

BOARD OF ARCHITECTURAL EXAMINERS

Volume Seventeen, Number One

May 2003

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BOARD OFFICE HOURS

8:30 a.m. to 5 p.m. Monday – Friday

Voice mail is activated after 5 p.m.

Telephone (803) 896-4408
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MEETING DATES

Wednesday May 7, 2003
Tuesday, September 16, 2003
Tuesday, November 18, 2003



South Carolina Department of Labor,
Licensing and Regulation

Continuing Education A Must

For the June 2003 renewal, you will need to verify that you have completed 12 hours of continuing education in order to renew your South Carolina license until June 30, 2004.

In our October 2001, May 2002 and October 2002 newsletters, we outlined the requirements and printed the entire text of the regulation. Here again is a synopsis:

- All 12 hours of continuing education must be in structured course study (see below).
- Eight hours must be in topics related to health, safety and welfare; four hours may be in practice-related topics.
- Twelve hours of carry-over will be allowed for a maximum of one year.
- Exemptions will be given for first-time registrants, civilians serving on active duty in the military for 90 consecutive days or more, non-resident architects who must obtain comparable CE in another jurisdiction, and hardship cases.
- The first report of CE obtained will be on renewal forms due by June 30, 2003.
- Noncompliance is considered a violation of the Architect Registration law.

“Structured course study” means education activities presented by individuals or groups qualified by professional, practical or academic experience to conduct courses of study. The Board has designated the National Council of Architectural Registration Boards and the American Institute of Architects as two such groups, but the Board will not pre-approve courses or workshops. However, if credit is disallowed you will have 180 calendar days to substantiate the original claim or earn other continuing education credit which fulfills the requirements.

If you are NOT a resident of South Carolina and are required to obtain CE hours for license renewal by the licensing authority of any state in which you are registered, you do not have to complete *additional* CE hours to renew your South Carolina license. The renewal form will have a statement you can check to indicate the state where you met CE requirements.

Quick Facts:

- Licenses are renewed annually on June 30.
- First report of CE is due June 2003.
- Architects whose first license in South Carolina is issued between July 1, 2002, and June 30, 2003, (whether by exam or by reciprocity) are exempt from reporting CE hours until the next renewal in 2004. All first-time registrants are exempt from CE for the first year of licensure.



Don't Miss



Seeking Work In South Carolina Prior
To Licensure

Electronic Seals and Signatures, Are
They in Your Future—or your Present?

And more!

Emeritus Architects

In September 2002, the Board was granted authority to license individual architects as Emeritus architects. To those of you who are eligible, we welcome your questions and hope you will apply for this new, honorary status.

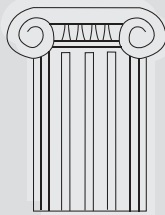
What are the qualifications? You must be at least 65 years old, you must have been licensed as an architect for 10 consecutive years in any jurisdiction, and you must be retired from active practice. "Retired from active practice" means "not engaging or offering to engage in the practice of architecture" as defined in Section 40-3-20 of the Architectural Registration Laws. This means that, as an Emeritus Architect, you cannot consult, you cannot serve as expert witness, you cannot advise clients, design or do any work that could be defined as architecture.

If you are interested, please let us know. If you know someone who qualifies, but who is not currently licensed (and therefore will not receive this newsletter), please alert him or her. When you become an Emeritus Architect, you will retain the same license number, you will receive all publications and notices, and you will carry the title "Emeritus Architect."

We will send renewal notices in early May. There is a place on the form to check if you want to change from active status to Emeritus status. The annual fee for in-state Emeritus architects is \$30; for out-of-state Emeritus architects, the fee is \$40. You are NOT required to obtain continuing education for renewal of an Emeritus license.

The Board office will be closed for the following state holidays:

Friday, May 9, 2003
Monday, May 26, 2003
Friday, July 4, 2003
Monday, September 1, 2003
Tuesday, November 11, 2003
Thursday, November 27, 2003
Friday, November 28, 2003
Thursday, December 25, 2003
Friday, December 26, 2003



Disciplinary Actions

Larry C. Timbes, Registered Architect, entered into a Consent Order with the Board. Timbes failed to pay debts owed to Belmont County, Ohio; Geometrics, Inc.; and Wachtel and McAnally Architects/Planners, Inc., all of Ohio. Sanctions imposed were a public reprimand, probation for two years, and repayment of debts owed to the entities listed above.

Bryant Baker, Registered Architect, entered into a Consent Order with the Board for failing to comply with the terms of a previous Consent Order. Sanctions imposed were a public reprimand and a \$500 fine.

Charles Gentry, Registered Architect, enter into a Consent Order with the Board. Gentry practiced beyond the scope of his license by providing engineering services for a project in Aiken County. Sanctions imposed were a public reprimand and a \$500 fine.

Antonio Silva, an unregistered individual, was issued a Cease and Desist Order for representing himself as an architect and providing architectural services to a number of individuals in the Columbia area.

Allen Marshall, an unregistered individual, was issued a Cease and Desist Order for representing himself as an architect in a presentation to a church in Columbia.

Christopher McCarthy, an unregistered individual, was issued a Cease and Desist Order for representing himself as an architect to several individuals for whom he designed homes in the Charleston area.

Harvey Branham, an unregistered individual, was issued a Cease and Desist Order for submitting plans for a daycare center to the Kershaw County Building Official for permitting.

The Board issued **17 Letters of Caution** for violations that occurred in other jurisdictions and **eight Letters of Caution** for various other infractions including unregistered firm violations and misrepresentation of employees' qualifications.

Newly Registered Architects

Congratulations to the following individuals who recently passed
the Architect
Registration Examination:

William R. Court, Hilton Head
Sandrine F. Danielson, Mt. Pleasant
Scott A. Harvey, Charleston
Thomas N. Kanipe, Greenville
Michael J. Martinez, Greenville
Clay L. Shackelford, Mt. Pleasant



Inactive Firms In-State and Out-of-State

Certificates of Authorization to practice architecture in South Carolina expired on December 31, 2002, for the firms listed below. In some instances, a successor firm replaced the firm listed below; in other instances, the firm ceased to provide architectural services in South Carolina. If you would like to verify that a firm or individual has a current license, please access "Licensee Lookup" on the Board's Web site: <http://lookup.llronline.com/Lookup/Architects.asp>.

IN-STATE

B88001
AE INC
ROCK HILL

D95003
ARCHITECTURAL SERVICES OF SPARTANBURG
SPARTANBURG

B74031
DOUG CORKERN ARCHITECTS INC
BLUFFTON

B92006
DENNY'S INC
SPARTANBURG

C81001
FREEMAN & MAJOR ARCHITECTS PA
GREENVILLE

D95005
KOHNFIRM ARCHITECTURE COLUMBIA

C95007
LESLIE REIG CHARTERED FLORENCE

B74021
J HAROLD MACK & ASSOCIATES INC
GREENVILLE

D96001
PBA ARCHITECTS
TEGA CAY

B74016
THE TARLETON-TANKERSLEY ARCHITECTURAL GROUP
GREENVILLE

B87028
THOMAS ASSOCIATES INC
GREENVILLE

B82007
WILKINS WOOD MACE ASSOCIATES LTD
FLORENCE

OUT-OF-STATE
C95003
AIG INC
ARLINGTON TX

98059
AIPSO
JOHNSTON RI

99070
BALZER AND ASSOCIATES INC
ROANOKE VA

01008
BROWNING DAY MULLINS DIERDORF INC
INDIANAPOLIS IN

02061
BUILDING ARCHITECTURAL SERVICES ENTITY INC
WAYNE NC

B86003
CARLSON ASSOCIATES INC
FRAMINGHAM MA

98011
CAUDLE EVANS ARCHITECTS
MONROE NC

C79004
CENTER RIDGE DESIGN SERVICES INC
WESTLAKE OH

B87024
CHAPMAN COYLE CHAPMAN & ASSOCIATES INC
MARIETTA GA

99051
CORNERSTONE ARCHITECTURE PA
CARY NC

99118
THE DOBBINS GROUP
LAKE FOREST IL

02017
THE EAST GROUP PA
GREENVILLE NC

C97001
ELLINWOOD DESIGN ASSOCIATES LTD
RALEIGH NC

98093
FARRELL + HARGROVE PA ARCHITECTURE PLANNING DESIGN
ASHEVILLE NC

00037
THE GAP INC
SAN BRUNO CA

01084
GARDNER SPENCER SMITH TENCH & HENSLEY PC
ATLANTA GA

B95036
HEAVENER CONSTRUCTION CO INC
AUGUSTA GA

01047
HELFAND MYERBERG GUGGENHEIMER ARCHITECTS
NEW YORK NY

97080
INNOVATIONS LC
CLEARWATER FL

C94011
JOHN S KERN PE PC
SAVANNAH GA

99096
KEYFER & ASSOCIATES INC
ATLANTA GA

C81006
LEE NICHOLS ARCHITECTURE PA
CHARLOTTE NC

98024
LOCKWOOD GREENE TECHNOLOGIES INC
OAK RIDGE TN

98094
MILLENNIUM ARCHITECTURE PA
RALEIGH NC

99041
MOMA ARCHITECTURE INC
MARIETTA GA

D94008
DAVID PATRICK MOSES/ ARCHITECT
LINVILLE NC

C96008
NBBJ NORTH CAROLINA INC
MORRISVILLE NC

97049
NICHOLS MEINERT & ASSOCIATES ARCHITECTS LLC
MONTGOMERY AL

B86022
NORMAND/ASSOCIATES INC ARCHITECTS/PLANNERS
PERRYSBURG OH

01068
O'KEEFE ARCHITECTS INC
PALM HARBOR FL

D95019
PLACE PLANNING & DESIGN
CHARLOTTE NC

01053
DAVID PORTS ARCHITECT INC
CLEVELAND OH

01059
SHH ARCHITECTURE LLC
PHILADELPHIA PA

C89006
THE SMITH SINNETT ASSOCIATES PA
RALEIGH NC

00132
RICK Z SMITH & ASSOCIATES ARCHITECTS INC
TAMPA FL

99100
STEPHENS SMITH AND ASSOCIATES LLC
MACON GA

99092
TSDG ARCHITECTS LLC
THOMSON GA

02011
WDL DESIGNS LLC
SAVANNAH GA

01006
ADOLPH ZIEMBA AIA & ASSOCIATES INC
BURBANK CA

Seeking Work In South Carolina Prior To Licensure

In our October 2002 newsletter, we asked you for comments on a “Statement of Guidance” being considered by the Board. The focus of the Statement is individual architects and firms who are licensed in other jurisdictions who solicit architectural work in South Carolina or make presentations to selection committees after having made the “short list.” We received six comments—three in favor of the policy, three opposed. The Board reviewed all the comments and expressed appreciation for the thoughtfulness of each. After weighing the pros and cons and after receiving legal advice, the Board adopted the Statement as a policy.

Please note that the Statement makes it clear that architects awarded a commission to provide architectural services must **IMMEDIATELY** apply for a license in South Carolina and must obtain the license prior to providing the services. **THIS IS IMPORTANT!** The Board believes this policy affords public protection while allowing *qualified architects and firms* the opportunity to seek work in South Carolina. The policy is reprinted here in its entirety:

It is the position of the South Carolina Board of Architectural Examiners that individuals wishing to make solicitations, presentations or proposals to provide architectural services in this state may do so without previously obtaining a license in this state, provided the individual who will engage in the practice of architecture in this state:

1. holds a current, active and unrestricted license for the practice of architecture from another state or territory, and
2. holds a current certificate of qualification issued by the National Council of Architectural Registration Boards (NCARB), and
3. applies for a South Carolina license immediately upon being awarded a commission to provide architectural services in this state, and
4. obtains a South Carolina license prior to providing architectural services in this state pursuant to the commission.

Section 40-3-270 of the 1976 Code of Laws of South Carolina, as amended, places certain requirements on firms desiring to practice or offer to practice architecture in this state. Accordingly, it should be remembered that, upon being **awarded a commission** to provide architectural services in this state, any firm involved in the commission should immediately **apply** for a Certificate of Authorization. **Prior to providing architectural services** in this state pursuant to the commission, any firm involved in the commission must **obtain** a Certificate of Authorization.

The Board of Architectural Examiners will not bring administrative action against an architect or firm that conducts itself in accordance with this policy for unlicensed or unregistered practice; however, this same architect or firm may still face disciplinary action by the Board on other matters or may incur civil liability under some circumstances. Therefore, it is advisable to consult private counsel where doubt exists as to what actions are appropriate.

Electronic Seals and Signatures Are They in Your Future—or your Present?

With electronic transmission of plans becoming increasingly prevalent (and in some cases, required), the Board is considering updating statutes and regulations accordingly. As you know, current law states that two sets of design documents be “personally sealed and signed”: one record set for the construction site and one set offered for permitting. CADD seals are not prohibited; they simply must be augmented by personal seals and signatures on those two sets.

Should the law be changed? Should architects be allowed to use electronic seals, if they desire, instead of “wet” seals and signatures? What about security of the seal? What about security of the “hand seal” you now use? Is it really secure?

We need your input!

Please let us know your thoughts on the following topics:

1. Should electronic seals be allowed on “official” sets of design documents in lieu of “wet seals”?
2. Should “personal signature and seal” still be required on two sets of design documents (as is now required)?
3. Do you currently use encryption technology for signatures transmitted electronically?
4. Should expediency be the main consideration, or should authenticity of the documents (as attested by hand-applied seals and signatures) prevail?

We want to hear from you on any aspect of this topic. Other states are beginning to study the issue, and the Board has already held discussions with agencies that regulate school design and construction, health facilities construction, the practice of engineering and the State Fire Marshal.

Please send your written comments to Administrator Jan Simpson at the Board office address or by e-mail at simpsonj@llr.sc.gov.

Misrepresentation Past Experience

Are you accurately portraying your professional experience?

From time to time, we reprint policies the Board has adopted for guidance of the profession in certain matters. Reprinted here is the policy regarding the manner in which an architect's past experience should be represented when an architect becomes employed by a different firm. Adopted in 1990, it is available on our Web site or in our printed Policies Booklet. Please let us know if you would like a printed booklet of all practice-related policies.

This policy is based on the following Regulations:

- 11-12 B.2.** An architect or firm shall be accurate in representing to a prospective or existing client or employer the qualifications and the scope of responsibility in connection with work for which credit is claimed.
- 11-12 D.3.** An architect or firm shall not engage in conduct involving fraud or wanton disregard of the rights of others.
- 11-12 D.4.** An architect or firm shall not act in any manner so as to mislead a client or the general public or so as to misrepresent its competence or qualifications.

POLICY:

An architect who has been an employee of an architectural practice cannot claim credit for projects contracted for in the name of the previous employer. To do so is a misrepresentation of facts.

An architect should state next to the identification of a project that he or she gained individual experience in connection with the project but that the experience was acquired as an employee of another firm and identify that firm. The architect should also describe the nature and extent of participation in the project.

An architect who formerly was a principal in a firm may legitimately make additional claims provided he or she identifies and explains these claims. The individual should state that his or her responsibilities included securing the commission, design, project management or similar relevant activities.

In similar fashion, the original firm where a principal or architect leaves has the same obligation to accurately present the experience and capabilities of the remaining staff. These should include activities related to securing the commission, design, project management, or similar relevant experiences.

Finally, projects which remain unconstructed, that are listed as credits, should be identified as "unbuilt" or under a similar designation.

The South Carolina State Board of Architectural Examiners strongly recommends that all architects address credit issues in employer/employee contracts or partnership agreements. This will enable architects to determine in advance how such credit will be treated in the event of a future separation. The Board will honor these determinations provided they are not misleading to clients or the public.

Reminders

Applications Available On The Web

You can now download Board applications and instructions on the Web. These forms can be accessed at www.llr.state.sc.us/POL/Architects/. Click on "Forms/Pubs" then click on "Forms and Applications." If you have any questions regarding these forms, contact Licensing Coordinator Alice Richardson.

Moving? Be Sure To Notify The Board

A change of address form can be downloaded from the Web at www.llr.state.sc.us/POL/Architects/. These changes can be mailed, e-mailed or sent by fax to the Board office. Be sure to type or neatly print changes so that they may be entered into the database correctly. The Board cannot accept address changes over the telephone. Please forward address changes to the attention of Licensing Coordinator Alice Richardson, or e-mail changes to Richardsona@llr.sc.gov.

Architects And Architectural Firms Listed On Web Site!

Architects and architectural firms currently licensed in South Carolina are listed on the Licensee Lookup Web site. You can use this lookup to make sure that your licenses are up-to-date. This site is updated daily.

The web site address is www.llr.state.sc.us/POL/Architects/. Look under Licensee Lookup. If you believe a firm or individual was recently licensed but cannot locate them on this site, please e-mail us at Richardsona@llr.sc.gov or call us at (803) 896-4408.

Individual Renewal Reminder

Individual Certificates of Registration expire on **June 30, 2003**. Renewal notices will be mailed on or about May 16, 2003. If you do not receive a renewal notice by June 1, please contact us. We no longer send reminder notices of renewals.

To avoid a late fee and to keep your name out of the Enforcement Report of this newsletter, please read carefully and answer truthfully the questions asked on the renewal form, sign it, and return it to us by July 1. **You are the only person responsible for your answers to these questions.** If false or misleading information is provided, the Board will hold you responsible—not your secretary, your assistant or your office manager.

Reporting of continuing education hours will start with **THIS YEAR'S** renewal (June 2003). See the article in this newsletter for details.

NCARB Monograph Series Offers HSW And So Much More!

Searching for ways to earn continuing education/professional development hours in health, safety and welfare? Try NCARB's Professional Development Program Monograph series! After all, the series is 13 titles strong, is developed by leading design practitioners and educators, and employs Internet technology to your advantage.

NCARB's 13 monographs focus on the most timely and thought-provoking topics affecting architects and allied professionals today. From sustainable design to professional conduct to building failure to codes for design professionals, the monograph series has been developed with your diverse needs in mind. Each title is portable—monographs travel with you on your schedule—and economical—with a price tag as low as \$12.50 per credit hour. Successful completion of monograph quizzes leads to earning professional development units and AIA learning units in health, safety and welfare. All monographs can be conveniently ordered through NCARB's redesigned and expanded Web site (www.ncarb.org/publications). By passing an online quiz, you will receive your "certificate of completion" immediately after your results are tabulated. Should you not pass the monograph quiz the first time around, you will receive one free retest. NCARB will also directly report passing scores to AIA at no additional cost.

The following monographs are currently available: *Cracking the Codes, Design within a Community Context, Energy-Conscious Architecture, Indoor Environment, Low-Slope Roofing I, Low-Slope Roofing II, Professional Conduct, Seismic Mitigation, Subsurface Conditions, Sustainable Design, Why Buildings Fail, and Wind Forces.*

The redesigned and updated monograph, *Fire Safety in Buildings*, is also now available. First published in 1996, FSB provides architects with information about fire-safety considerations in building design. While the monograph does not review model building codes, it will help architects expand their knowledge of fire-safe building design. FSB offers a detailed case study of the 1980 MGM Grand Hotel fire in Las Vegas as well as a useful and lengthy bibliography that identifies a number of fire-safety resources.

What's New On The Web At NCARB

Interns may now view their quarterly Periodic Assessment Reports on the NCARB Web site (www.ncarb.org) in the "My Council Record" section.



Other online services in the "My Council Record" section include credit card renewal of NCARB records for interns and NCARB-certified architects, and transmittal applications to 31 jurisdictions (20 states and 11 provinces). Take advantage of this improvement in NCARB service!

Score Results Summary October 1, 2002 to December 31, 2002

DIVISION	Number In SC	SC Region % Pass	All % Pass	Boards % Pass
Pre-Design	10	90	76	76
Site Planning	6	83	62	67
Building Planning	5	80	70	69
Building Technology	3	100	67	66
General Structures	7	100	68	75
Lateral Forces	4	100	87	93
Mech & Elec. Systems	2	100	67	73
Materials & Methods	6	100	87	88
Construction Docs/Svcs	8	100	84	86

Two New Members Appointed To Board

The Board welcomes two new Board members: V. Stokes Browning, an architect from Greenville, and D. Thomas Johnson, an attorney from Hardeeville. Both men were appointed by then-Governor Jim Hodges. Browning succeeds Stephen A. Usry of Myrtle Beach (see article below). Johnson succeeds Jacquelyn Austin.

Stokes Browning has practiced architecture for 33 years in South Carolina, 16 of those years as principal of Browning Architects, Inc. in Greenville. His practice focuses on institutional buildings, colleges and universities, and religious architecture. Browning is in the process of merging his firm with an Indiana firm that also specializes in the design projects for higher education and the healthcare industry.

Browning works closely with his wife, Linda, who serves as an officer of the firm and manages the Greenville office.

Tom Johnson serves as Public Member of the Board.

Notice To S.C. Examination Candidates

Many of you are aware of the “rolling window” which affects credit retention of the A.R.E. divisions you have passed. You have four years from the date the rolling window provision was implemented to pass all divisions of the examination. Credit for each division passed is retained for four years after which time you must take the section(s) again.

You have unlimited opportunities to retake the examination. Even if you do not sit for an exam, the “clock” is still ticking. If you have any questions about your examination status, please submit a written request for clarification as to how you will be affected.

Thanks For Past Service

In January 2003, long-time Board member Stephen A. Usry completed his service on the Board. Prohibited by law from appointment to another term, Usry leaves a legacy of service and a remarkable record of achievement over his 12 1/2 years on the Board. Usry’s expertise and thoughtful guidance will serve as a model for other board members. We appreciate Usry’s efforts over the years in the many facets of Board work. Please join us in thanking him for his service.

Employers Beware!

State-required posters that involve workplace laws are available **free** of charge. You do not have to pay for them.

The posters – now available in an all-in-one poster format – can be obtained from the S.C. Department of Labor Licensing and Regulation, S.C. Employment Security Commission, S.C. Human Affairs Commission or S.C. Workers’ Compensation Commission.

The all-in-one-poster includes:

- Safety and Health Protection on the Job (the OSHA poster)
- Employment Discrimination
- Workers Compensation
- Unemployment Insurance
- Payment of Wages, Child Labor and Right-to-Work Laws

If you want to place an order or have questions, contact one of the following:

- LLR, email at fosterb@mail.llr.state.sc.us or download at www.llr.state.sc.us
- Employment Security, (803) 737-2474
- Human Affairs, (803) 737-7800 or 1-800-521-0725
- Workers Compensation, (803) 737-5700

Visit us on the
web at

www.llr.state.sc.us/
POL/Architects





S.C. Department of Labor, Licensing and Regulation
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