President’s Message

Your Board of Architecture welcomed 25 new architects to the profession at our New Architects’ Luncheon last October, on a day when the stock market swayed 1000 points. These new architects were only a fraction of the class of 2007-2008 professionals, and we missed others whom work, distance, or economy kept away from Raleigh.

It is hardly news to observe that the distance between October 2008 and September 2009 has been a financial struggle for many architects in North Carolina.

Architects were among the first to experience this struggle as development capital dried up, projects stalled, or vanished altogether. In response, our profession has seen many firms “downsize, right-size, or lay-off” staff. No matter the euphemism, the result has been unemployment for many, under-employment for some, and reduced work for those fortunate enough to remain employed.

Some would infer that architects are superfluous in a downward economy. I would argue that the need for our creative skills has never been greater, but the mission, the directives, and the tools have changed.

We will design fewer new buildings, but the public will invest in energy-saving renovations. Sustainable practice will become an imperative as the public learns, or is forced, to do more with less. Developers will build less, but bold developers will ask architects to make plans for better times and be ready.

Architects will use their creative skills to explore new ways of building, new materials, new technologies. Those architects implementing BIM software may be temporarily idle, but they will see this technology pay dividends as the economy recovers.

Our task of public protection is ever before us. Ours is not a profession known to remain idle.

NEW MEMBER
Sean Vance, principal of Sean Vance Architecture, PLLC in Raleigh, was appointed to the NC Board of Architecture by Governor Perdue. He was sworn in by his friend and mentor, Judge Julian Mann, in the board office in July. In addition to his multi-faceted architectural practice, Sean is Extension Assistant Professor of Architecture at NC State. He serves as Director of NC State’s College of Design Center for Universal Design, and brings 15 years of experience to the board. Sean is the Board’s first architect to experience registration through the IDP program and the computerized ARE.

RETIRING MEMBER
Kevin G. Montgomery, FAIA, principal of O’Brien Atkins, retired from the NC Board of Architecture in June. He was originally appointed to fill an unexpired term, and served an unprecedented thirteen years on the Board. His influence on national committees included several years on the Architect Registration Exam committee, and he helped define the Intern Development Program in recent years. He served as Chairman of NCARB’s Region 3, which incorporates state boards from North Carolina south to Florida, and west to Texas. He served as NCARB’s representative on NAAB accreditation visits across the US, giving tirelessly of his time during these 4 and 5-day examinations of Schools of Architecture.

The Board will miss Kevin’s quiet enthusiasm, his devotion to his task, and his tremendous knowledge of the rules and regulations that govern the practice of Architecture.

Sincerely,

Charles H. Boney, Jr. AIA
Chairman 2009-2010
NC Board of Architecture
NEWS THAT WILL IMPACT YOUR LICENSE TO PRACTICE ARCHITECTURE!!

LICENSE RENEWAL NOTICE

In an effort to be a part of a sustainable and paperless society and to communicate with architects in a more cost effective manner, the North Carolina Board of Architecture has begun to phase out sending a paper individual notice of license renewal form. The Board of Architecture will utilize email as its first choice of communication with you.

- 2009-2010 notice of renewal, sent in May 2009, was the last paper form to be sent via U.S. Mail.
- 2010-2011 notice of renewal will be made via a post card in May 2010.
- 2011-2012 notice of renewal will be sent electronically to the email address on file with the Board of Architecture.

If you do not have an email address on file you must submit one as part of your contact information immediately.

- Go to the ‘registrants only’ section at www.ncbarch.org. Using your license registration number and PIN as printed on your 2009-2010 renewal form, you can update your contact information to include a proper email address. If you are unable to locate your PIN, you may send an email address update or PIN request to the Board at ncb@ncbarch.org.
- If you do not provide the Board of Architecture with an email address you will not receive any communications from the Board, including notice of renewal. You will still be responsible for renewing your license in a timely manner. All licenses expire on June 30 each year. Renewal notices are sent in mid-May.

The Board newsletter as well as any other Board correspondence that is sent via email will also be posted on the website www.ncbarch.org.

- A renewal form will be posted in the forms section of the website. If you choose not to renew on line you may download the form and send it via U.S. Mail.
- YOU ARE RESPONSIBLE FOR KEEPING A CURRENT EMAIL ADDRESS ON FILE WITH THE BOARD.
- Spam filters should be modified to allow receipt of email from ncb@ncbarch.org.
- If you have a secretary, assistant or other individual who receives your email, please make them aware that your notice of renewal should not be ignored or deleted.

As a responsible LICENSED PROFESSIONAL you are held accountable for renewing your license in a timely manner and updating your contact information, including your email address, as necessary.

Firm renewals, which are due on December 31st each year, will continue to be done using paper renewal forms and will be sent via U.S. Mail to the FIRM address on file with the Board. We appreciate your cooperation with this transition.

CONTINUING EDUCATION

As a reminder, if you are currently on probation for failure to comply with Continuing Education requirements you have until December 31, 2009 to complete the requirements. Failure to comply may result in disciplinary action and license revocation.

Each February the Board conducts its Continuing Education Audit. If you receive an audit notice, it is in your best interest to respond to this audit notice in a timely manner.

Continuing education is counted on a calendar year. In order to renew your license for 2010-2011 you must complete twelve hours of health, safety and welfare related continuing education by December 31, 2009. Please feel free to contact Julie Piatek at juliep@ncbarch.org if you have any questions or concerns regarding CE.

FIRM COMPLIANCE

If you are offering and rendering architectural services through an incorporated entity, it must hold a license to practice in this State. Applications for firm licensure may be obtained from the forms section at www.ncbarch.org.

A note to firms who have begun the licensure process, but may not have completed it – failure to complete the entire process prior to offering and rendering services in this state will result in disciplinary action. This is clearly demonstrated in the Enforcement Report. The firm licensure process involves filing documents with the NC Secretary of State. While you may receive a Certificate of Authority from them, it is not a license to practice architecture. Contact Tyler Barrick at tyler@ncbarch.org if you have questions related to firm practice and licensure.

Sincerely,

[Signature]
Cathe M. Evans
Executive Director
cathe@ncbarch.org
ARE/IDP news

ARE Fees Will Increase 1 October 2009
The National Council of Architectural Registration Boards (NCARB) will increase the fees for the Architect Registration Examination® (ARE®) by $40 per division effective 1 October 2009. The increase is due to recent incidents of exam content disclosure by ARE candidates. The cost to develop and replace the exposed content and handle the administrative and legal costs related to these incidents totals an estimated $1.1 million. "The decision to raise the exam fees now—especially in the current economic climate—was not made lightly," said Gordon E. Mills, FAIA, 2009 President. "However, NCARB's responsibility to uphold the integrity of the ARE is our first and foremost concern." The ARE is designed to protect the health, safety, and welfare of the public by providing a psychometrically justifiable and legally defensible process that measures the level of competence necessary to practice architecture independently. In recent months, NCARB has had to turn off substantial amounts of content after several candidates posted detailed exam answers on the internet. These candidates have had their exam scores canceled and testing privileges suspended for up to five years. To ensure the integrity of the exam, NCARB has been forced to add two full-time staff members to monitor and investigate exam disclosures and copyright violations. Replacing exam content is expensive and time consuming because each vignette or multiple-choice item must be written, reviewed, edited, and thoroughly pretested before it is added to the exam. The process of developing content takes two years and the involvement of many volunteer professionals. The current six-month waiting period between failed divisions is in effect to ensure that a candidate does not see the same question twice. If ARE candidates continue to breach the Confidentiality Agreement they accept prior to taking each division and additional exam content is exposed, NCARB may be forced to extend the mandatory waiting period in order to prevent overexposure of content. The cost of delivering the test has always been heavily subsidized by other NCARB programs. While the new fee structure will help offset the costs incurred as a result of exam disclosure, it still falls short of the actual cost of developing and administering the exam and monitoring its security. The new rate of $210 per division will take effect on 1 October 2009. All divisions scheduled on or after 1 October 2009 will be at the new rate. Prior to 1 October 2009, candidates can schedule future exam appointments through 31 December 2009 at the current rate of $170 per division.

ARE 3.1 to 4.0 Conversion - Rolling Clock Chart on Score Report
The final batch of ARE 3.1 score reports was recently mailed from Prometric to each jurisdiction. With the processing of this batch of score reports, the conversion from ARE 3.1 to ARE 4.0 has moved into the final stage of completion. In order to prevent a delay in mailing these score reports, some ARE 3.1 candidates' Rolling Clock summaries have not yet been updated and may contain inaccurate or incomplete information. The Rolling Clock summary will be updated on each candidate's next score report.

New IDP Guidelines
The IDP Guidelines have been updated to include new rules effective 1 July 2009. Interns can now earn training units while unemployed for some supplementary education activities and report the activities online through the electronic Experience Verification Reporting (e-EVR) system. For a complete list, visit the Supplementary Education section of the web site. The IDP Guidelines dated July 2009 supersede all previous editions.

Up-Coming Board of Architecture Meetings
All Board meetings are open to the public.
September 11, 2009
October 9, 2009
November 13, 2009
Following is the Enforcement Report for the period January, 2009 through July, 2009. The Board is not bound by precedent in matters of disciplinary action. It is the prerogative of the Board to be conservative in its review of cases and to enforce the rules and laws with sanctions and civil penalties as allowed by law. You may request a copy of the entire order by sending an email to cathe@ncbarch.org be sure to include the case number with your request.

**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 824 C. Craig Rona
Case 820 Ayse Erevelles
Case 822 Jeff Pack
Case 798 Craig Dykers
Case 823 Jason Arnott/Earth Environments, LLC
Case 831 Ray L. Sheedy/RLS: Design
Case 838 Cindy Spuria/Sitzer Spuria Studios

**Letters of Caution**
The Board closed three cases with a letter of caution issued to architects licensed in North Carolina.

**Dismissed/Unfounded**
The Board of architecture dismissed seven cases as unfounded.

**Consent Orders**
The following firms offered and rendered architectural services prior to licensure. As a result, they entered into Consent Orders with the Board of Architecture. The Consent Order issued to the firm is standard disciplinary action for firms and individuals who fail to obtain proper licensure prior to offering and rendering services. The dollar amount indicates the Civil Penalty paid. Civil Penalties are not retained by the Board but are forwarded to the State Treasurer for disbursement to the school board for the county in which the violation took place. Board administrative costs were also recovered when appropriate.

**Case 834 The Ballinger Company**
THIS CAUSE, coming before the North Carolina Board at its offices at 127 W. Hargett Street, Suite 304, Raleigh, Wake County, North Carolina, with a quorum present. The Board and Respondent agreed to entry of the following Consent Order.
2. Respondent firm filed for and received a Certificate of Authority from the North Carolina Secretary of State on May 31, 1991. Subsequent annual reports filed with the Secretary of State indicate the nature of the business in North Carolina to be architecture and engineering.
3. The Ballinger Company is not currently registered with this Board to offer and render architectural services in North Carolina. Respondent firm, on May 8, 2009 submitted an Application for A Foreign Corporation for a Certificate of Registration.
4. Firm Principles contend that they did not intentionally violate North Carolina’s Architecture Rules and Laws. Nevertheless, in lieu of further proceedings The Ballinger Company has agreed to enter into this Consent Order.
6. Respondent wishes to resolve this matter by Consent and agrees that the Board staff and counsel may discuss this Order with the Board *ex parte* whether or not the Board accepts this Order as written.

**Case 828 Dan J. Roszkowski/Larson & Darby, Inc.**
THIS CAUSE, coming before the North Carolina Board at its offices at 127 W. Hargett Street, Suite 304, Raleigh, Wake County, North Carolina, with a quorum present. The Board and Respondent agreed to entry of the following Consent Order.
1. Respondent Roszkowski, Vice President and Principal of Respondent firm, is licensed as an architect by this Board and is subject to Chapter 83A of the General Statutes of North Carolina and Title 21, Chapter 2 of the North Carolina Administrative Code.
2. Respondent firm Larson & Darby, Inc. offered and rendered services for multiple projects in North Carolina.
include necessary supporting documents. Notice was sent to the firm on February 13, 2008. The firm did not submit the supporting documentation until October 21, 2008. An action needed memo was sent to the firm on October 27, 2008. The firm did not respond. The firm does not have a Certificate of Authority from the NC Secretary of State.

4. Respondent’s action in practicing architecture through a firm not properly registered with this Board is a violation of G.S. 83A-8, G.S. 83A-12 and 21 N.C.A.C. 02.0215. Roszkowski contends that neither he nor any principle or employee in the firm intentionally violated North Carolina’s Architecture Rules and Laws. Nevertheless, in lieu of further proceedings, Roszkowski and the firm Larson & Darby, Inc. have agreed to enter in to this Consent Order.

5. Respondent wishes to resolve this matter by Consent and agrees that the Board staff and counsel may discuss this Order with the Board ex parte whether or not the Board accepts this Order as written. BASED on the foregoing and in lieu of further proceedings under 21 N.C.A.C. Chapter 2, Section .0600, the Board and respondent agree to the following: Respondent shall, within thirty (30) days from the date this Order is approved by the Board, complete the process to properly register Larson & Darby, Inc. Respondent shall pay a civil penalty in the amount of $2000.00 for practicing architecture through a firm not registered to do so in North Carolina. Respondent shall pay a previously agreed upon amount of the Board’s administrative costs incurred as a result of this matter. Respondent shall reimburse the Board for all renewal and late fees for the years 2007, 2008 and 2009 Respondent Roszkowski reprimanded.

Case 827
Carlton Architecture, PC d/b/a Carlton Architecture NY, PC

THIS CAUSE, coming before the North Carolina Board at its offices at 127 W. Hargett Street, Suite 304, Raleigh, Wake County, North Carolina, with a quorum present. The Board and Respondent agreed to entry of the following Consent Order.

1. Michael Carlton, President of Respondent Firm, is licensed as an architect by this Board and is subject to Chapter 83A of the General Statutes of North Carolina and Title 21, Chapter 2 of the North Carolina Administrative Code.

2. Respondent firm Carlton Architecture NY, PC offered and rendered non-exempt services for a project in North Carolina.

3. Carlton Architecture NY, PC is not currently registered with this Board to offer and render architectural services in North Carolina. Respondent firm, on October 20, 2008, submitted an Application for A Foreign Corporation for a Certificate of Registration. Subsequently, the firm filed for and received a Certificate of Authority to do business in this State from the North Carolina Secretary of State.

4. Respondent’s action in practicing architecture through a firm not properly registered with this Board is a violation of G.S. 83A-8, G.S. 83A-12 and 21 N.C.A.C. 02.0215. Carlton contends that neither he nor any principle or employee in the firm intentionally violated North Carolina’s Architecture Rules and Laws. Nevertheless, in lieu of further proceedings, Carlton Architecture NY, PC has agreed to enter in to this Consent Order.

5. Respondent wishes to resolve this matter by Consent and agrees that the Board staff and counsel may discuss this Order with the Board ex parte whether or not the Board accepts this Order as written. BASED on the foregoing and in lieu of further proceedings under 21 N.C.A.C. Chapter 2, Section .0600, the Board and respondent agree to the following: Respondent shall, within thirty (30) days from the date this Order is approved by the Board, complete the process to properly register Carlton Architecture NY, PC. Respondent shall pay a civil penalty in the amount of $1000 for practicing architecture through a firm not registered to do so in North Carolina from. Respondent shall pay a previously agreed upon amount of the Board’s administrative costs incurred as a result of this matter. Respondent shall reimburse the Board for all renewal and late fees for the years 2008 and 2009.

Case 826
Liollio Associates, Inc.

THIS CAUSE, coming before the North Carolina Board at its offices at 127 W. Hargett Street, Suite 304, Raleigh, Wake County, North Carolina, with a quorum present. The Board and Respondent agreed to entry of the following Consent Order.

1. C. Dinos Liollio is the President of Respondent firm and is licensed as an architect by this Board and is subject to Chapter 83A of the General Statutes of North Carolina and Title 21, Chapter 2 of the North Carolina Administrative Code.

2. Respondent firm Liollio Associates, Inc. offered and rendered services for a non-exempt project in North Carolina.

3. According to the firm web site www.liollio.com, Respondent firm has established an office at 46 Haywood Street, Asheville, NC. Board records indicate that said office is staffed by Mark Lusk, North Carolina licensee 8685, whose individual record indicates Liollio Architecture at 46 Haywood Street, Asheville, NC as his address.
4. Liollio Associates, Inc. is not currently registered with this Board to offer and render architectural services in North Carolina. Respondent firm, on June 4, 2008, submitted an Application for A Foreign Corporation for a Certificate of Registration. Subsequently, the firm filed for and received a Certificate of Authority to do business in this State from the North Carolina Secretary of State on September 3, 2008.

5. Respondent’s action in practicing architecture through a firm not properly registered with this Board is a violation of G.S. 83A-8, G.S. 83A-12 and 21 N.C.A.C. 02.0215. Liollio contends that neither he nor any principle or employee in the firm intentionally violated North Carolina’s Architecture Rules and Laws. Nevertheless, in lieu of further proceedings, Liollio Associates, Inc. has agreed to enter into this Consent Order.

6. Respondent wishes to resolve this matter by Consent and agrees that the Board staff and counsel may discuss this Order with the Board ex parte whether or not the Board accepts this Order as written.

BASED on the foregoing and in lieu of further proceedings under 21 N.C.A.C. Chapter 2, Section .0600, the Board and respondent agree to the following: Respondent shall, within thirty (30) days from the date this Order is approved by the Board, complete the process to properly register Liollio Associates, Inc. Respondent shall pay a civil penalty in the amount of $1000.00 for practicing architecture through a firm not registered to do so in North Carolina. Respondent shall pay a previously agreed upon amount of the Board’s administrative costs incurred as a result of this matter. Respondent shall reimburse the Board for all renewal and late fees for the years 2008 and 2009.

Case 839 - Stafford, Paul
Emergency Order For Revocation
Pursuant to North Carolina General Statute (NCGS) 150B-3(c), the North Carolina Board of Architecture (hereinafter “Board”) finds that there is substantial evidence that Respondent Paul Stafford (hereinafter “Respondent”) has engaged in general and specific conduct demonstrating that he is no longer fit to continue to hold a license as an Architect. Specifically, during the period of time in which he has been a licensee and has been engaged in rendering architectural services to the public, there is substantial evidence that Respondent committed each of the following acts or omissions in violation of the North Carolina architectural laws and rules, NCGS 83A-15 and 21 NCAC 2. 0203 and 2. 0209(1).

1. Respondent is the holder of North Carolina registration as an architect.
2. During all times relevant to this matter and currently, Respondent has been registered with the Board as an architect and has continued to offer services to clients as an architect through his architectural firm, Ideas Architecture, Inc. and subsequently, New Ideas, Inc.
3. On February 12, 2009, the North Carolina Department of Revenue charged Respondent with thirteen misdemeanor counts of failure to pay income withholding taxes and failure to file a tax return.
4. On July 1, 2009, Respondent was charged with felony embezzlement in Wake County, North Carolina. Respondent allegedly embezzled $57,765.26 from the Raleigh Rotary Club, of which he served as treasurer, over a period between October, 2006 and June, 2008.
5. As provided by law the Board is obligated to ascertain the good moral character of licensees (NCGS 83a-1(5) and to assure public protection (NCGS 83a-12). Respondent’s conduct as established by his own admission and further evidenced by unsecured priority claims filed against his firm for unpaid employer withholding taxes in excess of $150,000 pose a threat to the public, especially in light of Rule 21 NCAC 02.0203(2) which requires that “an architect’s honesty of purpose must be beyond suspicion.”

6. The Board finds that in light of the seriousness of the conduct in question, as well as evidence of the imminent danger of continued and irreparable harm to the public, that the public welfare requires this emergency action. The Board therefore issues this Emergency Order, pursuant to NCGS §150B-3(c), to revoke Respondent’s license as an Architect. This Order is effective immediately at the time of service of this Order upon Respondent, and shall remain in effect until this proceeding may be concluded pursuant to NCGS §150B. This Order shall constitute the Notice of Hearing to be held for this matter in the Board Office on September 11, 2009, at 9:30 a.m. Adopted by a vote of 6 to 0 by the Board on this the 10th day of July, 2009.

Subsequently a Demand to Cease and Desist was issued to Respondent Stafford. Therefore, the hearing referenced in the Emergency Order and originally scheduled for September 11, 2009 will be held at a later time and date.
2009 Annual Meeting Recap

Four resolutions were voted on and approved during the Annual Meeting and Conference in Chicago last month. Delegates voted to apply the five-year rolling clock to ARE divisions passed prior to 1 January 2006 (including all paper-based exams passed prior to 1997). These divisions will remain valid until 1 July 2014. Also, effective 1 July 2011, exam candidates must take a division of the ARE (pass or fail) once every five years to keep their Authorization to Test (ATT) valid. Candidates whose authorizations have become invalid will need to establish new eligibilities under the then current procedures of their registration boards.

Delegates approved a resolution that will allow the phase-in of IDP 2.0 to begin on 1 July 2009. The initial phase of IDP 2.0 allows interns to complete supplementary education that will count toward minimum required training units. Training units will become training hours in January 2010. Training areas will become experiences areas that were identified in the 2007 Practice Analysis of Architecture and work settings will be simplified in January 2011. More information on the IDP 2.0 will be available later this summer.

Also, portions of the NCARB Education Standard will be moved to a new document called the Education Guidelines to make it easier to update programs such as the Broadly Experienced Architect (BEA) Program and Broadly Experienced Foreign Architect (BEFA) Program and to adapt to changing National Architectural Accrediting Board (NAAB) procedures and requirements.

Delegates also approved clarification to the definition of "responsible control" in NCARB Model Law in order to address the emergence of Integrated Project Delivery (IPD) and Building Information Modeling (BIM) technology. NCARB committees and task forces will continue to review and discuss IPD and BIM in the coming years.

The text for all four resolutions approved at the meeting can be reviewed on the NCARB web site at: http://www.ncARB.org/newsclips/2009/jun09_4.html

Rule 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.”

The NC Board of Architecture has responded to requests for a change of address by displaced architects, and we have seen several new firms born out of the recent financial crisis. Your Board will continue to handle these requests as expeditiously as possible, but please note that it is each architect’s responsibility to notify the Board of a change of address. It is important to know that you must request permission from the Board prior to establishing a new firm or forming a new partnership. Forms to assist you in this process are available at http://www.ncbarch.org/forms.asp. Please notify the Board as soon as possible if you have dissolved a currently licensed firm.

North Carolina Board of Architecture License Statistics
As of September 3, 2009

Active Individual licenses (exp 6/30/10): 5498
Breakdown:
NC - 2307              Out-of-State – 3191

Active firm licenses: 1503
(expiration date 12/31/09)-
Breakdown:
NC - 645              Out-of-State - 858

Candidates Eligible to take the ARE - 399
(Note that not all candidates are actively taking the exam.)
September 2009
Newsletter of the North Carolina Board of Architecture

“I know the price of success: dedication, hard work, and an unremitting devotion to the things you want to see happen”

Frank Lloyd Wright