



# LICENSING NEWS

ARCHITECTURE ★ INTERIOR DESIGN ★ LANDSCAPE ARCHITECTURE

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#### CHANGE OF ADDRESS

Please make sure that we have your current address so we can mail renewal notices to you in a timely fashion. You can update your own record by logging in to your online account on our Web site: [www.tbae.state.tx.us](http://www.tbae.state.tx.us). You can also mail or fax (512)305-8900 the address change along with your signature. Registrants are responsible for timely renewals and keeping address information current.

#### NEXT BOARD MEETING

The next board meeting is scheduled for October 16-17, 2006. It will be held in conference room 225, Tower 2 of the Hobby Building, 333 Guadalupe, Austin, Texas. The agenda for this meeting will be posted on TBAE's Web site on October 6, 2006.

*It is the mission of the Texas Board of Architectural Examiners to ensure a safe built environment for Texas by regulating the professions of architecture, landscape architecture, and interior design.*

#### EXECUTIVE DIRECTOR

**Cathy L. Hendricks**, ASID/IIDA

#### BOARD MEMBERS

- Gordon E. Landreth**, AIA—Chair, Architect Member,  
Term ends 1/31/07
- Alfred Vidaurri Jr.**, AIA—Vice-Chair, Architect Member,  
Term ends 1/31/09
- Rosemary A. Gammon**—PAHM, Secretary-Treasurer  
Public Member, Term ends 1/31/11
- Kyle Garner**—Public Member, Term ends 1/31/09
- Janet Parnell**—Public Member, Term ends 1/31/07
- Peter L. Pfeiffer**, FAIA—Architect Member,  
Term ends 1/31/09
- Diane Steinbrueck**—Landscape Architect Member,  
Term ends 1/31/07
- Peggy Lewene (Lew) Vassberg**, ASID/AAHID—  
Interior Designer Member, Term ends 1/31/11
- James S. Walker II**, AIA—Architect Member,  
Term ends 1/31/11



*You know, they say you can't teach an old dog new tricks. I'm living proof that this is not the case. Over the past few years I have noticed some changes that I imagine you have noticed as well. When I went to renew my architect license this year there was a note for a prorated fee, an extra invoice, and a suggestion that I log onto the Internet to pay my fees. Because I also have an interior designer license I received the information twice, and my confusion was doubled. The next surprise was that the pocket card I had used for years was now a plastic card with a new look and no renewal date. My old familiar registration was rapidly changing and this old dog was struggling to keep up.*

*No doubt you also experienced some confusion this past year when you renewed your registration with TBAE. I hope that you also learned what I discovered: my license was easier to renew, my account information was accessible, and the TBAE Web site was comprehensible. I learned that the TBAE staff was available to answer questions, willing to explain things to me and fully engaged in providing great customer service. I learned that the new pocket card was an improvement over the old pocket card, and I discovered that staff continually responds to requests by registrants to enhance services.*

*The challenge of regulating three professions is not only to stay abreast of the issues relating to the practice but also to run the agency in an efficient and accountable manner. TBAE is one of three agencies participating in the Self-Directed, Semi-Independent Pilot Project (SDSI) which allows the agency to more responsively serve the public. By removing some of the restrictions imposed by state appropriations, SDSI allows the agency to operate more like a business.*

*Under the SDSI program TBAE has expanded Internet services, increased communication, improved customer service and enhanced enforcement tools and capabilities. In the coming year we will expand outreach efforts as well as continuing education assistance for registrants.*

*I have been happy to see that the customer service survey we implemented in the summer indicates that registrants are more than 90% satisfied with the changes and service they are receiving. I appreciate that SDSI has allowed TBAE to bring us all into the 21st century, old dogs and all!*

Gordon E. Landreth, AIA  
Chair



## Continuing Education Requirements

As registrants renewed their registrations this year, TBAE shifted every registrant's expiration date to the last day of his or her birth month and prorated the renewal fees accordingly. We have learned that some registrants are confused about reporting continuing education as they approach the end of these individually prorated renewal periods. Here is what you need to know:

**If you are renewing your registration at the conclusion of a prorated period (fewer than 12 months), the continuing education requirements are waived and any education credits you earned during the prorated period may be carried forward and reported at the end of your next 12-month renewal period.**

Remember that you can complete part of your annual continuing education requirement by self-directed study. You are required to have eight hours annually, all related to the health, safety and welfare of the public. One of the eight hours must be related to barrier-free design. At least five hours must be structured study.

**Self-directed study is a quick and inexpensive way to get up to three hours of credit.** Self-directed study includes research or reading information that pertains to your profession and to the health, safety and welfare of the public. You may also complete the one hour related to barrier-free design by self-directed study. You might read from professional journals or books, or even read information online. To document your self directed study, copy the articles you read or the title page and table of contents from books or online material. Sign and date the copies of the articles, and indicate how many hours you are claiming. On the tables of contents, you should also indicate the sections that were studied. Enter these hours on your CEPH Log and keep the signed copies with your log as supporting documentation.

If you have questions about continuing education requirements, contact our office at 512.305.9000.

## Important Things to Remember about Inactive Status

Inactive status is intended for an architect, interior designer, or landscape architect who will not be practicing for an extended time. However, there are some important restrictions and limitations associated with inactive status which are highlighted below. If your registration is currently on inactive status, we suggest you review the inactive rule which is available on the TBAE Web site (Rules 1.68 for architects, 3.68 for landscape architects, and 5.78 for interior designers).

- If your registration status with TBAE is inactive, you may not practice (architecture/interior design/landscape architecture). This applies to projects that may be designed by nonregistrants as well as those that may be designed only by registrants. Violating this prohibition may result in the suspension or revocation of your registration as well as the imposition of an administrative penalty for each day the violation occurs.
- If your registration has been inactive for less than five years, you must do one of the following to return to active status::
  - submit proof that you have completed all of the continuing education requirements for each year you have been inactive, or
  - pass all sections of the current registration examination during the five years immediately preceding your return to active status.
- If your registration has been inactive for more than five years, you must do one of the following to return to active status::
  - Pass all sections of the current registration examination during the five years immediately preceding your return to active status, or
  - furnish evidence that you are currently registered (in good standing) in another jurisdiction where the registration requirements are substantially equivalent to those in Texas.

If you have questions about inactive status, contact our staff at 512.305.9000.

## The Professional Services Procurement Act

One of the questions TBAE receives most frequently is "How do I avoid breaking the law when asked for fees on a public project?" The Professional Services Procurement Act (PSPA) prohibits governmental entities, such as state agencies, school districts, and county governments, from selecting a provider of professional services on the basis of competitive bids. Under the PSPA, architecture, landscape architecture and engineering are defined as "professional services" subject to this restriction. A governmental entity must select a provider of professional services on the basis of competence and qualification and only thereafter may negotiate fees. The governmental entity may not consider fees in the initial selection process.

It is not always obvious that fee information is being requested in a request for proposals or a request for qualifications. Be alert to requests for the following information:

- The total amount of fees charged on a previous project
- The amount of fees charged per square foot of the project
- The amount and percentage of total project cost to be expended on a specific portion of the project
- Other information from which your fee for professional services may be extrapolated

The PSPA applies to a request for proposals or qualifications that include professional services as any part of the project. However, pursuant to some project delivery systems, the selection of a design professional is not made directly by the governmental entity. The selection is made—subject to the PSPA—by a team which will itself respond to a request for proposals from the governmental entity. For this reason, it is important to know the project delivery system applicable to the project.

Contact TBAE if you have questions or believe a governmental entity is requesting information regarding your fees in violation of the PSPA.

## Self-Directed Semi-Independent Pilot Project

The Self-Directed Semi-Independent (SDSI) Pilot Project was established to determine whether an agency can be more accountable and responsive to the public if some of the restrictions of state government are removed.

- **Accountability**—TBAE is better able to manage budgets, monitor revenue trends, and adjust expenditures accordingly. Examples of increased accountability include the ability to invest in long-term projects that span fiscal years, improved agency efficiency, and a consistent revenue stream as a direct result of renewals by birth-month.
- **Enforcement**—SDSI has enabled TBAE to address problems associated with backlogs and very old cases. As a result, the number of cases was reduced by 75% over two years and complaint resolution time was reduced by 50%.

■ **Process Improvements and Automation**—Carrying money across fiscal years has helped TBAE to achieve improvements which were previously unattainable. The new database allows us to automate processes and provide online services such as renewing registrations, applying for licensure with the board, and logging continuing education hours.

■ **Outreach and Communication**—Under SDSI we have been able to greatly improve communication with the public and the professions we regulate. In the coming year there will be increased outreach efforts to more groups than ever before.

Please continue to email your suggestions to customer service, [gail.hile@tbae.state.tx.us](mailto:gail.hile@tbae.state.tx.us). We are always open to suggestions for improvement.

## INSIGHT FROM THE EXECUTIVE DIRECTOR



Do you remember when you were a kid, running late for school? The school bus was arriving at your bus stop and you had to run REALLY fast and hope that the driver saw you and would wait for you. I remember.

Renewing your registration online is in many ways similar to that experience. TBAE has rear view mirrors, but also all of our drivers (staff) are keeping their eyes peeled looking out for you! I want to congratulate the large number of you who jumped on the bus with the rest of your profession and have begun renewing your registration online. Not only are you renewing your licenses, you are updating your addresses to ensure we can reach you with important information.

We want to continue to help anyone who is having trouble, is perhaps a bit shy of new things, or has difficulty with navigating our Web site. Our goal is to fill up the bus and get everyone on board so we can redirect resources to provide further service to our registrants.

If you have questions such as “where is the bus?” or “how do I catch it?” please contact our office so that we can assist you. After all, we’re all headed to the same place—helping to ensure a safe built environment for Texas!

Cathy L. Hendricks, ASID/IIDA  
Executive Director



# ENFORCEMENT

The following enforcement cases were decided at the May 16, 2006 and the August 14, 2006, board meetings. Each case is based on the applicable rule in effect at the time of the violation. Individual rules can change between the time a violation occurs and the case is publicized. The rules provided on TBAE’s Web site ([www.tbae.state.tx.us](http://www.tbae.state.tx.us)) include the adoption and amendment date(s) for each rule.

### Cases Involving Registrants

**ROMULO CISNEROS, ARCHITECT**

**(HOUSTON, TX)** Administrative penalty of \$6,000 for engaging in a practice with intent to create a misleading impression and for issuing incomplete construction documents that did not contain his name or registration number.

**KENNETH W. DONOUGHUE, ARCHITECT**

**(SAN ANTONIO, TX)** Administrative penalty of \$800 for failure to properly seal a set of specifications and for failure to submit a statement of certification to a client.

**RANDALL BURKE SCOTT, ARCHITECT**

**(DALLAS, TX)** Administrative penalty of \$250 for engaging in a practice with intent to create a misleading impression.

**HERMAN CORONADO, ARCHITECT**

**(HOUSTON, TX)** Administrative penalty of \$250 for engaging in a practice with intent to create a misleading impression.

Case No. 004-96A and Case No. 005-96A, involving Harry A. Golemon, which were the subject of a hearing before the Board on June 11, 2002, were resolved pursuant to an Agreed Order.

Case No. 384-00N involving Sandra Haltner, which was the subject of a hearing before the Board, was resolved pursuant to an Agreed Order concerning a violation of TEX. OCC. CODE ANN. §§ 1051.801 and 1051.606.

### Continuing Education Violations

The following registrants were found to be in violation of the Board’s mandatory continuing education requirements set forth in the rules regulating the practice of architecture (Rule 1.69) and interior design (Rule 5.79) and ordered to pay an administrative penalty of \$500.

- Phillip Hendren, Architect (Austin, TX)
- Thomas M. Lonacker, Architect (Bellaire, TX)
- Mario Lopez, Architect (El Paso, TX)
- David Manning, Architect (Austin, TX)
- Danny Masters, Architect (Canyon Lake, TX)
- Glenn Oldham, Architect (Austin, TX)
- Bonnie Martin, Interior Designer (Dallas, TX)
- Tippi Reinhardt, Interior Designer (Houston, TX)

- Christopher Barboza, Architect (Houston, TX)
- Maher Koleilat, Interior Designer (Katy, TX)
- Kevin Kelley, Architect (Charlotte, NC) Administrative penalty of \$1,200 for violation of the Board’s mandatory continuing education requirements and for failing to make up the deficiency in continuing education credits within 180 days as required by Board rules.

### Cases Against Non-registrants

TBAE has ordered the following people to refrain from practicing architecture and to refrain from using a form of the title “architect” to describe themselves and/or their businesses in Texas. Administrative penalties are listed.

- EDUARDO GARCIA (SAN ANTONIO, TX)** – \$2,000 administrative penalty  
(We wish to clarify that this individual is NOT the same as Eduardo F. Garcia, a registered architect in good standing in San Antonio, Texas.)
- RUEBEN BROWN (HOUSTON, TX)** – \$16,000 administrative penalty
- RUDY RODRIGUEZ (FLORESVILLE, TX)** – \$5,000 administrative penalty
- TONY GARCIA (SAN ANTONIO, TX)** – \$1,000 administrative penalty

## Customer Service

This year TBAE made a commitment to make customer service a top priority. Every TBAE staff member has attended customer service training. TBAE staff members can answer questions about the new online features and can assist with online transactions. In our most recent customer satisfaction survey, the agency received very high marks, especially for telephone assistance and list-serve services. In response to your suggestions, we have:

- Provided extended phone coverage during peak renewal periods
  - Amended staff work schedules to be more available
  - Improved online payments receipts to include payment amount and date
  - Simplified log-in procedures
  - change their User ID and Password
  - record their continuing education information
  - choose whether to receive periodic email messages pertaining to their registration via TBAE's list serve
  - print a certificate of current registration at any time
  - access a log of email correspondence from the account page
  - log out from the customer's account page
- We continue to make improvements to our online services. For instance, the online system now automatically emails a receipt to registrants who pay their renewal fees online. Additional enhancements over the last 6 months make it possible for customers to:
- log in by using their registration number and the first 5 digits of their social security number
- Please continue to email your suggestions to customer service, [gail.hile@tbae.state.tx.us](mailto:gail.hile@tbae.state.tx.us). We are always open to suggestions for improvement.

## Hints for Logging In

Simply trying to log in can sometimes be the most frustrating part of doing business online. Here are a few of the most frequent stumbling blocks to logging in.

- An easy log-in method is combining your registration number (user name) with the first five digits of your social security number (password).
- If you choose to use your assigned user name and password, keep in mind these tips:
  - It is easy to mistake a number one (1) for a lower case L (l) and a zero (0) for an upper case o (O).
- Many passwords end with symbols such as %, &, !. These symbols are part of the password and must be included when you enter the password.
- You can change your assigned log-in data to something that is easier for you to remember by selecting "Change Your User ID/Password" at the bottom of your account page.
- The system will lock you out if you attempt to log in unsuccessfully more than three times. If this happens, close and then reopen your internet browser. You may call our office to verify your user ID and password.

## Newly Accredited School

TBAE is pleased to announce that the University of the Incarnate Word's interior design program has been accredited by the Council for Interior Design Accreditation (formerly known as FIDER). Contact information is provided on the TBAE Web site.

### NEW RULE

#### Malicious Injury to Professional Reputation

TBAE adopted a new rule to prohibit registrants from maliciously injuring or attempting to injure the reputation of another person. The rule includes an exception that will allow registrants to report illegal conduct and conduct otherwise prohibited by TBAE. The rule also includes an exception to allow registrants to offer a frank and private appraisal of a person's services upon the request of a client or prospective employer of that person.

The full text of this newly adopted rule is available on TBAE's Web site.

## Scholarship Awards

Congratulations to the recipients of the Architect Registration Examination Financial Assistance Fund (ARE-FAF) scholarships for the first half of 2006. The scholarship is a one-time reimbursement of \$500 for taking the Architect Registration Examination. The most recent recipients are:

- |  |                                    |
|--|------------------------------------|
| <b>Adam Bush, Austin</b>                     | <b>Janet Lina, Austin</b>          |
| <b>Scott Ginder, Austin</b>                  | <b>Mike Martin, Houston</b>        |
| <b>Brian C. Harlan, North Richland Hills</b> | <b>John Morrison, LaGrange</b>     |
| <b>Scott Hawley, Austin</b>                  | <b>Mason Rogers, Amarillo</b>      |
| <b>Rachel Helmke, San Antonio</b>            | <b>Elizabeth G. Sowell, Austin</b> |
| <b>Emerson Jones, Missouri City</b>          | <b>Ajith Thomas, Garland</b>       |
| <b>Will H. Jordan, Abilene</b>               | <b>Karen Thrasher, Dallas</b>      |
| <b>Wanki Kim, Austin</b>                     | <b>Anant Topiwala, Austin</b>      |

Remember, if you have been turned down for a scholarship, you may reapply once you meet the eligibility

requirements. For example, many exam candidates apply for the award before taking any portions of the examination—but to be eligible, a candidate must have passed portions of the exam totaling at least \$500. Another frequently overlooked requirement is providing a signed copy of the most recent tax return. The adjusted gross income on the tax return must not exceed \$40,000/ \$60,000 for single/married applicants, respectively. Don't give up! Reapply for the scholarship from your online account page.

TBAE awards scholarships twice each year—December 31 and June 30. The deadline for submitting scholarship applications is two weeks prior to each award date. To learn more about the scholarship, visit [www.tbae.state.tx.us/active/arefaf\\_intro.html](http://www.tbae.state.tx.us/active/arefaf_intro.html).

## Using Your Seal. What Would You Do?

Deciding when to use your professional seal can be confusing. For instance: You are issuing a bid set of construction documents and the client is requesting that you seal them. What would you do?

- a. Seal them.
- b. Mark them "Not for regulatory approval, permitting or construction."
- c. Seal them and mark them "Not for regulatory approval, permitting or construction."
- d. Include your name and the date, and mark them "Not for regulatory approval, permitting or construction."

Construction documents that are issued for regulatory approval, permitting, or construction should always be sealed, signed and dated before they are issued. However, construction documents issued for any other purpose should include the registrant's name, the date the document was issued and be conspicuously marked:

"Not for regulatory approval, permitting or construction" but should not be sealed.

So, the answer is "d."

Sealing construction documents and marking them "Not for regulatory approval, permitting or construction" violates TBAE rules and sends a confusing message to those reviewing them.

For more information on these issues please visit [www.tbae.state.tx.us](http://www.tbae.state.tx.us) or contact Jack Stamps, managing investigator, at [jack.stamps@tbae.state.tx.us](mailto:jack.stamps@tbae.state.tx.us) or 512.305.6982.