

IS YOUR FIRM A LIMITED LIABILITY COMPANY (LLC)?

Yes

Step #1

Note: An employee of the firm must first be licensed as an architect in South Carolina before submitting forms to the S.C. Secretary of State's Office.

Submit the following to the S.C. Secretary of State's Office:

1. *S.C. Secretary of State form, Application by Foreign Limited Liability Company.
2. Filing Fee of \$110 made payable to Secretary of State.

*The Secretary of State requires that you provide a physical address in SC for receipt of correspondence should that be necessary. Post Office boxes are not acceptable. If you know someone who will allow you to use his/her address, you may do so. Or, you may contact www.registered-agent-listings.com to find a registered agent.

Step #2

SC Secretary of State sends you a Certificate of Authority to Transact Business in SC.

Step #3

Send the following to the SC Board of Architecture:

1. Copy of Certificate of Authority.
2. Completed SC Application to License Firms, Corporations or Partnerships
3. Application fee of \$100 made payable to LLR – Architectural Board.



Nikki R. Haley
Governor

Holly G. Pisarik
Interim Director

South Carolina
Department of Labor, Licensing and Regulation

Board of Architectural Examiners

Law and Regulation Regarding Practice of Firms



110 Centerview Drive
Post Office Box 11419
Columbia, SC 29211-1419
(803) 896-4408
FAX: (803) 896-4427
www.llronline.com

Section 40-3-270. Firm Registration.

(A) A firm desiring a certification of authorization shall file with the board an application on forms provided by the board and pay an application fee. Before a certificate of authorization may be issued to an out-of-state business or professional corporation, the corporation must be approved to transact business in this State. A copy of the approved certificate of authority issued by the State must be filed with the board application.

(B) A firm must maintain on file in the board office the name of the individual in full authority and responsible charge and written evidence of authority. Failure to provide accurate and timely information may constitute a violation of this subsection.

(C) For the purpose of this chapter, a sole proprietorship means a business in which one or more registered architects are engaged as employees; however, the practice must be conducted under the name registered with the board as an individual (i.e., John Doe, Architect). Any other practice name, i.e., Doe & Company, or Doe & Associates, requires a certification of authorization to practice.

(D) If a South Carolina firm seeks to register under a name referring to persons rather than a trade name, the persons referred to in the firm's name must be licensed as individual architects, engineers, land surveyors, or landscape architects in this State.

(E) If an out-of-state firm seeks to register under a name referring to persons rather than a trade name, the persons referred to in the firm's name must be licensed as individual architects, engineers, land surveyors, or landscape architects in this State or in another jurisdiction.

(F) The requirement to obtain a certificate of authorization applies to associations for one or more projects but does not apply to an out-of-state firm or individual retained by a registered South Carolina architect as a consultant only.

(G) A registered architect practicing in his name who does not employ a registered architect is not required to obtain a certificate of authority.

Regulation 11-10 Practice of Firms.

A. A firm engaged in the practice of architecture in South Carolina must employ one (1) or more persons registered to practice architecture in South Carolina who are in full authority and responsible charge of the firm's architectural practice. Persons in full authority and responsible charge shall mean regularly employed persons in unrestricted, unchecked, and unqualified command of, and legally accountable for the actions of such architectural practice.

B. An architect registered in South Carolina shall be responsible for complying with these regulations as they may apply to any association or joint venture with another architect or architects.

C. Each office maintained for the preparation of drawings, specifications, reports, and other professional work shall have an architect duly registered with this Board, in full authority and responsible charge, having direct knowledge and supervisory control of such work.

D. Each firm shall provide and maintain the current mailing address and physical address of its main office and each office located in South Carolina.

**STATE OF SOUTH CAROLINA
SECRETARY OF STATE**

**APPLICATION FOR A CERTIFICATE OF AUTHORITY
BY A FOREIGN LIMITED LIABILITY COMPANY
TO TRANSACT BUSINESS IN SOUTH CAROLINA**

TYPE OR PRINT CLEARLY WITH BLACK INK

The following Foreign Limited Liability Company applies for a Certificate of Authority to Transact Business in South Carolina in accordance with Section 33-44-1002 of the 1976 South Carolina Code of Laws, as amended.

1. The name of the foreign limited liability which complies with Section 33-44-1005 of the 1976 South Carolina Code as amended is _____

2. The name of the State or Country under whose law the company is organized is _____

3. The street address of the Limited Liability Company's principal office is _____
Street Address

_____ City State Zip Code

4. The address of the Limited Liability Company's current designated office in South Carolina is _____
Street Address

_____ City State Zip Code

5. The street address of the Limited Liability Company's initial agent for service of process in South Carolina is _____
Street Address

_____ City State Zip Code

and the name of the Limited Liability Company's agent for service of process at the address is

_____ Name Signature

6. [] Check this box if the duration of the company is for a specified term, and if so, the period specified _____

7. [] Check this box if the company is manager-managed. If so, list the names and business addresses of each manager

a. _____
Name

Business Address

City State Zip Code

b. _____
Name

Business Address

City State Zip Code

8. [] Check this box if one or more members of the foreign limited liability company are to be liable for the company's debt and obligation under a provision similar to Section 33-44-303(c) of the 1976 South Carolina Code of Laws, as amended.

Date _____

Signature

Name Capacity

FILING INSTRUCTIONS

1. This application must be accompanied by an original certificate of existence not more than 30 days old (or a record of similar import) authenticated by the Secretary of State or other official having custody of the Limited Liability Company records in the state or country under which it is organized.
2. File two copies of these articles, the original and either a duplicate original or a conformed copy.
3. If management of a limited liability company is vested in managers, a manager shall execute this form. If management of a limited liability company is reserved to the members, a member shall execute this form. Specify whether a member or manager is executing this form.
4. This form must be accompanied by the filing fee of \$110.00 payable to the Secretary of State.

Return to: Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201



South Carolina Department of Labor, Licensing and Regulation
South Carolina Board of Architectural Examiners

110 Centerview Drive (29210)
 P.O. Box 11419 • Columbia, SC 29211
 Phone: 803-896-4408 • Fax: 803-896-4427 • www.llronline.com/POL/Architects/



Application to License Firms, Corporations, or Partnerships

Application Fee: \$100.00

Make checks payable to: LLR - Architectural Board

A \$30.00 service charge will be assessed for all checks dishonored by financial institutions.

1. BUSINESS NAME AND PHYSICAL ADDRESS

Business Name: _____

Complete Physical Address: _____

Post Office Box: _____

Telephone No. _____ Fax No. _____

E-Mail: _____

Tax ID Number: _____

Application will not be processed without a Physical Address and a Tax ID No.

Preferred Mailing Address: _____ Physical _____ Post Office Box _____

2. Partnership Business Corporation Professional Corporation Firm/Sole Proprietorship
 Limited Liability Corporation (LLC) Limited Liability Partnership (LLP)
 Other _____

DATE CERTIFICATE OF AUTHORITY CERTIFIED BY SOUTH CAROLINA SECRETARY OF STATE: _____
 (Attach copy of Approved Certificate of Authority in South Carolina)

3. SERVICES OFFERED: _____

4. PRINCIPALS, PARTNERS, OFFICERS AND DIRECTORS OF APPLICANT:

| NAME | TITLE | PROFESSION | Resident State Reg. No. |
|-------|-------|------------|-------------------------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

5. ARCHITECT IN RESPONSIBLE CHARGE OF ARCHITECTURAL WORK IN S.C.:

| NAME | TITLE | S.C. REG. NO. |
|-------|-------|---------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |

6. Miscellaneous Information

Has any state taken disciplinary action against your firm's license? Yes No

Has your firm surrendered or allowed a professional or occupational registration/license to lapse in any jurisdiction due to any pending or threatened disciplinary action? Yes No

Has your firm been found by a court or registration board to have violated the architectural registration laws or the professional/occupational laws of any jurisdiction? (If yes, provide dates and details including results of any appeals, if not previously provided to this board.) Yes No

Has your firm entered into any negotiated settlement with regard to professional or occupational registration laws? (If yes, provide dates and details including results of any appeals.) Yes No

Has your firm provided architectural services in South Carolina without being licensed? (if yes, please provide projects and dates services were provided and professional fees received) Yes No

7. Acknowledge Signatures

SIGNATURE OF ARCHITECT IN RESPONSIBLE
CHARGE OF ARCHITECTURAL WORK IN
SOUTH CAROLINA

(Print Name of Architect in Charge)

**APPLICATION WILL NOT BE ACCEPTED BY FAX
SIGNATURES MUST BE ORIGINALS**

Firm/Sole Proprietorship - Signature of Owner

Business Corporation and/or Limited Liability
Corporation-Signature of Chief Executive
Officer or person authorized by corporate
resolution to designate the responsible
Architect in charge

Professional Corporation/Association-Signature
of Chief Executive Officer or person authorized
by corporate resolution to
to designate the responsible Architect in
charge.

Partnership and/or Limited Liability Partnership
- Signature Of Managing Partner(s)

Personal information provided in this application may be subject to public scrutiny or release under the S.C. Freedom of Information Act or other provisions of federal and state law.

ATTENTION CHECK WRITERS!!!

WE GLADLY ACCEPT YOUR CHECKS. WHEN YOU PROVIDE A CHECK AS PAYMENT, YOU AUTHORIZE US TO USE INFORMATION FROM THE CHECK TO MAKE A ONE-TIME ELECTRONIC FUND TRANSFER FROM YOUR ACCOUNT, OR TO PROCESS THE PAYMENT AS A CHECK TRANSACTION. YOU AUTHORIZE US TO COLLECT A FEE THROUGH ELECTRONIC FUND TRANSFER FROM YOUR ACCOUNT IF YOUR PAYMENT IS RETURNED UNPAID.