, 2002 to March 31, 2003.

Closed Without Prejudice

The Board closed eight cases without prejudice.

Letters of Warning

The Board closed four cases with letters of warning.

Letters of Caution

The Board closed three cases with letters of caution.

Dismissals

The Board dismissed one case due to lack of evidence.

Revocations

Case 493 - Stephen Biegel
License revoked per Board rule 21 NCAC 2.0303 (a).

Engineering Board Referrals (Discipline by the NC Board of Examiners for Engineers and Surveyors.)

Case 434 – Joel E. Whitley, P.E.
It was determined by NCBEES that Whitley affixed his seal to work not done under his direct supervisory control or responsible charge [21 NCAC 56 .0701 (c) (3)], affixed his seal to inadequate design documents, failing to protect the public [21 NCAC 56 .0701 (b)], failed to include address on document [21 NCAC 56 .1103 (b)(6).

Case 495—Charles K. Allred, P.E.
NCBEES closed this case based on corrective actions by Allred not to use “A” sheet designations or list himself as the architectural designer on the Building Code Appendix B in the Future.

Consent Orders

The following cases were closed by entry in to consent with the Board of Architecture

Case 382 - Lucy Carol Davis d/b/a LCDA
Respondents conduct constituted violations of NCGS 83-A 13 (b), 15 (a)(3)(c) and 21 NCAC 2.0203 (2) and .0212(c). The Board and Respondent stipulate and agreed to the following disciplinary action: Reprimand, Civil Penalty of \$500.00, Respondent shall not directly or through any firm of which she is

an employee or owner, serve as both architect and general contractor for the same client, without a written statement of responsibilities of the architect versus the responsibilities of the general contractor, if such services are offered as part of a design-build arrangement. Such statements shall be signed by the client(s). Respondent shall cease the sale of any building products, supplies or furnishings through her architectural firm LCDA. Respondent shall reimburse the Board for administrative costs incurred in the investigation of this matter.

Case 413 – Julian E. Morgan, Jr.
Respondents conduct constituted violations of NCGS 83A-15 (a)(2)a and 83A-15 (a)(3)d and 21 NCAC 2 .0203 and .0210. The Board and Respondent stipulate and agreed to the following disciplinary action: Reprimand. Respondent shall not seal engineering plans for any future projects for which he is engaged to provide architectural services nor shall he agree to provide only engineering plans for any future project until such time as he received license from the NC Board of Examiners for Engineers and Surveyors.

Case 490 – Thomas L. Amann, The Amann Group, P.A.
Respondents conduct constituted violations of NCGS 83A-15 (a)(3) and 21 NCAC 2 .0206 (a)(7) and .0210. The Board and Respondent stipulate and agreed to the following disciplinary action: Reprimand. Respondent shall not seal engineering plans for project in which he is engaged to provide architectural services until such time as he received license from the NC Board of Examiners for Engineers and Surveyors. Respondent may provide engineering which is incidental to the scope of future projects. Respondent shall complete four hours of continuing education satisfactory to the Board on the subject of professional standards or the legal aspects of architectural practice.

Case 510 – BSA Design, Inc.
Respondents failure to register to practice architecture constitutes violations of NCGS 83A-12 and 55B-10. The Board and Respondent stipulate and agreed to the following disciplinary action: Civil Penalty in the amount of \$5000.00.

Continued on page 5

ARE News

NCARB has recently implemented some minor changes to the Building Planning Division division of the ARE. Effective in early March, candidates will only be able to create rectangular stair enclosures in the Schematic Design vignette. (The "L" shaped stair option is no longer available.) Additionally, the shape of the executive desk has been changed for the Interior Layout vignette. In light of these changes to the Building Planning Division, the ARE practice program has been updated. All exam candidates receive a copy of the practice program, as well as a copy of the ARE Guidelines, from The Chauncey Group when they become eligible to take the ARE. The latest versions of the ARE practice programs are available on

the NCARB web site (www.ncarb.org) and may be downloaded, free of charge, when needed.

In other ARE news, the Council will implement a \$35 rescheduling fee beginning July 1, 2003. This fee will be assessed when candidates make any changes to their previously scheduled appointments. Candidates will also be required to select their future appointment date at the time they notify the Prometric Candidate Services Call Center of their schedule change. Additional information about the rescheduling fee will be available on the NCARB web site prior to its implementation.

The Clock Is Ticking By Kevin Montgomery

Do you know what the North

Carolina Board of Architecture Rules say about how long your passing grades are valid? Section .0300 sub section 21 NCAC 02 .0302 states that, "A passing grade for any division on any examination taken after July 1, 1996 shall be valid only for five years." That means credit for a passing score is will be lost after five years if you don't pass all sections of the ARE within that time. This is known as a "rolling window." Therefore, don't procrastinate, as some architects have been known to do.

Once you start taking the ARE complete it as expeditiously as you can so you don't find yourself taking a division twice. I'm sure you will agree that passing a division once is enough.

Congratulations to the individuals who have successfully passed the ARE

The following individuals have successfully completed the Architectural Registration Exam and were **licensed** between *July 1, 2002 and January 31, 2003*.

Please join the Board in congratulating them on this achievement.

Joe Armistead
Kelvin L. Benfield
Matthew Stephen Earl Benson
Brooke Taylor Borden
Gail Peter Borden
Aaron Frank Brindle
Jennifer Heron Brock
Christopher Delano
Russell Jeffrey DeVita
Craig A. Dobyns
Angela Crawford Easterday

Carol Henne Fay
Joseph G. Fiorenza
Franklin Eugene Freeman
Scott Richard Garand
Christopher Owen Hall
Richard Lee Hamrick
Jeffrey Todd Hanson
Kristen Marie Hess
David Bronson Hinchey
Andrew Harold Hoffman
John Turner Hudson
Jitendra Jain
David Paul Johnson
Brian Lewis Jones
Jason Hartle Jones
Larry Franklin Joyner
Steven McCaffrey Lloyd
Michael Shawn Magee

Larry Kenneth McDaniel
Gerard Earl Rustia Miranda
William Timothy Moore
David Jeffrey Murphy
Christian Abiodun Ogunrinde
Gregory Scott Pelley
Travis Walker Pence
Sheela S. Prabhu
Courtney Anne Quinlivan
Richard Steven Redfoot
Warren Samberg
Christina Ventura Smith
Shawn Moorehead Sowers
Eric Matthew Sowers
Christine Little Spendiff
Charles Eric Trunnell
Robert Harcum Ward

ARE Passing Report

The following statistics were provided by The Chauncey Group. They represent the ARE passing rates for January 1, 2002 through December 31, 2002.

As you can see from the statistics provided, North Carolina had a passing rate that was higher than the national **and** regional average. We should be proud of the schools, mentors and employers

for enabling the candidates to achieve this success.

Multiple Choice Divisions

Div.	NC	Southern Region	All Boards
PD	90%	75%	77%
GS	86%	73%	77%
LF	93%	91%	93%
ME	75%	72%	74%
MM	93%	88%	88%
CD	94%	86%	86%

Graphics Divisions

Div.	NC	Southern Region	All Boards
SP	70%	66%	68%
BP	79%	68%	68%
BT	81%	67%	67%

enforcement **report** continued

Case 511 – Andrew O. Lawrence

Respondents conduct constituted violations of NCGS 83A-11, 83A-12, 83A-15 (a) (3) and 21 NCAC 2 .0209 and .0213. The Board and Respondent stipulate and agreed to the following disciplinary action: Respondent shall pay the applicable renewal and late fees of \$150.00 per year for each of the license years 1998-2002, totaling \$750.00, during which time he practiced architecture while not licensed by this Board. Respondent shall come into compliance with all architectural laws and rules governing reinstatement of his license, including proof of meeting continuing education requirements. Respondent shall pay a Civil Penalty of \$500.00.

Case 512 – Barry Alan Rakes

Respondents conduct constituted violations of NCGS 83A-11, 83A-12, 83A-15 (a) (3) and 21 NCAC 2 .0209 and .0213. The Board and Respondent stipulate and agreed to the following disciplinary action: Respondent shall come into compliance with all architectural laws and rules governing reinstatement of his license, including proof of meeting continuing education requirements. Respondent shall pay a Civil Penalty of \$250.00.

Case 515 – Mark Woodard, Woodard Design, P.C.

Respondents conduct constituted violations of NCGS 83A-12 and 21 NCAC 02.0215. The Board and Respondent stipulate and agreed to the following disciplinary action: Respondent shall, within 60 days from the date of the order, complete the process to properly register Woodard Design, P.C. to practice architecture in North Carolina. Respondent shall pay a Civil Penalty of \$500.00.

TRAGIC REMINDERS OF OUR DAILY TASK **By Charles Boney**

A tragic fire in a Rhode Island nightclub and blocked exits in a Chicago nightclub were terrible recent reminders of the importance of our work as architects. Both situations were painfully avoidable and represent the essence of our practice mandate: *architects are the guardians of the Health, Safety, and Welfare of the public.*

The tragedies were caused by modifications to assembly occupancies, and were aggravated by panic. The “trigger” that created panic in each case was a thoughtless act.

In Chicago, a can of mace was sprayed into a crowded room. Occupants panicked; blocked exits and an inadequate primary exit lead to death and injury.

In Rhode Island, a pyrotechnics display inside a building covered with flammable foam ignited the structure. The occupants initially thought the flames were part of the show and were overwhelmed by smoke. (Who ever thought setting off a “pyrotechnics display” - a euphemism for explosive devices that burn with intensity - should ever be permitted inside any enclosed space full of people?)

In Chicago and Rhode Island, panic lead to deaths. As architects, we must never underestimate the danger panic creates in normally rational people. We cannot prevent the senseless acts that cause panic, but we can equip our buildings to provide obvious means of escape when panic occurs.

Media-intensive failures of buildings often overshadow those less publicized times - when exit plans do work, when people do escape, when lives are saved – because an architect did his/her job. Those times rarely get headlines, but they justify the care architects must exercise every day.

I recently walked to dinner in downtown Norfolk with several people, including an off-duty police officer from North Carolina. The streets were deserted, but in our three-block walk he was constantly surveying doorways and alleys for danger. He was off duty, he was not even in his state, but he was always a cop.

Architects can learn from this policeman. When we walk into a crowded restaurant, where are the exits? Are they blocked by boxes or serving carts? When we go to a movie, are the exits plainly illuminated – and unchained? When we design a building, are there adequate exits and are materials properly selected to protect the public?

We can be observant wherever we are; look for exit problems, identify dangerous situations, design with protective intent. We should know the fire marshal in our areas of practice on a first name basis.

We can’t stop being architects at 6:00. The job never ends.



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NCBA Address Change Form

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Middle Name

NC Individual License Number

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Firm Address

Firm City

Firm State

Firm Zip Code

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Home State

Daytime Phone

Fax Number

E-Mail Address

I would like NCBA Correspondence sent to my
(circle one):
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Signature of Architect

Date

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