

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS**

Board Meeting Agenda

The William P. Hobby Jr. Bldg., Tower III, Room 102

333 Guadalupe Street

Austin, Texas

Tuesday, August 13, 2019

10:00 a.m. – Conclusion

**1. Preliminary Matters**

- A. Call to order Debra Dockery
- B. Roll call Joyce Smith
- C. Excused and unexcused absences Debra Dockery
- D. Determination of a quorum
- E. Recognition of guests
- F. Chair's opening remarks
- G. Public Comments

**2. Approval of June 13, 2019 Board Meeting Minutes (Action)**

Debra Dockery

**3. Executive Director Report (Information)**

Julie Hildebrand

- A. Summary of Executive Accomplishments (Information)
- B. Operating Budget/Scholarship Fund:  
Presentation on 3<sup>rd</sup> Quarter FY 2019 Expenditures/Revenues
- C. **Report on Conferences and Meetings (Information)**  
NCARB 2019 Annual Business Meeting – Jun 20-22  
NCARB Licensing Advisors Summit – Aug 1-3  
METROCON19 – Aug 8-10
- D. **Report on Upcoming Conferences and Meetings (information)**  
2019 LRGV-AIA Conference – Sep 26-28  
2019 CLARB Annual Meeting – Sep 26-28  
TxA 2019 80<sup>th</sup> Annual Conference & Design Expo – Oct 24 - 26  
2019 CIDQ Council of Delegates Meeting – Nov 8-9

**4. Approval of the Fiscal Year 2020 Budget (Action)**

Debra Dockery

**5. Enforcement Cases (Action)**

Lance Brenton

**Review and possibly adopt ED's recommendation in the following enforcement cases:**

**A. Registrant/Non-Registrant Cases:**

- Ballas, Jeffrey T. (#227-19A)
- Gisbert, Ramon J. (#093-19N)
- Reagan, Charles J. (#231-19A)

**B. Continuing Education Cases:**

- Braht, Emily G. (#242-19L)
- Fuller, Jessica A. (#241-19I)

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Haverdink, Michael J. (#250-19A)

Martin, Lee (#236-19I)

Peterson, Richard K. (#252-19A)

Taylor, Robert M. (#249-19L)

Weisbard, Russell N. (#235-19A)

*The Board may meet in closed session pursuant to TEX. GOV'T  
CODE ANN. §551.071(1) to confer with legal counsel*

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|---|---------------|
| <b>6. Discuss New Reporting Requirements for the NCARB Disciplinary Database (Action)</b>   | Lance Brenton |
| <b>7. Approval of the Proposed 2020 Board Meeting Dates (Action)</b><br>Thursday, February 20, 2020<br>Thursday, May 21, 2020<br>Tuesday, August 25, 2020<br>Thursday, November 19, 2020                                      | Debra Dockery |
| <b>8. Executive Director Performance Evaluation (Action)</b><br>I. Report on findings based upon performance evaluation<br>II. Consider and possibly act upon any proposed personnel action that may be proposed by the Board | Debra Dockery |

*The Board may meet in closed session pursuant to TEX. GOV'T  
CODE ANN. §551.074 to confer on personnel matters*

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|--|---------------|
| <b>9. Upcoming Board Meeting (Information)</b><br>Tuesday, November 19, 2019 | Debra Dockery |
| <b>10. Chair's Closing Remarks</b>   | Debra Dockery |
| <b>11. Adjournment</b>   | Debra Dockery |

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**NOTE:**

- ◆ *Items may not necessarily be considered in the order they appear on the agenda.*
- ◆ *Executive session for advice of counsel may be called regarding any agenda item under the Open Meetings Act, Government Code §551.*
- ◆ *Action may be taken on any agenda item.*

**NOTICE OF ASSISTANCE AT PUBLIC MEETINGS**

Persons with disabilities who plan to attend this meeting and who need auxiliary aids or services are required to call (512) 305-8548 at least five (5) work days prior to the meeting so that appropriate arrangements can be made.

## **FREQUENTLY USED ACRONYMS**

<b>ACSA</b>	Association of Collegiate Schools of Architecture
<b>ADA</b>	Americans with Disabilities Act
<b>AIA</b>	American Institute of Architects
<b>AREFAF</b>	Architect Registration Examination Financial Assistance Fund (Scholarship)
<b>ASID</b>	American Society of Interior Designers
<b>ASLA</b>	American Society of Landscape Architects
<b>ARE</b>	Architect Registration Examination
<b>BOAT</b>	Building Officials Association of Texas
<b>CACB</b>	Canadian Architectural Certification Board
<b>CIDA</b>	Council for Interior Design Accreditation (Formerly FIDER)
<b>CLARB</b>	Council of Landscape Architectural Registration Boards
<b>GAA</b>	General Appropriations Act
<b>GRF</b>	General Revenue Fund
<b>IDCEC</b>	Interior Design Continuing Education Council
<b>IDEC</b>	Interior Design Educators Council
<b>IDP</b>	Intern Development Program
<b>IIDA</b>	International Interior Design Association
<b>LARE</b>	Landscape Architect Registration Examination
<b>MBA</b>	Member Board Administrator (within NCARB)
<b>NAAB</b>	National Architectural Accreditation Board
<b>NCARB</b>	National Council of Architectural Registration Boards
<b>CIDQ</b>	Council for Interior Design Examination
<b>OAG</b>	Office of the Attorney General
<b>SOAH</b>	State Office of Administrative Hearings
<b>SORM</b>	State Office of Risk Management
<b>TAID</b>	Texas Association for Interior Design
<b>TAS</b>	Texas Accessibility Standards
<b>TASB</b>	Texas Association of School Boards
<b>TBPE</b>	Texas Board of Professional Engineers
<b>TxA</b>	Texas Society of Architects
<b>TSPE</b>	Texas Society of Professional Engineers

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS**  
**Minutes of June 13, 2019 Board Meeting**  
 William P. Hobby Jr. Building, 333 Guadalupe Street  
 Tower III, Conference Room 102  
 Austin, TX 78701  
 10:00 a.m. until completion of business

**AGENDA ITEMS**

**DESCRIPTIONS**

**1A. Call to Order**

Ms. Dockery called the meeting to order at 10:00 a.m.

**1B. Roll Call**

Ms. Smith called the roll.

Present Board Members

Debra Dockery	Chair, Architect Member
Robert (Bob) Wetmore	Vice-Chair, Architect Member
Joyce J. Smith	Secretary-Treasurer, Public Member
Jennifer Walker	Architect Member
Chase Bearden	Public Member
Michael (Chad) Davis	Landscape Architect Member
Rosa G. Salazar	Registered Interior Designer
Fernando Trevino	Public Member

**1C. Excused and Unexcused Absences**

Charles (Chuck) Anastos Architect Member

A MOTION WAS MADE AND SECONDED (Bearden/Davis) TO APPROVE THE EXCUSED ABSENCE OF MR. ANASTOS. THE MOTION PASSED UNANIMOUSLY.

**1D. Determination of a Quorum**

A quorum was present.

**1E. Recognition of Guests**

Ms. Dockery acknowledged the following members of TBAE staff: Julie Hildebrand, Executive Director; Lance Brenton, General Counsel; Glenn Garry, Communications Manager; Glenda Best, Operations Manager; Christine Brister, Human Resources; Kenneth Liles, Finance Manager; Jack Stamps, Managing Investigator; Dale Dornfeld, IT Manager; Julio Martinez, Information Security; Mike Alvarado, Registration Manager; and Katherine Crain, Legal Assistant.

Additionally, the following guests were recognized: Donna Vining, Texas Association for Interior Design; and Becky Walker, Texas Society of Architects.

**1F. Chair's Opening Remarks**

Ms. Dockery thanked the Board and welcomed the audience. She stated that Missy Sutton from CLARB was on the telephone and wanted to share the following proclamation with the Board:

“Good Morning. My name is Missy Sutton and I’m the CLARB Member Engagement Manager. I appreciate the opportunity today to recognize your Board Executive, Julie Hildebrand, for her outstanding and significant volunteer work with CLARB.

CLARB, as you know, is the Council of Landscape Architectural Registration Boards. Our members are the regulatory boards and agencies that regulate landscape architecture in the U.S.; Washington, DC; Puerto Rico; and the Canadian provinces of Alberta, British Columbia and Ontario.

Julie is a member of the CLARB Board of Directors and Chair of our Board Executive Committee. Through her work with our organization, she is helping ensure the future of landscape regulation and protection of the public.

Her strategic contributions and probing questions to our Board of Directors as well as her use of foresight has helped the Board have robust discussions and make board decisions regarding the future of CLARB’s governance and how CLARB serves, works with, and learns from its members, customers and other stakeholders.

Her leadership on and work with the Board Executive Committee has helped the organization greatly advance its “rethink regulation” initiative. The goal of this initiative is to streamline the licensure process for landscape architects across North America. When landscape architecture licensure and regulation come under attack, it’s often because the profession is not well understood nor the value of licensure or regulation. Inefficient and subjective requirements, processes and fees are often questioned as well. Julie and her fellow Committee Members are helping CLARB gather data and better understand opportunities for future improvements.

In addition to all of this, I feel the need to state the obvious: Julie is smart, kind, thoughtful and generous. She is a joy to be around and her smile and laugh light up any room she is in.

On behalf of the CLARB Board of Directors and staff, it is my pleasure to recognize Julie Hildebrand on this day, Thursday, June 13, 2019. Julie, thank you for all you do in Texas and at the North American level. We are ALL lucky to know and work with you.

Sincerely,  
Missy Sutton, Member Engagement Manager”

Ms. Dockery thanked Ms. Sutton and stated that the Board couldn’t agree with her more.

<b>1G. Public Comments</b>	None.
<b>2. Approval of February 21, 2019 Board Meeting Minutes</b>	A MOTION WAS MADE AND SECONDED (Wetmore/Smith) TO APPROVE THE FEBRUARY 21, 2019 BOARD MEETING MINUTES. THE MOTION PASSED UNANIMOUSLY.
<b>3. Executive Director's Report</b>	Ms. Dockery invited Ms. Hildebrand to deliver the Executive Director's report.
A. Summary of Executive Accomplishments	<p>Ms. Hildebrand provided a report and explanation of executive accomplishments as summarized on page 11 of the Board materials. She discussed recent changes to the format of the summary and invited feedback from the Board. Ms. Hildebrand highlighted and discussed the following items from her report:</p> <ul style="list-style-type: none"> <li>• CLARB's Foresight First Certification program;</li> <li>• NCARB's Model Law Task Force meeting;</li> <li>• CLARB's CEO Search Committee Meeting;</li> <li>• Austin will host the 2020 NCARB Annual Business meeting; and</li> <li>• Discussion regarding appointments from the Governor's office.</li> </ul> <p>Ms. Hildebrand directed the Board to a summary of enforcement division accomplishments on page 12 of the Board materials.</p> <p>Ms. Hildebrand directed the Board to page 13 and provided a report on registration department accomplishments. She noted that she included more information on the chart than what had been presented in the past. Ms. Hildebrand remarked upon a continued increase in total registrants over the previous year, and suggested that this may have resulted from architects becoming registered as interior designers through the ARE prior to the expiration of Rule 5.31(b) on January 1.</p> <p>Ms. Smith asked how the ratio of out-of-state registrants to in-state registrants compared to historical levels. Ms. Dockery noted that historically, about 30-35% of registrants are out-of-state, which is consistent with the current level. Ms. Dockery also explained that Texas, California, and New York have some of the highest numbers in the U.S. for in-state registrants.</p> <p>Ms. Salazar asked how many RID registrants have qualified for registration through the ARE prior to the deadline. Mr. Alvarado estimated that it was about 500.</p> <p>Ms. Dockery expressed her preference for continued use of the new format for the executive report, especially the registration statistics.</p>

B. Operating Budget/Scholarship Fund: Presentation on 2<sup>nd</sup> Quarter Fiscal Year 2019 Expenditures/Revenues

Ms. Hildebrand directed the Board to page 14 of the Board materials and provided a report and explanation of the actual revenues and expenditures through second quarter of the FY 2019 budget. Specifically, Ms. Hildebrand discussed postage and printing expenditures that exceed the budgeted amounts. She explained that this was primarily due to the need to print and deliver registration documents for new registrants and that these expenditures were exceeded by associated increases in revenues resulting from registration fees. Ms. Hildebrand also discussed the numbers for the scholarship fund, as summarized on page 15 of the Board materials.

**Report on Conferences and Meetings**

Ms. Hildebrand then provided an update to the Board on conferences and meetings.

C. NCARB Regional Summit/MBE Workshop – Mar 8-11

Ms. Hildebrand stated that she had been unable to attend the NCARB Regional Summit. However, Ms. Dockery, Mr. Brenton and Ms. Smith were able to attend the conference.

Mr. Brenton reported that the regional meeting consisted of regional breakout sessions as well as plenary sessions. In the regional session, Alabama shared an interesting case law update regarding the non-exempt status of condominium projects, and Mr. Brenton discussed that case with the Board. Mr. Brenton also shared his takeaways from discussions about what other states were experiencing in their legislative sessions. He noted that common legislative topics included deregulation efforts and limiting the use of criminal history in licensing decisions. Mr. Brenton also reported discussions in both regional and plenary sessions about the lack of diversity on the NCARB Board and how that issue may be remediated. Ms. Smith enjoyed the discussion of NCARB’s history approaching the 100-year anniversary and was pleased with the connections she made. Ms. Dockery noted that it was a very good meeting.

E. 2019 Texas ASLA Annual Conference – Apr 24-25

Ms. Hildebrand discussed her presentation, with Chad Davis and Brent Luck, to the Texas ASLA Annual Conference. The format included moderated questions posed to the participants by Glenn Garry addressing the various duties of TBAE vs. ASLA and how the organizations interact. Ms. Hildebrand was very pleased with the presentation and shared her intention to make similar presentations to the architect and interior design professions.

**Report on Upcoming Conferences and Meetings**

Ms. Hildebrand discussed upcoming conferences and meetings.



#### 4. Enforcement Cases

Review and possibly adopt Executive Director's recommendation in the following enforcement cases:

##### 4A. Registrant/ Non-Registrant Cases

###### **Chang, Robert T. (#284-18A) and (#187-18A)**

Mr. Brenton provided a summary of this matter as described on page 16 of the Board materials.

A MOTION WAS MADE AND SECONDED (Bearden/Walker) TO ENTER THE AGREED ORDER DATED MARCH 22, 2019, INCLUDING THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDED ADMINISTRATIVE PENALTY OF \$10,000 WITH A TWO-YEAR PROBATED SUSPENSION OF RESPONENT'S ARCHITECT REGISTRATION, WITH CONDITIONS.

Mr. Bearden inquired about what would happen if Staff identified violations during the probation period.

Mr. Brenton responded that, in the event of a finding that a violation had occurred during the probationary period, the suspension would be enforced for the remaining duration of the order and the balance of the administrative penalty would come due immediately, in addition to whatever penalties were appropriate for the underlying violation.

Mr. Wetmore asked whether the Respondent had previous disciplinary action. Mr. Brenton responded that this was the first disciplinary proceeding for Mr. Chang.

Regarding the recommended administrative penalty, Mr. Brenton explained that, though there are fewer cases involving incompetent or reckless practice compared with unregistered practice, the \$5,000 penalty per project was consistent with recent precedent. Mr. Brenton also remarked that the probated suspension constituted an opportunity for the Respondent to correct his substandard practices or face the risk of future suspension or revocation of registration.

THE MOTION PASSED UNANIMOUSLY.

###### **Garcia, Mario T. (#296-18N)**

Mr. Brenton provided a summary of this matter as described on page 25 of the Board materials.

A MOTION WAS MADE AND SECONDED (Bearden/Davis) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$5,000 AS SET FORTH IN THE REVISED REPORT AND NOTICE OF VIOLATION DATED OCTOBER 31, 2018.

Mr. Wetmore asked whether \$5,000 was a sufficient penalty to adequately deter similar behavior and protect the public.

Mr. Brenton addressed a number of points to support the recommendation. First, he referred to previous research finding that penalties imposed by agreement are collected at far higher rates as compared with contested case penalties and those higher rates, even if applied to a smaller administrative penalty, are usually sufficient to result in greater collection of penalties in absolute terms. This can be contrasted with penalties imposed through SOAH, which are more often ignored by Respondents, necessitating collection efforts through the attorney general's office, resulting in greater costs to the agency. Mr. Brenton also noted that the recommended penalty was consistent with recent precedent for settled cases.

Ms. Dockery noted that this project was an auto shop and suggested that the appropriate penalty could be greater for a different type of facility, such as a nursing home, where there was a greater potential for harm.

Mr. Brenton agreed with this position. He noted that this project would have been exempt under state law but came under the Board's jurisdiction due to the Respondent's unauthorized use of a seal. He noted that, in a case like this where state law authorizes the provision of services on a project and there is no information indicating actual harm, staff's recommendation would tend to be lower when compared to a project that legally required the services of an architect or actual harm occurred.

THE MOTION PASSED UNANIMOUSLY.

**Hillert, Jonathan R. (144-15N)**

Mr. Brenton provided a summary of this matter as described on page 26 of the Board materials.

A MOTION WAS MADE AND SECONDED (Bearden/Wetmore) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$3,500 AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED AUGUST 29, 2016. THE MOTION PASSED UNANIMOUSLY.

**4B. CE Cases**

The Board considered and voted upon the continuing education cases as a group.

A MOTION WAS MADE AND SECONDED (Bearden/Smith) TO ENTER ORDERS WHICH ADOPT THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTIES AS SET FORTH IN THE REPORTS AND NOTICES OF VIOLATION FOR EACH OF THE FOLLOWING CONTINUING EDUCATION CASES:

**Adams, Paul E. (#217-19A)**  
**Bekat, Ismail B. (#202-19A)**  
**Ferguson, Marcella H. (#229-19A)**  
**Griggs, Jimmy G. (#205-19A)**  
**Norris, Jean D. (#194-19I)**  
**Pobanz, Pamela R. (#005-18I)**  
**Ross, Janet K. (#215-19I)**  
**Rye, Jacqueline R. (#206-19A)**  
**Snyder, Erich D. (#208-19A)**  
**Trimble, Craig N. (#222-19A)**

THE MOTION PASSED UNANIMOUSLY.

**5. Proposed FY20  
Operating Budget  
Discussion**

Ms. Hildebrand provided a report on the development of the FY 2020 proposed budget. Ms. Hildebrand noted that this was a preliminary review, and that the budget would not be approved by the Board until the August Board meeting.

Regarding projected revenues, Ms. Hildebrand noted that the Board had seen significant year-over-year growth in FY 2018 and again in FY 2019, but that she could not project that this would continue. She explained that this process relies upon educated guesswork and that the projections she was working with assumed revenues that would be consistent with FY 2018.

Ms. Hildebrand then addressed projected expenses. She would be requesting a three percent (3%) increase in wages for staff for FY 2020. Also, she included an increase in the budget for professional services because she anticipated more enforcement cases would be filed at SOAH during FY 2020. With respect to Board travel, Ms. Hildebrand noted that the agency did not spend all of what was budgeted in FY 2019, but she wanted to keep the numbers the same as more Board members should be appointed for FY 2020, which would result in increased travel. Ms. Hildebrand projected small increases for staff travel in FY 2020. Ms. Hildebrand also increased the budget for operating expenditures, office supplies, postage, communications and utilities based on preliminary expenditure figures for FY 2019.

Ms. Hildebrand explained that she was creating a new category for the FY 2020 budget, information security, which had previously been included within information technology. Ms. Hildebrand explained that the agency is now required to have an information security officer report directly to the executive director. Mr. Martinez has transitioned into this role and will be responsible for implementing the mandates that have been recently adopted by the legislature regarding information security. Ms. Hildebrand invited Mr. Martinez to provide more information on his role.

Mr. Martinez discussed information security with the Board. He provided basic information regarding what is meant by the term. He identified various forms of attacks on an entity's information resources, the various types of bad actors, and their motivations for attack. Mr. Martinez also discussed legislative requirements for information security within governmental entities. Mr. Martinez noted that the agency's ability to effectively identify, protect, detect, respond to, and recover from incidents is maturing, though it is dependent on proper funding. He stated that the additional funding requested in the next budget would be dedicated to security awareness training for general staff, cybersecurity training for technical staff, better tools for threat visibility and alerting, and better hardware for vulnerability and penetration testing, amongst other items. He thanked the Board for the opportunity to provide a briefing on the information security program.

Ms. Smith asked how the proposed sale of the Hobby building had impacted the budgeting process. Ms. Hildebrand responded that it was still early in the process and she was unable to predict how the process would play out and how long it would take. Ms. Hildebrand acknowledged that moving out of the Hobby building could result in significant costs to the agency. However, those costs had not been considered in the draft budget due to this uncertainty.

Ms. Dockery thanked Ms. Hildebrand for the information and said the Board would look forward to consideration and approval of the final proposed budget in August.

## **6. Legislative Committee Update**

Ms. Hildebrand updated the Board on developments in the legislative session.

Ms. Hildebrand stated that overall the session went very well. Agency staff attended four hearings. She reported that the agency continued with the same approach that worked in the previous session, which focused on being proactive about contacting the legislative offices and professional organizations and providing as much assistance as possible during the early stages of the legislative process. By making ourselves available to the legislators' offices, the agency was able to provide explanations or background information regarding proposed bills, which helped to eliminate the need to provide testimony during the hearing process.

Ms. Hildebrand began by discussing SB 1349, regarding the sale of the Hobby Building. Ms. Hildebrand reported on early discussions with the Texas Facilities Commission and said was awaiting more information from TFC. She identified options for TBAE. First, TBAE could be relocated by TFC into alternative office space. This could include private space leased by TFC or currently vacant space owned by the state. Alternatively, TBAE could look for private space and negotiate its own lease. Ms. Hildebrand

discussed pros and cons of these options relating to cost, location, and quality.

Ms. Dockery and Mr. Bearden emphasized the importance of considering staff members in making this decision. Mr. Bearden noted that staff have organized their lives around the current location and minimizing the disruption of a move and the possibility of turnover should be a priority.

Ms. Hildebrand stated that she would provide an update on office space at the August Board meeting.

Ms. Hildebrand provided an update on bills affecting interior design. First, she noted that the misdemeanor criminal penalty for violating the interior designer's registration law had been repealed. Ms. Hildebrand noted that this provision had not been utilized by the Board and that the repeal would have no impact on the Board's practices. Ms. Hildebrand also discussed the efforts to remove the Board's ability to impose administrative penalties upon non-registered persons for a violation of the interior designer registration law. It was noted that this provision was introduced in two bills, HB 1894 and HB 2847. The provision was removed from HB 1894 by the Senate Business and Commerce committee, and stakeholders were under the impression that it would be removed from HB 2847 as well. However, it was included in the final conference committee version of HB 2847 that was sent to the governor, so assuming it is signed, the Board would no longer have authority to impose administrative penalties in these cases.

**The Board took a break at 11:35 a.m. and readjourned at 11:45 a.m.**

Ms. Hildebrand then provided discussion and analysis of various other legislative matters identified in the Board materials. She also identified trends that she had observed in reviewing sunset reports that had issued during the biennium.

**7. Executive Director  
Annual Performance  
Evaluation Discussion**

Ms. Dockery discussed the timeline and procedures for the annual evaluation of the Executive Director, which will occur at the August Board meeting.

**8. Upcoming Board  
Meetings**

Tuesday, August 13,  
2019

Tuesday, November 19,  
2019

Ms. Dockery stated that the August meeting date would be on the 13<sup>th</sup> and the November meeting would be on the 19<sup>th</sup>.

**9. Chair's Closing  
Remarks**

Ms. Dockery thanked the board members and the staff for a very good meeting. She stated that she was looking forward to attending the NCARB 100-year celebration in Washington.

**10. Adjournment**

A MOTION WAS MADE AND SECONDED (Davis/Bearden) TO ADJOURN THE MEETING AT 12:15 P.M. THE MOTION PASSED UNANIMOUSLY.

APPROVED BY THE BOARD:

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DEBRA J. DOCKERY, FAIA  
Chair, TEXAS BOARD OF ARCHITECTURAL EXAMINERS

## TBAE Staff Accomplishments: August 2019 Board Meeting

June

- **CLARB MBE Committee Meeting Call**
- **CLARB – ASLA Web Licensure Summit**
- **NCARB Annual Business Meeting**
  - Debra, Rosa, Joyce and Julie attended
  - Julie did a presentation on the Model Law Task Force
- **Information Security Policy and Assurance Training - IS**
- **Texas Government Data Forum – IT/IS**
- **State Agency Coordinating Council – Legal Affairs Subcommittee Meeting - Legal**

July

- **CLARB CEO Search Committee Meeting Call**
- **Foresight First Certification Webcast #4 – Executive and Operations**
- **Providing a CE Auditing Solution for NCARB Member Boards Call**
- **Staff Performance Evaluations**

August

- **NCARB Licensing Advisors Summit – Registration**
- **METROCON19**
  - Rosa, Julie, Glenn and Jack will attend
  - Rosa and Julie will present
- **TBAE Board Meeting**
- **CLARB CEO Search Committee Meeting Call and First Round Interviews**
- **CLARB Board of Directors Meeting Call**
- **CLARB Region 3 Virtual Meeting**
- **NCARB Model Law Task Force Meeting**

September

- Austin Tech Summit – IS
- CLARB CEO Search Committee Meeting Second Round Interviews
- CLARB Pre-Annual Meeting Webcast
- Lower Rio Grande Valley AIA Conference
- CLARB Annual Business and BOD Meeting

October

- Federation of Association of Regulatory Boards – Regulatory Law Seminar – Legal
- CLARB – ASLA Web Licensure Summit
- TxA Annual Convention – Debra and Julie will present

November

- Developer Week Austin – IT
- NCARB Model Law Task Force Meeting
- CIDQ Council of Delegates Meeting
- TBAE Board Meeting

Applicants		New Registrants		Registrants (active)		The Rest
<b>1243</b>	<b>+180</b>	<b>1057</b>	<b>+10</b>	<b>19096</b>	<b>+849</b>	A survey of the Registration Division's additional accomplishments and activities
Fiscal Year to Date	Year-over-Year	FYTD	YOY	As of month ended	YOY	

By-examination applications received FYTD, by profession:

Architect:	393
RID:	333
LA:	81
<b>Subtotal:</b>	<b>807</b>

By-examination registrations issued FYTD, by profession:

Architect:	242
RID:	361
LA:	48
<b>Subtotal:</b>	<b>651</b>

**Architects**

Resident:	8558
<u>Nonresident:</u>	<u>4823</u>
<b>Subtotal:</b>	<b>13381</b>

**3410**  
exam results received FYTD  
3101 Arch | 28 RID | 281 LA

Reciprocal applications received FYTD, by profession:

Architect:	371
RID:	21
LA:	44
<b>Subtotal:</b>	<b>436</b>

Reciprocal registrations issued FYTD, by profession:

Architect:	293
RID:	5
LA:	33
<b>Subtotal:</b>	<b>331</b>

**RIDs**

Resident:	3778
<u>Nonresident:</u>	<u>242</u>
<b>Subtotal:</b>	<b>4020</b>

**1286**  
Continuing Education audits conducted FYTD

**44**  
referred to Investigations FYTD

# About this report

FYTD: Fiscal Year to Date. Compares current data to that of the beginning of the current fiscal year.

YOY: Year-over-Year. Compares current data to that of 12 months prior.

**Landscape Architects**

Resident:	1229
<u>Nonresident:</u>	<u>466</u>
<b>Subtotal:</b>	<b>1695</b>

**14**  
scholarship applications approved FYTD

**All registrants**

Resident:	13565
<u>Nonresident:</u>	<u>5531</u>
<b>Subtotal:</b>	<b>19096</b>

**112**  
Certificates of Standing issued FYTD



Enforcement (through June 2019)

Cases Opened		Cases Dismissed		Days to Case Resolution		Sanctions <small>FYTD</small>	
<b>239</b> <small>FYTD</small>	<b>-148</b> <small>Year-over-Year</small>	<b>157</b> <small>FYTD</small>	<b>+12</b> <small>YOY</small>	<b>70</b> <small>As of month ended</small>	<b>69</b> <small>FY Average to Date</small>	<b>148</b>	
<b>95</b> Case(s) referred to Legal FYTD		<b>Dismissal details</b> TDLR: 149 Other: 8* <small>*e.g. No evidence; not a violation; criminal history                      provisional registration; contract dispute.</small>		<b>Context</b>  Appropriated agencies: 115-330 ('18-19) SDSI sister agency: 110 (2018)		63 Notice(s) of Violation	43 Warning(s) by Exec. Director
						40 Disc. Action(s) by Board	0 Voluntary Surrenders
						0 Informal conference(s)	2 Complaint(s) Filed at SOAH

**Texas Board of Architectural Examiners  
Actual 2019 Budget**

	FY 2019 Approved Budget	FY 2019 Expenditures as of 5-31-19	FY 2019 Percentage Earned/Spent
<b>Revenues:</b>			
Licenses & Fees	\$ 2,752,000	\$ 2,139,103	77.73%
Business Registration Fees	\$ 124,000	\$ 103,773	83.69%
Late Fee Payments	\$ 134,000	\$ 112,226	83.75%
Other	\$ 4,000	\$ 6,865	171.62%
Interest	\$ 22,000	\$ 49,310	224.14%
<b>Potential Draw on Fund Balance</b>	\$ <b>13,220</b>		0.00%
<b>Total Revenues</b>	\$ <b>3,049,220</b>	\$ <b>2,411,276</b>	<b>79.08%</b>
<b>Expenditures:</b>			
Salaries and Wages	\$ 1,629,381	\$ 1,204,836	73.94%
Payroll Related Costs	\$ 567,839	\$ 416,172	73.29%
Professional Fees & Services	\$ 25,000	\$ 12,936	51.74%
Travel			
Board Travel	\$ 24,000	\$ 10,665	44.44%
Staff Travel	\$ 19,000	\$ 12,304	64.76%
Office Supplies	\$ 7,000	\$ 6,115	87.35%
Postage	\$ 8,000	\$ 8,235	102.94%
Communication and Utilities	\$ 15,000	\$ 12,489	83.26%
Repairs and Maintenance	\$ 1,000	\$ 113	11.25%
SWCAP Payment with Office Rental	\$ 113,000	\$ 115,987	102.64%
Equipment Leases--Copiers	\$ 9,000	\$ 5,436	60.40%
Printing	\$ 5,000	\$ 6,661	133.22%
Operating Expenditures	\$ 26,000	\$ 22,159	85.23%
Registration Fees--Employee Training	\$ 9,000	\$ 5,060	56.22%
Membership Dues	\$ 21,000	\$ 13,435	63.98%
Payment to GR	\$ 510,000	\$ 382,500	75.00%
IT Upgrades	\$ 60,000	\$ 38,719	64.53%
<b>Total Expenditures</b>	\$ <b>3,049,220</b>	\$ <b>2,273,820</b>	<b>74.57%</b>
<b>Excess/ (Deficiency) of Rev over Exp.</b>	<b>-</b>	\$ <b>137,456</b>	<b>4.51%</b>

<b>Funding for 8 months</b>	\$ <b>2,032,610</b>
<b>Excess Fund Balance</b>	\$ <b>897,580</b>
<b>Total Fund Balance</b>	\$ <b>2,930,191</b>

Administrative Penalties Collected \$ 60,567.20  
 General Revenue Collected \$ -

**Texas Board of Architectural Examiners  
Fiscal Year 2019 Budget  
Scholarship Fund**

	FY 2019 Budget	FY 2019 Actual Sept. 1, 2018--May 30, 2019
<b>Operating Fund Beginning Fund Balance:</b>	-	-
<b>Adjusted Beginning Balance</b>	-	-
<b>Scholarship Fund Beginning Balance</b>	\$ 59,827.98	
<b>Total Beginning Scholarship Fund Balance</b>	\$ 59,827.98	\$ 59,827.98
<b>Revenues:</b>		
Scholarship Fees	-	\$ 7,152.22
<b>Total Revenues</b>	-	\$ 7,152.22
<b>Expenditures:</b>		
Operating Expenditures-Scholarship Payments		\$ 9,615.80
<b>Total Expenditures</b>		\$ 9,615.80
<b>Excess/(Deficiency) of Rev. over Exp.</b>	\$ 59,827.98	\$ 57,364.40
<b>Fund Balance</b>	<b>\$ 59,827.98</b>	<b>\$ 57,364.40</b>

Number of Scholarships Awarded

19

Frequency per Fiscal Year----September 30, January 31, and May 31

**Texas Board of Architectural Examiners  
Proposed Fiscal Year 2020 Budget**

	FY 2019 Approved Budget	FY 2019 Projected through 8/31/19	FY 2020 Proposed Budget
<b>Revenues:</b>			
Licenses & Fees	2,752,000	\$ 2,940,056	\$ 2,852,329
Business Registration Fees	124,000	\$ 143,578	\$ 127,000
Late Fee Payments	134,000	\$ 147,303	\$ 135,000
Other	4,000	\$ 7,428	\$ 5,000
Interest	22,000	\$ 49,310	\$ 44,000
<b>Potential Draw on Fund Balance</b>	<b>13,220</b>		
<b>Total Revenues</b>	<b>3,049,220</b>	<b>\$ 3,287,675</b>	<b>\$ 3,163,329</b>
<b>Expenditures:</b>			
Salaries and Wages	1,629,381	\$ 1,629,381	\$ 1,688,262
Payroll Related Costs	567,839	\$ 567,839	\$ 584,067
Professional Fees & Services	25,000	\$ 19,923	\$ 30,000
Travel			
Board Travel	24,000	\$ 21,330	\$ 24,000
Staff Travel	19,000	\$ 16,848	\$ 19,000
Office Supplies	7,000	\$ 8,513	\$ 9,000
Postage	8,000	\$ 11,360	\$ 12,000
Communication and Utilities	15,000	\$ 17,056	\$ 18,000
Repairs and Maintenance	1,000	\$ 1,000	\$ 1,000
SWCAP Payment with Office Rental	113,000	\$ 115,987	\$ 116,000
Equipment Leases--Copiers	9,000	\$ 7,225	\$ 8,000
Printing	5,000	\$ 8,150	\$ 9,000
Operating Expenditures	26,000	\$ 25,384	\$ 28,000
Registration Fees--Employee Training	9,000	\$ 9,000	\$ 10,000
Membership Dues	21,000	\$ 20,116	\$ 21,000
Payment to GR	510,000	\$ 510,000	\$ 510,000
Information Technology	60,000	\$ 60,000	\$ 55,000
Information Security	-	\$ -	\$ 21,000
<b>Total Expenditures</b>	<b>3,049,220</b>	<b>\$ 3,049,112</b>	<b>\$ 3,163,329</b>
<b>Excess/ (Deficiency) of Rev over Exp.</b>	<b>-</b>	<b>238,563</b>	<b>-</b>

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS  
SUMMARY OF PROPOSED  
ENFORCEMENT ACTION**

**This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.**

**Case Number: 227-19A**  
**Respondent: Jeffrey Todd Ballas**  
**Location of Respondent: Dallas, TX**  
**Location of Projects: Abilene, TX**  
**Instrument: Report and Notice of Violation**

**Findings:**

- Jeffrey Todd Ballas (hereafter “Respondent”) is registered as an architect in Texas with registration number 22763.
- On or about December 14, 2016, Respondent issued an architectural plan sheet for a project identified as the “Orangerie for Smith Residence” to his clients for their review. Respondent signed and sealed the plan sheet and indicated on the plan sheet that it was not for regulatory approval, permitting, or construction.
- On or about November 13, 2016, Respondent issued an architectural plan sheet for a project identified as “The Vann Residence” to his clients for their review. Respondent signed and sealed the plan sheet and indicated on the plan sheet that it was not for regulatory approval, permitting, or construction.

**Applicable Statutory Provisions and Rules:**

- By signing and sealing the architectural plan sheets as well as indicating on the plan sheets that they were not intended for regulatory approval, permitting or construction on two separate projects, Respondent violated 22 Tex. Admin. Code §1.101.

**Action Recommended by Executive Director:**

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$2,000** as set forth in the Report and Notice of Violation dated May 7, 2019.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS  
SUMMARY OF PROPOSED  
ENFORCEMENT ACTION**

**This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise, and assist the Board in addressing this uncontested case.**

**Case Number: 093-19N**  
**Respondent: Ramon Jonathan Gisbert**  
**Location of Respondent: Pearland, Texas**  
**Instrument: Agreed Eligibility Order**

- The proposed Agreed Order would impose the following settlement terms:
  - Payment of administrative penalty in the amount of \$26,000.
  - Allow the Respondent to retain his status as an approved candidate for the Architect Registration Examination.

**Action Recommended by Executive Director:**

- The Executive Director recommends the Board adopt and enter the attached Agreed Order, including the findings of fact, conclusions of law, and recommended disciplinary action.

BEFORE THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS

\*\*\*\*\*

In the Matter of	§	AGREED
RAMON JONATHAN GISBERT,	§	
Candidate for Registration by	§	ORDER
Examination		

On this day the Texas Board of Architectural Examiners (hereafter “the Board”) considered the above-styled matter at a regularly scheduled meeting.

Information received by the Board produced evidence that Ramon Jonathan Gisbert (Respondent) is subject to disciplinary action for violations of Occupations Code Chapter 1051, including Sections 1051.701 and 1051.752, Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Julie Hildebrand, Executive Director, on July 16, 2019, subject to ratification by the Board. Upon the recommendation of its Executive Director, the Board makes the following Findings of Fact and Conclusions of Law and enters this Order:

FINDINGS OF FACT

1. Prior to the institution of agency proceedings, notice of the matters specified below in the Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law.
2. Respondent waived noticed and hearing and agreed to the entry of this Order.
3. On or about August 3, 2009, Respondent submitted an Application for Architectural Registration in Texas. Pursuant to this application, Respondent is an approved candidate for registration by examination, although Respondent has not completed the examination.

4. Respondent is not, and has never been, registered to engage in the practice of architecture in Texas.
5. Respondent is the managing partner of the architectural firm, *Twenty20 Studio, LLC* (also known as *twenty20 studio ARCHITECTURE + PLANNING,*), formerly known as *RJG Design Studio, LLC*.
6. On or about February 19, 2013, Respondent registered his business RJG Design Studio with the Board, which was granted architectural business registration number BR 227. At that time, the architect associated with RJG Design Studio, LLC was Charles Hamel, Texas architectural registration number 7221.
7. On or about January 5, 2016, Respondent notified the Board of a change in name for the firm, from *RJG Design Studio, LLC* to *Twenty20 Studio, LLC*. At that time, architectural business registration number BR #227 was transferred to Twenty20 Studio, LLC.
8. On or about May 23, 2016, Mr. Hamel provided notice to Respondent and Twenty20 Studio LLC that the agreement to provide architectural services between Mr. Hamel and Twenty20 Studio LLC would be terminated effective June 30, 2016. At the time that Mr. Hamel provided notification that he would no longer be associated with Twenty20 Studio LLC, the firm became unable to lawfully use the term "architecture" to describe services it offered or performed in Texas, until such time that the firm employed or associated with an architect to provide architectural services on behalf of the firm.
9. On or about June 21, 2016, while utilizing the business title "twenty20studio ARCHITECTURE + PLANNING" and acting on behalf of Twenty20 Studio LLC, Respondent issued architectural plans for the project *Plastic Surgery of Texas* located in



Frisco, Texas. The architectural plans were not developed under the supervision and control of, or sealed by, an architect.

10. On or about October 24, 2016, while utilizing the business title "twenty20studio ARCHITECTURE + PLANNING" and acting on behalf of Twenty20 Studio LLC, Respondent issued architectural plans for the project *Bright Eyes Center* located in Murphy, Texas. The architectural plans were not developed under the supervision and control of, or sealed by, an architect.
11. On or about April 19, 2017, while utilizing the business title "twenty20studio ARCHITECTURE + PLANNING" and acting on behalf of Twenty20 Studio LLC, Respondent issued architectural plans for the project *Eyes on Cypress* located in Cypress, Texas. The architectural plans were not developed under the supervision and control of, or sealed by, an architect.
12. On or about May 5, 2017, while utilizing the business title "twenty20studio ARCHITECTURE + PLANNING" and acting on behalf of Twenty20 Studio LLC, Respondent issued architectural plans for the project *Dr. Christina Clark, DDS* located in Spring, Texas. The architectural plans were not developed under the supervision and control of, or sealed by, an architect.
13. On or about May 7, 2018, while utilizing the business title "twenty20studio ARCHITECTURE + PLANNING" and acting on behalf of Twenty20 Studio LLC, Respondent issued architectural plans for the project *Cloud 9 Dental Implant Center* located in Conroe, Texas. The architectural plans were not developed under the supervision and control of, or sealed by, an architect.

14. On or about October 12, 2018, Respondent utilized a website for the firm *Twenty20 Studio, LLC*, which indicated that the firm was engaged in “ARCHITECTURE + PLANNING” and provided services including “Architectural Design” and “provid[ing] a full set of architectural . . . drawings to your general contractor to submit for all required permits.” Additionally, Respondent utilized a Facebook profile for the firm that stated the firm was “an architecture firm operating in Houston, Texas with a diverse portfolio of building types. Our primary focus is medical architecture.” At the time the Respondent utilized these advertisements for his firm, the firm’s business registration had expired, and the firm did not employ, or operate under an agreement of association with, an architect.

#### CONCLUSIONS OF LAW

1. The Texas Board of Architectural Examiners has authority and jurisdiction over this case and the Respondent. The Board may, after notice and hearing, impose an administrative penalty upon a person who is not registered to engage in the practice of architecture if the person has violated Texas Occupations Code Chapter 1051. See Tex. Occ. Code §§1051.401, 1051.451, 1051.501, 1051.503, 1051.504, 1051.701, 1051.751, 1051.752.
2. As an applicant for registration, Respondent may be subject to Board sanctions for any violation of the practice or title restrictions of the Architect Practice Act. Such sanctions may include the imposition of an administrative penalty or denial of registration. 22 Tex. Admin. Code §1.151(c).
3. Under Texas Occupations Code Section 1051.701, a person may not engage in the practice of architecture or offer or attempt to engage in the practice of architecture, as defined in Section 1051.001(7)(A), (B), or (C), unless the person is registered as an architect.

4. Only architects, duly registered by the Board, may use any form of the words "architect" or "architecture" to describe themselves or to describe the services they offer or perform in Texas. 22 Tex. Admin. Code §1.123(a).
5. A firm, partnership, corporation, association, or other business entity may engage in the practice of architecture, represent itself to the public that it is engaged in the practice of architecture or offering architecture, or use the words "architect" or "architecture" in its name only if any practice of architecture or architectural service performed on behalf of the entity is performed by or through a person registered as an architect by the Board. Tex. Occ. Code §1051.701(b).
6. A firm may not use any form of the word "architect" or the word "architecture" in its name unless the firm employs or associates with at least one architect pursuant to 22 Tex. Admin. Code §1.122 and the architect exercises supervision and control over all architectural services performed by non-registrant persons on behalf of the business. 22 Tex. Admin. Code §1.123(b)
7. If a non-registrant person and registered architect form a business association to jointly provide architectural services, the firm may not issue construction documents, including architectural drawings, unless they are prepared under the supervision and control of an architect and sealed, signed, and dated pursuant to the rules adopted by the Board under 22 Tex. Admin. Code Chapter 1, Subchapter F. *See* 22 Tex. Admin Code §1.122(c).
8. By preparing and issuing architectural plans and specifications for regulatory approval, permitting, and/or construction on five (5) separate projects, Respondent engaged in the unauthorized practice of architecture in violation of Texas Occupations Code Sections 1051.701, 1051.752(1) and 1051.801.

9. By utilizing the term "architecture" to describe his firm on construction documents and in advertisements on its website and Facebook page, Respondent violated Board Rule §1.123(c).

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to the approval of the Texas Board of Architectural Examiners, that Respondent shall pay an administrative penalty in the amount of Twenty-Six Thousand Dollars (\$26,000). The administrative penalty will be paid in twenty-six (26) payments of \$1,000 each, with the first payment due on the first day of the month immediately following the date on which this Order becomes final, and subsequent payments due on the first day of the month for every month thereafter until the administrative penalty has been paid in full. Failure to timely pay the administrative penalty shall be considered a violation of this ORDER, subject to a penalty of up to and including denial, suspension or revocation of Respondent's architectural registration, as applicable. Respondent shall pay the administrative penalty regardless of whether Respondent continues to seek registration as an architect in Texas.

It is further ORDERED that RESPONDENT SHALL NOT engage in the practice of architecture, as defined by Texas Occupations Code Section 1051.001(7), unless and until Respondent becomes registered by the Board as an architect. This provision does not prohibit or otherwise restrict Respondent from practicing architecture under an exception listed in Texas Occupations Code Section 1051.606, provided that Respondent complies with all limitations of any such exception.

It is further AGREED and ORDERED, that Respondent shall retain his status as an approved candidate for the Architect Registration Examination. Provided that the Respondent does not engage in violations of the Board's laws or rules occurring after the date of entry of this Order,

neither the violations of law addressed in this Agreed Order, nor any other violation of law relating to the unauthorized practice of architecture occurring prior to the entry of this order, shall be used by the Board as a ground for denial of Respondent's registration as an architect. However, if Respondent is found to have violated the laws or rules governing the practice of architecture based on conduct occurring after the date of this Order, the violations addressed by this Order and any other prior act may be considered in any action to deny architectural registration to the Respondent. Under all circumstances, Respondent shall be required to comply with the payment schedule of this Order and satisfy all generally applicable licensure eligibility requirements prior to becoming registered as an architect.

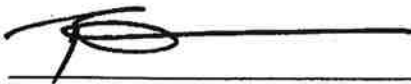
Upon approval by the Board, the Chair of the Texas Board of Architectural Examiners is authorized to sign this Agreed Final Order on behalf of the Board.

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I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. By my signature on this Order, I agree to the entry of this Order, and all conditions of said Order, to avoid further disciplinary action in this matter. I waive notice and hearing and judicial review of this Order. I understand that when this Order becomes final, and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including possible revocation of my registration to practice architecture in the State of Texas, as a consequence of my noncompliance.

DATED: July 26, 2019.



**RAMON JONATHAN GISBERT**

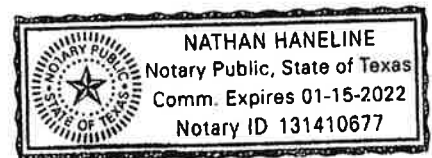
STATE OF TEXAS           §  
                                  §  
COUNTY OF ~~HARRIS~~ <sup>Brazoria</sup> §

Before me, the undersigned notary public, on this day personally appeared Ramon Jonathan Gisbert, a person whose identity is known to me. After I administered an oath to his, upon his oath he said that he read this Agreed Order, he acknowledged to me that he freely and knowingly executed the same for the purposes and consideration therein expressed.

Sworn to and subscribed before me by RAMON JONATHAN GISBERT on this the 26 day of July, 2019.



**NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS**



**WHEREFORE, PREMISES CONSIDERED, the Texas Board of Architectural Examiners hereby ratifies and adopts the Agreed Order that was signed on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, by Ramon Jonathan Gisbert, Respondent, and said Order is final.**

**Effective this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.**

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**DEBRA DOCKERY, FAIA  
Chair, TEXAS BOARD OF ARCHITECTURAL EXAMINERS**

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS  
SUMMARY OF PROPOSED  
ENFORCEMENT ACTION**

This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.

**Case Number:** 231-19A  
**Respondent:** Charles J. Reagan  
**Location of Respondent:** Richardson, TX  
**Location of Project(s):** Frisco, TX  
**Instrument:** Report and Notice of Violation

**Findings:**

- Charles J. Reagan (hereafter “Respondent”) is registered as an architect in Texas with registration number 13056.
- On November 30, 2018, Respondent’s architectural registration expired due to his failure to complete the renewal process. Respondent’s registration remained in expired status until he received staff’s initial inquiry letter on April 5, 2018 concerning this investigation.
- On or about March 18, 2019, Respondent issued and sealed architectural plans on construction documents for a project identified as the *Dallas Cowboys Merchandising Shell Building* located at Frisco, Texas.
- At the time Respondent provided architectural services for this project, his registration was expired, and he was not authorized to provide architectural services during this period.

**Applicable Statutory Provisions and Rules:**

- By using the title “architect” and providing architectural services and sealing plans for a residential remodel at a time when his certificate of registration was not in good standing, Respondent violated Tex. Occ. Code §§ 1051.351(a) and 1051.752(1) and 22 Tex. Admin. Code §§ 1.82(b) and 1.148(c).

**Action Recommended by Executive Director:**

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$1,000** as set forth in the Report and Notice of Violation dated May 30, 2019.



**TEXAS BOARD OF ARCHITECTURAL EXAMINERS  
SUMMARY OF PROPOSED  
ENFORCEMENT ACTION**

**This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.**

<b>Case Number:</b>	<b>242-19L</b>
<b>Respondent:</b>	<b>Emily G. Braht</b>
<b>Location of Respondent:</b>	<b>Frisco, TX</b>
<b>Nature of Violation:</b>	<b>Violation of Continuing Education Requirements</b>
<b>Instrument:</b>	<b>Report and Notice of Violation</b>

**Findings:**

- Emily G. Braht (hereafter "Respondent") is registered as a landscape architect in Texas with registration number 1282.
- On February 15, 2019, Respondent was notified by the Board that she was being audited for compliance with continuing education requirements for the audit period of January 1, 2017 through December 31, 2017.
- On May 14, 2019, Respondent replied that she could not locate her continuing education certificates.

**Applicable Statutory Provisions and Rules:**

- By failing to maintain a detailed record of her continuing education activities for the period of January 1, 2017 through December 31, 2017, Respondent violated Board Rule 3.69. The standard administrative penalty for failing to maintain a detailed record of continuing education activities is **\$700**.

**Action Recommended by Executive Director:**

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$700** as set forth in the Report and Notice of Violation dated June 25, 2019.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS  
SUMMARY OF PROPOSED  
ENFORCEMENT ACTION**

This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.

<b>Case Number:</b>	<b>241-19I</b>
<b>Respondent:</b>	<b>Jessica Anne Fuller</b>
<b>Location of Respondent:</b>	<b>Houston, TX</b>
<b>Nature of Violation:</b>	<b>Violation of Continuing Education Requirements</b>
<b>Instrument:</b>	<b>Report and Notice of Violation</b>

**Findings:**

- Jessica Anne Fuller (hereafter “Respondent”) is a registered as an interior designer in Texas with registration number 11244.
- Based upon the results of a random continuing education audit, it was determined that Respondent falsely reported continuing education compliance to the Board for the audit period of January 1, 2018 through December 31, 2018.

**Applicable Statutory Provisions and Rules:**

- By indicating at the time of her online renewal that she was in compliance with the Board’s mandatory continuing education requirements, Respondent provided the Board with false information in violation of Board Rule 5.79. The Board’s standard assessment for providing false information is **\$700**.

**Action Recommended by Executive Director:**

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$700** as set forth in the Report and Notice of Violation dated June 18, 2019.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS  
SUMMARY OF PROPOSED  
ENFORCEMENT ACTION**

This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.

<b>Case Number:</b>	<b>250-19A</b>
<b>Respondent:</b>	<b>Michael James Haverdink</b>
<b>Location of Respondent:</b>	<b>Lubbock, TX</b>
<b>Nature of Violation:</b>	<b>Violation of Continuing Education Requirements</b>
<b>Instrument:</b>	<b>Report and Notice of Violation</b>

**Findings:**

- Michael James Haverdink (hereafter “Respondent”) is a registered architect in Texas with registration number 18105.
- Based upon the results of a random continuing education audit, it was determined that Respondent falsely reported continuing education compliance to the Board for the audit period of January 1, 2017 through December 31, 2017.
- Subsequently, he completed supplemental CEPH pursuant to Board Rule 1.69(g)(2).

**Applicable Statutory Provisions and Rules:**

- By indicating at the time of his online renewal that he was in compliance with the Board’s mandatory continuing education requirements, Respondent provided the Board with false information in violation of Board Rule 1.69. The Board’s standard assessment for providing false information is **\$700**.

**Action Recommended by Executive Director:**

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$700** as set forth in the Report and Notice of Violation dated June 18, 2019.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS  
SUMMARY OF PROPOSED  
ENFORCEMENT ACTION**

**This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.**

<b>Case Number:</b>	<b>236-19I</b>
<b>Respondent:</b>	<b>Lee Martin</b>
<b>Location of Respondent:</b>	<b>Colleyville, TX</b>
<b>Nature of Violation:</b>	<b>Violation of Continuing Education Requirements</b>
<b>Instrument:</b>	<b>Report and Notice of Violation</b>

**Findings:**

- Lee Martin (hereafter “Respondent”) is registered as an interior designer in Texas with registration number 8629.
- On March 15, 2019, Respondent was notified by the Board that she was being audited for compliance with continuing education requirements for the audit period of January 1, 2018 through December 31, 2018.
- On March 29, 2019, Respondent replied to the audit but was unable to provide proof of completion for claimed continuing education credits.

**Applicable Statutory Provisions and Rules:**

- By failing to maintain a detailed record of her continuing education activities for the period of January 1, 2018 through December 31, 2018, Respondent violated Board Rule 5.79. The standard administrative penalty for failing to maintain a detailed record of continuing education activities is \$700.

**Action Recommended by Executive Director:**

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$700** as set forth in the Report and Notice of Violation dated May 31, 2019.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS  
SUMMARY OF PROPOSED  
ENFORCEMENT ACTION**

**This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.**

<b>Case Number:</b>	<b>252-19A</b>
<b>Respondent:</b>	<b>Richard Keith Petersen</b>
<b>Location of Respondent:</b>	<b>Dallas, TX</b>
<b>Nature of Violation:</b>	<b>Violation of Continuing Education Requirements</b>
<b>Instrument:</b>	<b>Report and Notice of Violation</b>

**Findings:**

- Richard Keith Petersen (hereafter “Respondent”) is registered as an architect in Texas with registration number 26235.
- Based upon the results of a random continuing education audit, it was determined that Respondent failed to complete his continuing education requirements for the audit period of January 1, 2018 through December 31, 2018, but completed them prior to the renewal of his architectural registration

**Applicable Statutory Provisions and Rules:**

- By failing to timely complete the required continuing education program hours during the audit period, Respondent violated Board Rule 1.69(b). The standard administrative penalty assessed for this violation is **\$500**.

**Action Recommended by Executive Director:**

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$500** as set forth in the Report and Notice of Violation dated June 28, 2019.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS  
SUMMARY OF PROPOSED  
ENFORCEMENT ACTION**

This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.

<b>Case Number:</b>	<b>249-19L</b>
<b>Respondent:</b>	<b>Robert Matthew Taylor</b>
<b>Location of Respondent:</b>	<b>Dallas, TX</b>
<b>Nature of Violation:</b>	<b>Violation of Continuing Education Requirements</b>
<b>Instrument:</b>	<b>Report and Notice of Violation</b>

**Findings:**

- Robert Matthew Taylor (hereafter “Respondent”) is registered as a landscape architect in Texas with registration number 2349.
- Based upon the results of a random continuing education audit, it was determined that Respondent failed to complete his continuing education requirements for the audit period of January 1, 2017 through December 31, 2017 but completed them prior to the renewal of his landscape architectural registration.

**Applicable Statutory Provisions and Rules:**

- By failing to timely complete the required continuing education program hours during the audit period, Respondent violated Board Rule 3.69(b). The standard administrative penalty assessed for this violation is **\$500**.

**Action Recommended by Executive Director:**

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$500** as set forth in the Report and Notice of Violation dated June 25, 2019.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS  
SUMMARY OF PROPOSED  
ENFORCEMENT ACTION**

This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.

<b>Case Number:</b>	<b>235-19A</b>
<b>Respondent:</b>	<b>Russell Nathan Weisbard</b>
<b>Location of Respondent:</b>	<b>Dallas, TX</b>
<b>Nature of Violation:</b>	<b>Violation of Continuing Education Requirements</b>
<b>Instrument:</b>	<b>Report and Notice of Violation</b>

**Findings:**

- Russell Nathan Weisbard (hereafter “Respondent”) is registered as an architect in Texas with registration number 19488.
- Based upon the results of a random continuing education audit, it was determined that Respondent failed to complete his continuing education requirements for the audit period of January 1, 2018 through December 31, 2018, but completed them prior to the renewal of his architectural registration

**Applicable Statutory Provisions and Rules:**

- By failing to timely complete the required continuing education program hours during the audit period, Respondent violated Board Rule 1.69(b). The standard administrative penalty assessed for this violation is **\$500**.

**Action Recommended by Executive Director:**

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$500** as set forth in the Report and Notice of Violation dated May 30, 2019.

David L. Hoffman, FAIA, NCARB,  
Hon. FCARM  
*President/Chair of the Board*

Terry L. Allers, FAIA, NCARB,  
Hon. FCARM  
*First Vice President/President-elect*

Robert M. Calvani, FAIA, NCARB  
*Second Vice President*

Alfred Vidaurri Jr., FAIA, NCARB, AICP  
*Treasurer*

Bayliss Ward, NCARB, AIA  
*Secretary*

Gregory L. Erny, FAIA, NCARB,  
Hon. FCARM  
*Past President*

Stephen D. Schreiber, FAIA, NCARB  
*Director, Region 1*

Paul D. Edmeades, RA, AIA, NCARB  
*Director, Region 2*

John E. Cardone Jr.  
*Director, Region 3*

Kenneth R. Van Tine, AIA, NCARB, LEED AP  
*Director, Region 4*

Ricky L. Engebretson, AIA, NCARB  
*Director, Region 5*

Jon Alan Baker, FAIA, NCARB, LEED AP  
*Director, Region 6*

Katherine E. Hillegas  
*Member Board Executive Director*

Darryl R. Hamm  
*Public Director*

Michael J. Armstrong  
*Chief Executive Officer*

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An Equal Opportunity Employer

**MEMORANDUM**

**TO:** Member Board Executives and Chairs

**FROM:** Michael J. Armstrong, Chief Executive Officer 

**RE:** Utilization of Member Board Disciplinary Action Information

**DATE:** May 31, 2019

This Memorandum is intended to clearly articulate the purpose of the NCARB National Disciplinary Database as a repository of all disciplinary actions taken by Member Boards, regardless of severity or type including so-called “administrative discipline,” as well as violations of regulations or statutes which may involve, but are not limited to, ethical issues relative to practice and client relations.

The NCARB Bylaws indicate that it is a condition of Membership for all Member Boards to share their data with NCARB. Every jurisdiction relies on participation by their peer jurisdictions in submitting final disciplinary action information to the NCARB National Disciplinary Database. Neither NCARB nor its Member Boards should withhold or edit disciplinary information; discretion on how this information may impact the status of an individual seeking licensure – including reciprocal licensure and licensure renewal – is within the purview of the Member Board reviewing the disciplinary database.

NCARB and its Member Boards are committed to fully protecting the public health, safety and welfare through a transparent and rigorous process of regulating the path to licensure and ongoing competence of licensed practitioners. The Disciplinary Database is an important tool to accomplish this mission. Failure to include information in the database places not only individual licensing boards but our entire process of regulation under greater scrutiny during an era of increased questioning of the value of the regulatory process.

We deeply appreciate the commitment of Member Boards, including their hard-working staff, to provide complete and current information which best positions everyone to meet and exceed the expectations of the public.





**MEMORANDUM**

**To:** Texas Board of Architectural Examiners: Architects, Interior Designers, Landscape Architects  
**From:** Roxanne Alston  
Vice President, Customer Relations  
**Date:** June 13, 2019  
**Subject:** NCARB Certificate Sanction Notice

Enclosed is a letter notifying the individual in question that his NCARB certificate has been sanctioned. The decision of the Committee was taken pursuant to the NCARB Rules of Procedure, Section IV.B.5 and became effective on the date of the vote. It is NCARB's practice to notify all jurisdictions where the Certificate holder is registered.

Our action in notifying your board is taken as a matter of courtesy and it is not a recommendation that your board take any action. Whether, or how, you choose to consider this matter is entirely for your board to consider in terms of your state's applicable laws and regulations.

Enc: a/s  
RCA/dtb



June 11, 2019

CERTIFIED MAIL NO.  
7009 2820 0004 3998 2083  
Return Receipt Requested

NCARB File No [redacted] -Private Reprimand

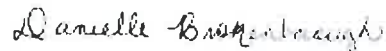
Dear Mr [redacted]

In accordance with the National Council of Architectural Registration Boards (“NCARB”) Rules of Procedure (the “Rules”), Section IV.B.5, this letter is to serve as a formal private reprimand.

Specifically, the NCARB Professional Conduct Committee (“PCC”) has found that you acted contrary to Rules Section IV.B.3(g) by failing to state a prior disciplinary action against you when you renewed licensure in the States of Missouri and Iowa, thereby creating a false impression regarding your prior disciplinary history. In your March 12, 2019 response letter to the PCC, you expressed frustration over the need to track disclosure obligations among multiple states and characterized this matter as an oversight. The PCC is concerned that your response does not acknowledge the seriousness of this matter—it is a paramount duty of all licensed architects to be accurate and truthful in their professional communications, particularly with formal licensure filings. While the PCC does not intend to take further action beyond this letter of reprimand in this matter, NCARB will maintain this finding in your member record.

We thank you for your assistance in providing the information necessary to enable NCARB to carry out its duties.

Sincerely,



Danielle Brokenborough  
Program Specialist, Customer Relations



# TBAE EVENT CALENDAR 2019

JANUARY 2019						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- 01 New Year's Day (Closed)
- 08 86<sup>th</sup> Legislative Session Begins
- 21 M.L. King Day (Closed)

JULY 2019						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

- 04 Independence Day (Closed)
- 05 TBAE Holiday (Skeleton)

FEBRUARY 2019						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

- 04 CLARB MBE Comm. Mtg. Reston, VA
- 18 Presidents Day (Closed)
- 21 Board Meeting

AUGUST 2019						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

- 02 NCARB Licensing Advisors Summit – Minneapolis MN
- 08 METROCON19, Dallas
- 13 Board Meeting
- 23 NCARB Model Law Task Force (Julie) Washington, D.C.
- 27 LBJ's Birthday (Skeleton)

MARCH 2019						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- 07 NCARB Regional Summit – Nashville, TN (Debra, Lance, Joyce)
- 08 CLARB Board Meeting San Antonio

SEPTEMBER 2019						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

- 02 Labor Day (Closed)
- 26 2019 LRGV-AIA Comm. Conference & Expo - South Padre Island
- 25 CLARB Annual/Board Meeting – St. Louis, MI

APRIL 2019						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

- 19 Good Friday (4 hrs. Skeleton)
- 24 Texas ASLA Conference Irving
- 30 Personal Financial Statement Filing Deadline

OCTOBER 2019						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- 24 TxA 2019 80<sup>th</sup> Annual Conference & Design Expo - Galveston

MAY 2019						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

- 17 NCARB Model Law Task Force – Julie Washington, DC
- 27 Memorial Day (Closed)
- 27 Last day of Legislative Session

NOVEMBER 2019						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

- 08 2019 CIDQ Council of Delegates Meeting – San Antonio
- 08 NCARB Model Law Task Force
- 11 Veterans Day (Closed)
- 19 Board Meeting
- 27 Agency Holiday (Skeleton)
- 28 Thanksgiving Day (Closed)
- 29 Day after Thanksgiving (Closed)

JUNE 2019						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

- 07 CLARB Board Meeting Vancouver, BC
- 13 Board Meeting
- 19 Emancipation Day (Skeleton)
- 20 NCARB Annual Business Meeting - Washington, DC

DECEMBER 2019						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- 12 CLARB Board Mtg Reston, VA
- 12 2019 Govt Law & Liability Conf.
- 24 Christmas Eve (Closed)
- 25 Christmas Day (Closed)
- 26 Day after Christmas (Closed)
- 27 Agency Holiday (Skeleton)
- 30 Agency Holiday (Skeleton)
- 31 Agency Holiday (Skeleton)