

TEXAS BOARD OF ARCHITECTURAL EXAMINERS

Board Meeting Agenda

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

333 Guadalupe Street

Austin, Texas

Thursday, February 1, 2018

9:00 a.m. – Conclusion

1. Preliminary Matters

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

Debra Dockery
Jennifer Walker
Debra Dockery

2. Approval of November 8, 2017 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 1st Quarter Fiscal Year 2018 Expenditures/Revenues
- C. Strategic Plan Timeline
- D. Update on the State Auditor's Office (SAO) Audit
- E. **Report on Conferences and Meetings (Information)**
 - I. TxA Conference | Nov 9-11
 - II. 2017 CIDQ Council of Delegates Meeting | Nov 10-11
 - III. NCARB Experience Committee Meeting #2 | Dec 1-2
- F. **Report on Upcoming Conferences and Meetings (Information)**
 - I. CLARB MBE Committee Meeting | Feb 12
 - II. NCARB 2018 Regional Summit - & MBE Workshop | Mar 8-10
 - III. Educators Conference and R3 Training | Apr 6-7
 - IV. 2018 Texas ASLA Conference | Apr 18
- G. **Personal Financial Statement Filing Deadline | Apr 30**

4. General Counsel Report (Action)

Lance Brenton

Draft Rules for Proposal

Consideration of Draft Rule Amendments Regarding Revised Terminology for NCARB's Experience Program, Including: 22 Tex. Admin Code §§ 1.5, Relating to Terms Defined Herein; 1.21, Relating to Registration by Examination; 1.22, Relating to Registration by Reciprocal Transfer; 1.41, Relating to Examination Requirements; and 1.123, Relating to Titles.

5. Enforcement Cases (Action)

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

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9:00 a.m. – Conclusion

A. Registrant/Non-Registrant Cases:

Cade, Nicholas K. (#053-18A)

Martinez, Marcello D. (#030-17A)

B. Continuing Education Cases:

Aichler, Kurt C. (#004-18A)

Carrillo, James E. (#030-18L)

Dahlin, Roger E. (#028-18A)

Dobson, David L. (#027-18A)

Dupuy, John T. (#042-18L)

Flemons, Jerry B. (#260-17A)

Foster, David D. (#026-18A)

Gelsheimer, Katherine H. (#040-18I)

Goodspeed, Robert A. (#375-17A)

Holland, Thomas A. (#029-18A)

Konradi, Wendy W. (#025-18I)

Menefee, Michael E. (#041-18A)

Mulligan, Shae S. (#124-18A)

O'Connell, Daniel P. (#122-18A)

Rains, April D. (#417-17I)

Steinbrecher, Cynthia E. (#415-17I)

Sutherland, Chaval R. (#296-17I)

Venable, Brenda (#414-17I)

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

- | | |
|--|---------------|
| 6. Upcoming Board Meetings (<i>Information</i>) | Debra Dockery |
| May 22, 2018 | |
| August 21, 2018 | |
| November 15, 2018 | |
| 7. Chair's Closing Remarks | Debra Dockery |
| 8. Adjournment | Debra Dockery |

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

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

TEXAS BOARD OF ARCHITECTURAL EXAMINERS
Minutes of November 8, 2017 Board Meeting
 William P. Hobby Jr. Building, 333 Guadalupe Street
 Tower III, Room 102
 Austin, TX 78701
 9:00 a.m. until completion of business

AGENDA ITEMS

DESCRIPTIONS

1A. Call to Order

Ms. Dockery called the meeting to order at 9:00 a.m.

1B. Roll Call

Ms. Walker called the roll.

Present Board Members

Debra Dockery	Chair, Architect FAIA
Jennifer Walker	Architect, Secretary/Treasurer
Charles (Chuck) Anastos	Architect
Robert (Bob) Wetmore	Architect
Chase Bearden	Public Member
Sonya Odell	Registered Interior Designer

1C. Excused and unexcused absences

Paula Ann Miller	Public Member
Michael (Chad) Davis	Landscape Architect

A MOTION WAS MADE AND SECONDED (Odell/Bearden) TO APPROVE THE EXCUSED ABSENCE OF PAULA ANN MILLER AND CHAD DAVIS. THE MOTION PASSED UNANIMOUSLY.

1D. Determination of a Quorum

A quorum was present.

1E. Recognition of Guests

Ms. Dockery acknowledged the following guests and members of TBAE staff: Julie Hildebrand, Executive Director; Lance Brenton, General Counsel; Kenneth Liles, Finance Manager; Glenn Garry, Communications Manager; Jack Stamps, Managing Investigator; Dale Dornfeld, IT Manager; Glenda Best, Operations Manager; Christine Brister, HR Program Specialist; Katherine Crain, Legal Assistant; Julio Martinez, Systems Analyst; Jeri Morey, Architect from Corpus Christi, Texas; and David Gordon, OAG Representative.

1F. Chair's Opening Remarks

Ms. Dockery welcomed the audience and thanked them for coming to the meeting. She stated that in September she had participated in disaster rapid assessment training sponsored by the Texas Society of Architects, which is exclusively for licensed architects. She said she had not yet been called upon to provide rapid assessments following the training, but that it was a worthwhile experience.

Ms. Dockery noted that, given recent events, we will be hearing a lot about resiliency and designing buildings to withstand natural disasters and recover quickly. With all the events that can threaten buildings, there are many things that architects can do in the built environment to protect health and safety. She stated it was important for the agency to ensure that our registrants are properly trained to mitigate natural disasters and other threats and protect public safety.

1G. Public Comments None.

2. Approval of August 16, 2017 Board Meeting Minutes A MOTION WAS MADE AND SECONDED (Bearden/Walker) TO APPROVE THE AUGUST 16, 2017 BOARD MEETING MINUTES. THE MOTION PASSED UNANIMOUSLY.

3. Consideration of Proposal for Decision in SOAH Docket No. 459-17-3036, Matthew Waters Oualline, Jr. (TBAE Case No. 115-16A) Mr. Brenton stated that this is a case that went to the State Office of Administrative Hearings. Mr. Brenton introduced TBAE's OAG Representative David Gordon, who was present to advise the Board on any questions relating to acceptance of the ALJ's Proposal for Decision (PFD). Mr. Brenton directed the Board to the PFD beginning on page 19 of the Board materials. Mr. Brenton presented the ALJ's Findings of Fact and Conclusions of Law, and recommended that the Board adopt the proposed order on page 17 of the Board materials, which incorporates all of the ALJ's Findings of Fact and Conclusions of Law, and implements an administrative penalty in the amount of \$950, as recommended by the ALJ.

A MOTION WAS MADE TO ACCEPT STAFF'S RECOMMENDATION (Wetmore/Anastos) IN SOAH CASE NO. 459-17-3036, TEXAS BOARD OF ARCHITECTURAL EXAMINERS VS. MATTHEW WATERS OUALLINE, JR. THE MOTION PASSED UNANIMOUSLY.

4. Executive Director's Report Ms. Hildebrand provided the Board with the Executive Director's report as follows:

A. Summary of Executive Accomplishments Ms. Hildebrand presented and discussed the summaries of executive, registration, and enforcement accomplishments as described on pages 30-34 of the Board materials.

Mr. Anastos noted that over 5,265 exam scores had been received and asked how many of those were passing scores. Ms. Hildebrand stated that she would have to get this information from NCARB, CLARB, and CIDQ.

B. Operating Budget/Scholarship Fund: Presentation on 4th Quarter 2017 Expenditures/Revenues Ms. Hildebrand presented the Board with information on the budget as described on pages 35 and 36.

**5. Trend Analysis
Presentation on Agency
Performance and
Operations**

Ms. Hildebrand presented and discussed the agency trend report, which begins on page 37 of the Board materials. Ms. Hildebrand also discussed the FY 2017 Annual Report, as presented on page 47 of the Board materials.

Mr. Anastos stated that he had been asked about the options for an architect and RID registrant to surrender or place on inactive the RID registration. Ms. Hildebrand provided a response, and stated that voluntary surrender or inactive status would grant the individual a longer window to retain the registration without re-taking the examination. Ms. Hildebrand stated that Mr. Alvarado and the registration department are available to walk registrants through the process.

Ms. Dockery commented that the emeritus/retired numbers continue to increase, but noted that new registrants are more than making up for that loss, for the time being.

**6. General Counsel
Report**

Mr. Brenton provided the General Counsel's report to the Board, as follows:

**A. Proposed Rules for
Adoption relating to
Registration as
Registered Interior
Designer by
Examination –
Implementation of
Senate Bill 1932, 85th
Regular Session (2017)**

Mr. Brenton provided information on the proposed rulemaking action, as summarized on page 62 of the Board materials. Mr. Brenton provided staff's recommendation that the Board adopt the proposed rules as published in the Texas register.

**Amendments to Rules
5.5, 5.31, 5.32, 5.33,
5.35, 5.36, 5.37, 5.51,
5.52, 5.53, and 5.55,
and Repeal of Rules
5.54, 5.201, 5.202, and
5.203 Relating to
Eligibility Requirements
for Registration as an
Interior Designer**

A MOTION WAS MADE AND SECONDED (Anastos/Odell) TO APPROVE THE PROPOSED AMENDMENTS TO 22 TEX. ADMIN. CODE §§ 5.5, 5.31, 5.32, 5.33, 5.35, 5.36, 5.37, 5.51, 5.52, 5.53, AND 5.55 AND THE REPEAL OF §§ 5.54, 5.201, 5.202, AND 5.203. FOR FINAL ADOPTION. THE MOTION PASSED UNANIMOUSLY.

**B. Review of Informal
Conference Procedures**

Mr. Brenton explained that the Board had asked Staff to draft a policy governing informal conference (IFC) procedures based on the discussion that had occurred at the August meeting. Mr. Brenton stated that during that

discussion, consensus emerged on the following grounds: (1) Board member participation could bring value to the process; (2) the Board Chair should participate in appointing a member to participate in IFCs; (3) it may be advisable, in certain circumstances, for more than one Board member to participate in the IFC, at the Board chair's discretion; and (4) the Board expressed preference that a Board member who participates in an IFC would have the opportunity to answer questions and be part of the discussion on a case brought to the Board, but that the Board member must recuse himself/herself from voting on the case. Based on these points, Staff had drafted revisions to Board policy LE-001, which was presented to the Board for approval. Mr. Brenton presented a summary of the proposed changes to the policy.

Mr. Anastos asked whether participation by three members of the Board in a mediation might prevent a quorum of the Board from being available at the time that matter was addressed by the full Board. Mr. Brenton responded that a Board member who recuses himself from the consideration of a matter before the Board is still considered present for the purposes of quorum determination, and therefore, such a situation would not affect the Board's ability to consider the matter. Ms. Dockery inquired whether it was necessary to have three Board members present at a mediation. Mr. Brenton stated that this determination would be made by the Board chair, but shared his opinion that this was not always necessary. Ms. Dockery stated that was good to hear, because it required Board members to provide more time to Board activities. Mr. Anastos reminded the Board that mediations could be stressful and adversarial, and exert a lot of pressure on Board members. Mr. Anastos stated that he hoped the Board chair and staff would keep that in mind when considering the appropriate number of Board members to send to a mediation, specifically.

A MOTION WAS MADE AND SECONDED (Bearden/Wetmore) TO APPROVE THE AMENDMENTS TO BOARD POLICY LE-001. THE MOTION PASSED UNANIMOUSLY.

C. Review of New Board Member Training Manual

Mr. Brenton stated that, during the August discussion of informal conference procedures, the Board members had requested to see the Board Member Training Manual. Mr. Brenton referred the Board to the Board Member Training Manual on page 107 of the Board materials. Mr. Brenton noted that the new informal conference procedures would be incorporated into the training manual.

7. Enforcement Cases

The Board considered the following enforcement cases:

A. Registrant/Non-Registrant Cases

Ahearne, Patrick M. (#341-17A)

Mr. Brenton presented a summary of this matter as described on page 139 of the Board materials.

A MOTION WAS MADE AND SECONDED (Anastos/Bearden) TO ACCEPT STAFF'S RECOMMENDATION OF A \$1,000 ADMINISTRATIVE PENALTY IN THE CASE AGAINST PATRICK M. AHEARNE (#341-17A). THE MOTION PASSED UNANIMOUSLY.

Chu, Pui-Lam (#224-17A)

Mr. Brenton stated that a proposed agreed order had been agreed to by the Respondent and is located on page 141 of the Board materials. Mr. Brenton presented the proposed findings of fact, conclusions of law, and sanction, which includes a \$10,000 administrative penalty and a two-year probated suspension with conditions, including Board audits of projects and the required completion of NCARB's monograph course "Professional Conduct." Mr. Brenton provided Staff's recommendation that the Board approve the proposed agreed order.

Mr. Bearden asked what would happen if the Respondent failed to comply with the order or the Respondent committed an additional violation during the probationary period. Mr. Brenton provided an explanation of the compliance terms of the Order, as contained on page 145 of the Board materials.

A MOTION WAS MADE AND SECONDED (Bearden/Anastos) TO ENTER THE PROPOSED AGREED ORDER IN THE CASE AGAINST PUI-LAM CHU (#224-17A). THE MOTION PASSED UNANIMOUSLY.

Grauke, Olie Chadwick (#215-17N)

Mr. Brenton presented a summary of this matter as described on page 148 of the Board materials.

A MOTION WAS MADE AND SECONDED (Wetmore/Bearden) TO ACCEPT STAFF'S RECOMMENDATION OF A \$2,000 ADMINISTRATIVE PENALTY IN THE CASE AGAINST OLIE CHADWICK GRAUKE (#215-17N). THE MOTION PASSED UNANIMOUSLY.

Greico, Tom (#024-17N)

Mr. Brenton presented a summary of this matter as described on page 150 of the Board materials.

A MOTION WAS MADE AND SECONDED (Anastos/Walker) TO ACCEPT STAFF'S RECOMMENDATION OF A \$1,000 ADMINISTRATIVE PENALTY IN THE CASE AGAINST TOM GREICO (#024-17N). THE MOTION PASSED UNANIMOUSLY.

B. CE Cases

Mr. Brenton stated that the Board would hear the following cases regarding continuing education violations and vote on them together.

Banwo, Olamide A. (#255-17A)
Fleming, Christine (#292-171)
Hines, Mary-Katherine (#377-17A)
Liles, Scott C. (#376-17A)
Plattner, Donald E. (#297-17A)

A MOTION WAS MADE AND SECONDED (Anastos/Wetmore) TO APPROVE STAFF RECOMMENDATIONS ON CASE NOS. 255-17A, 292-171, 377-17A, 376-17A, AND 297-17A. THE MOTION PASSED UNANIMOUSLY.

The Board took a break at 10:30 a.m. and reconvened at 10:45 a.m.

**8. Board's Review of
the Council for Interior
Design Qualification
(CIDQ) Bylaws**

Ms. Hildebrand directed the Board to the CIDQ amendments and current bylaws beginning on page 159 of the Board materials. She stated that these proposed amendments were mostly housekeeping matters, and would be considered on Friday. Ms. Hildebrand reviewed the information with the Board and stated that the Board needed to approve a delegate to vote on behalf of the Board at the meeting.

Ms. Hildebrand discussed the proposed amendments to Article VIII, Section 7 of the NCIDQ Bylaws on page 161 of the Board materials. Ms. Hildebrand shared the concern that if the amendment was adopted, Board members would be prohibited from serving as CIDQ president unless he or she resigned as a Board member. This is not how the other national organizations operate.

Ms. Odell was in favor of state Board members retaining eligibility to serve as CIDQ president. Ms. Dockery commented that it was standard for NCARB leadership to be comprised of state Board members, and shared her opinion that this should also apply to CIDQ. Mr. Anastos commented that he could foresee situations in which an individual simultaneously serving as a state Board member and CIDQ president could be presented with a conflict.

A MOTION WAS MADE AND SECONDED (Anastos/Walker) TO APPOINT SONYA ODELL AS THE PRIMARY DELEGATE AND JULIE HILDEBRAND AS THE ALTERNATE DELEGATE TO VOTE ON THE BYLAWS AT THE NCIDQ ANNUAL MEETING ON BEHALF OF THE TBAE BOARD. THE MOTION PASSED UNANIMOUSLY.

The Board engaged in further discussion of the issue of simultaneous service as Board member and CIDQ president. Mr. Bearden noted that a TBAE Board member serving as a president of a national organization is only one vote on the Texas Board, and expressed confidence that the best outcome for Texas would be well represented in Board voting. Ms. Odell shared that she had previously served on the CIDQ nominations Board, and knows how difficult it can be to find qualified candidates. It is a small

pool, and if someone can do both jobs at once, she would support leaving that opportunity open. Generally, the Board comments were in agreement with this position.

Ms. Dockery summarized the conversation by stating that, while there could be some concern about conflict of interest or priorities, it was important for the person coming into the CIDQ presidency to be someone with experience.

9. Board Acceptance of NCARB’s Tri-National Mutual Recognition Agreement for International Practice (known as “the Agreement”)

Ms. Hildebrand provided information on the Tri-National Mutual Recognition agreement, and addressed the letter of undertaking on page 174 of the Board materials. She explained that individuals who qualify under this program receive an NCARB certificate, and that a certificate enables that person to become registered by reciprocity in Texas.

A MOTION WAS MADE AND SECONDED (Anastos/Bearden) TO ACCEPT NCARB’S TRI-NATIONAL MUTUAL RECOGNITION AGREEMENT FOR INTERNATIONAL PRACTICE. THE MOTION PASSED UNANIMOUSLY.

10. Upcoming Board Meetings

Ms. Dockery announced the proposed 2018 Board meeting dates as follows: February 1, 2018, May 22, 2018, August 21, 2018 and November 15, 2018.

11. Closing Remarks

Ms. Odell stated that she expected this would be her final Board meeting. She said it had been an honor and a privilege to work with such qualified staff and Board members, and that she had enjoyed it thoroughly.

Ms. Dockery thanked Ms. Odell for her service.

12. Adjournment

A MOTION WAS MADE AND SECONDED (Bearden/Odell) TO ADJOURN THE MEETING AT 11:15 A.M. THE MOTION PASSED UNANIMOUSLY.

APPROVED BY THE BOARD:

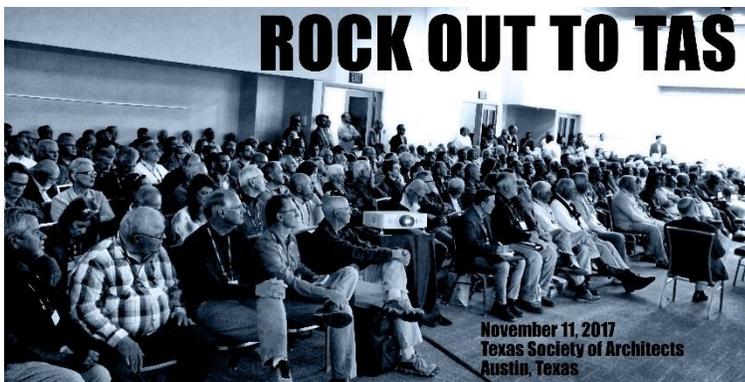
DEBRA J. DOCKERY, FAIA
Chair, TEXAS BOARD OF ARCHITECTURAL EXAMINERS

Summary of Executive Accomplishments

February 1, 2018

Executive

- The SAO audit is complete and TBAE staff has submitted our responses. We are awaiting the public report.
- In addition to the SAO audit, we are currently undergoing a Personnel Policies and Procedures Review by the Texas Workforce Commission. This review is conducted on a biennial basis. We have provided requested documentation and met with the TWC in January. We are also undergoing an audit of our access to criminal justice information by the Department of Public Safety and met with the DPS in January.
- Staff is continuing to invest large amounts of time to the CAPPS transition for HR and payroll, including attending meetings and providing requested information and documentation.
- During the 2017 TxA Convention in Austin, TBAE participated in producing and performing a 90-minute accessible design presentation, which included a live music performed by Jack, Rob Roy Parnell of the Texas State University System, and professional musicians. The show was titled "Rock Out to TAS." Norman Kieke of TDLR provided narrative for the accessibility slideshow, the musicians sang classic rock-n-roll and country songs repurposed with accessibility-related lyrics, and the crowd seemed to thoroughly enjoy the multimedia presentation. TxA counted 346 people officially signed up for the show, which would make this the highest attendance for any TBAE presentation by far. (By observation, it is likely that the attendance was well above the official number. The room was overcrowded with people filling nearly every seat, standing in the doorways, and sitting in the aisles.)



NCARB

- I attended the second of two live meetings for the Experience Committee where we discussed the value of licensure; the role of education, experience and examination to determine competency; and HSW categories for continuing education.
- The retirement for ARE 4.0 is June 30, 2018. NCARB has been working to communicate relevant information to exam candidates.

CLARB

I have submitted interested in running for the MBE Director at the next Annual Meeting.

Summary of Registration Department Accomplishments FY18

	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug
Examination Applications Received	41	50	44	39								
Reciprocal Applications Received	61	45	40	24								
Total Applications Received	102	95	84	63								
Exam Scores Received/Entered	421	325	399	434								
Examination Registrations Issued	40	56	33	50								
Reciprocal Registrations Issued	45	56	44	30								
Total Registrations Issued	85	112	77	80								
Active Architects	12,481	12,527	12,560	12,589								
Active Reg. Interior Designers	3,595	3,591	3,590	3,598								
Active Landscape Architects	1,565	1,578	1,584	1,586								
Total Active Registrants	17,641	17,696	17,734	17,773								
CE Audits Conducted	133	139	136	126								
CE Audits Referred for Investigation	3	13	4	3								
Approved Scholarship Applications	6	0	5	2								
Certificates of Standing	7	8	15	18								

Summary of Enforcement Accomplishments FY18

	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug
Cases Received and Opened	22	20	72	9								
Cases Closed by Investigations – Total	4	4	35	16								
Cases Closed by Investigations – TDLR	4	2	34	16								
Cases Closed by Investigations – Other*	0	1	1	0								
Cases Referred to Legal	16	6	9	20								
Average Number of Days to Investigate	46	52	57	43								
Notices of Violation by Legal	7	5	13	9								
Voluntary Surrenders by Legal	0	0	0	0								
Disciplinary Action Entered by the Board	0	0	8	0								
Warnings from Executive Director	21	0	15	3								
Complaints Filed at SOAH	0	0	0	0								
Informal Settlement Conferences Held	0	0	0	0								

*Non-jurisdictional – non-registrant failed to deliver usable plans on an exempt project

*Lack of evidence to support allegations

**Texas Board of Architectural Examiners
Actual 2018 Budget**

	FY 2018 Approved Budget	FY 2018 Expenditures as of 11-30-17	FY 2018 Percentage Earned/Spent
Revenues:			
Licenses & Fees	\$ 2,650,000	\$ 675,280	25.48%
Business Registration Fees	\$ 100,000	\$ 21,128	21.13%
Late Fee Payments	\$ 125,000	\$ 37,915	30.33%
Other	\$ 3,000	\$ 1,723	57.44%
Interest	\$ 2,500	\$ 6,259	250.36%
Potential Draw on Fund Balance	\$ 140,830		0.00%
Total Revenues	3,021,330	\$ 742,304	24.57%
Expenditures:			
Salaries and Wages	\$ 1,572,215	\$ 386,736	24.60%
Payroll Related Costs	\$ 548,115	\$ 125,698	22.93%
Professional Fees & Services	\$ 75,000	\$ 9,600	12.80%
Travel			
Board Travel	\$ 25,000	\$ 1,110	4.44%
Staff Travel	\$ 20,000	\$ 4,069	20.35%
Office Supplies	\$ 8,000	\$ 1,004	12.55%
Postage	\$ 11,000	\$ 6	0.06%
Communication and Utilities	\$ 14,000	\$ 3,145	22.47%
Repairs and Maintenance	\$ 1,000	\$ 135	13.50%
SWCAP Payment with Office Rental	\$ 115,000	\$ 28,750	25.00%
Equipment Leases--Copiers	\$ 9,000	\$ 1,960	21.78%
Printing	\$ 8,000	\$ 168	2.10%
Operating Expenditures	\$ 30,000	\$ 16,293	54.31%
Registration Fees--Employee Training	\$ 9,000	\$ 519	5.77%
Membership Dues	\$ 21,000	\$ 8,760	41.71%
Payment to GR	\$ 510,000	\$ 127,500	25.00%
IT Upgrades	\$ 45,000	\$ 4,465	9.92%
Total Expenditures	3,021,330	\$ 719,918	23.83%
Excess/ (Deficiency) of Rev over Exp.	-	22,387	1%

Funding for 8 months	2,014,019
Excess Fund Balance	561,102.03
Total Fund Balance	2,575,121

Administrative Penalties Collected \$ 16,155.00
General Revenue Collected \$ -

**Texas Board of Architectural Examiners
Fiscal Year 2018 Budget
Scholarship Fund**

	FY 2018 Budget	FY 2018 Actual Sept. 1, 2017-- November 30, 2017
Operating Fund Beginning Fund Balance:	-	-
Adjusted Beginning Balance	-	-
Scholarship Fund Beginning Balance	60,244.70	
Total Beginning Scholarship Fund Balance	60,244.70	60,244.70
Revenues:		
Scholarship Fees	-	6,125.00
Total Revenues	-	6,125.00
Expenditures:		
Operating Expenditures-Scholarship Payments		9,000.00
Total Expenditures		9,000.00
Excess/(Deficiency) of Rev. over Exp.	60,244.70	57,369.70
Fund Balance	60,244.70	57,369.70

Number of Scholarships Awarded

18

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

Strategic Plan Timeline

Mission and About TBAE

Staff - February 28, 2018

Approved - May 22, 2018 Board Meeting

Goals and Action Plans and Redundancies and Impediments

Staff – March 30, 2018

Approved - May 22, 2018 Board Meeting

Performance Measures

Staff – April 30, 2018

Approved - May 22, 2018 Board Meeting

Additional Sections

Staff – April 30, 2018

Approved - May 22, 2018 Board Meeting

- HUB Plan
- Workforce Plan
- Report on Customer Service Survey – *February 16, 2018*
- Survey of Employee Engagement – *January 17, 2018*

Budget

Discussion - May 22, 2018 Board Meeting

Approved – August 21, 2018 Board Meeting



An Audit Report on

**The Texas Board of Architectural
Examiners: A Self-directed,
Semi-independent Agency**

January 2018

Report No. 18-014

State Auditor's Office reports are available on the Internet at <http://www.sao.texas.gov/>.



An Audit Report on

The Texas Board of Architectural Examiners: A Self-directed, Semi-independent Agency

SAO Report No. 18-014
January 2018

Overall Conclusion

The Texas Board of Architectural Examiners (Board) established controls to ensure the accuracy of financial data that it is required to report. In addition, it had an established process for setting fees and assessing administrative penalties. However, it should improve controls over its performance data to ensure that it reports that information accurately.

Financial Reporting and Processes. The Board had effective financial processes and controls over revenues and other financial information to help ensure that its fiscal year 2016 and fiscal year 2017 annual financial reports were accurate, complete, and properly reported.

Performance Reporting. The Board complied with its statutorily required self-directed, semi-independent (SDSI) reporting requirements and submitted its report for fiscal year 2016 in a timely manner and to the appropriate parties. However, it should improve controls to ensure that it includes all required information and accurately reports performance measure results. While the Board reported two quarterly performance measures tested accurately, it reported inaccurate results for two performance measures tested in its annual SDSI report for fiscal year 2016.

Fees and Penalties. The Board had an adequate process for establishing its fees and has not raised its fees in 12 years. Further, it accurately calculated and collected fees in compliance with its rules and transferred all required funds to the General Revenue Fund. However, it had not established procedures to monitor its reserve fund balance as required by its policies.

Information Systems. The Board had adequate controls in place to ensure the reliability of the financial and performance data in the information technology system that the Board used to track licensing and enforcement information.

Background Information

The Texas Board of Architectural Examiners (Board) is a multi-profession regulatory agency that oversees the examination, registration, and professional regulation of architects, interior designers, and landscape architects.

Effective September 1, 2001, the Board became a self-directed, semi-independent (SDSI) agency. It is permitted to continue as an SDSI agency until at least September 1, 2025, when it will be subject to sunset review.

The Board establishes its own budget, which must be supported with the revenue the Board generates. Its governing board includes 9 members and, as of October 2, 2017, the Board regulated 22,361 individual and business registrants.

Source: The Board.

This audit was conducted in accordance with Texas Finance Code, Section 16.004; Texas Government Code, Section 472.103; and Texas Occupations Code, Section 1105.004, as applicable.

For more information regarding this report, please contact **Audrey O'Neill**, Audit Manager, or **Lisa Collier**, First Assistant State Auditor, at (512) 936-9500.

Table 1 presents a summary of the findings in this report and the related issue ratings. (See Appendix 2 for more information about the issue rating classifications and descriptions.)

Table 1

Summary of Chapters/Subchapters and Related Issue Ratings		
Chapter/ Subchapter	Title	Issue Rating ^a
1-A	The Board Established Processes and Controls to Ensure the Accuracy and Completeness of Its Financial Data	Low
1-B	The Board Generally Complied with SDSI Reporting Requirements; However, It Should Improve Controls Over Its Performance Measure Reporting	Medium
2-A	The Board Had a Process for Establishing Its Fees and Accurately Calculated and Collected Fees in Compliance With Its Rules; However, It Should Develop Procedures for Monitoring Its Fund Balance as Required	Low
2-B	The Board Assessed Administrative Penalties Consistently and Transferred Penalties Collected as Required	Low
3	The Board Had Adequate Information Technology System Controls in Place to Ensure the Reliability of Financial and Performance Data	Low

^a A chapter/subchapter is rated Priority if the issues identified present risks or effects that if not addressed could critically affect the **audited entity's ability to effectively administer the program(s)/function(s) audited**. **Immediate action is required to address** the noted concern and reduce risks to the audited entity.

A chapter/subchapter is rated High if the issues identified present risks or effects that if not addressed could substantially affect the **audited entity's ability to effectively administer the program(s)/function(s) audited**. **Prompt action is essential to address** the noted concern and reduce risks to the audited entity.

A chapter/subchapter is rated Medium if the issues identified present risks or effects that if not addressed could moderately affect the **audited entity's ability to effectively administer program(s)/function(s) audited**. Action is needed to address the noted concern and reduce risks to a more desirable level.

A chapter/subchapter is rated Low if the **audit identified strengths that support the audited entity's ability to administer the program(s)/functions(s) audited** or the issues identified do not present significant risks or effects that would negatively affect the **audited entity's ability to effectively administer the program(s)/function(s) audited**.

Auditors communicated other, less significant issues related to financial and performance data, as well as certain information technology controls, to Board management separately in writing.

Summary of Management's Response

At the end of each chapter in this report, auditors made recommendations to address the issues identified during this audit. The Board agreed with the recommendations in this report.

Audit Objectives and Scope

The objectives of this audit were to:

- Determine whether the Board has processes and related controls to help ensure the accuracy and completeness of financial and performance data.
- **Evaluate the Board's processes for setting fees and penalties.**

The scope of this audit covered financial and performance information, applicable processes, and other supporting documentation from September 1, 2015, through August 31, 2017.

Contents

Detailed Results

Chapter 1	
The Board Established Processes and Controls to Ensure the Accuracy and Completeness of Its Financial Data; However, It Should Improve Controls Over Its Performance Data	1
Chapter 2	
The Board Established Processes for Setting Fees and Assessing Administrative Penalties; However, It Should Develop Procedures for Monitoring Its Fund Balance as Required	6
Chapter 3	
The Board Had Adequate Information Technology System Controls in Place to Ensure the Reliability of Financial and Performance Data	9

Appendices

Appendix 1	
Objectives, Scope, and Methodology	10
Appendix 2	
Issue Rating Classifications and Descriptions	14
Appendix 3	
Related State Auditor’s Office Work	15

Detailed Results

Chapter 1

The Board Established Processes and Controls to Ensure the Accuracy and Completeness of Its Financial Data; However, It Should Improve Controls Over Its Performance Data

Overall, the Texas Board of Architectural Examiners (Board) had effective processes over its financial data and reported accurate financial information. However, it should improve certain controls over its performance data to ensure that it reports all required information and that its performance measures are reported accurately.

Chapter 1-A

The Board Established Processes and Controls to Ensure the Accuracy and Completeness of Its Financial Data

Chapter 1-A
Rating:
Low ¹

The Board had effective financial processes and controls over financial reporting to help ensure that it accurately reported key financial statement balances. However, the Board should strengthen certain aspects of its financial reconciliation process to ensure the continued accuracy of its financial information.

Financial Data

The Board's fiscal year 2016 and fiscal year 2017 annual financial report balances, including its revenues, expenditures, and fund balances, were accurate, complete, and properly reported. In addition, the Board established appropriate segregation of duties among the individuals who entered and posted revenue and expenditure transactions in the Uniform Statewide Accounting System.

Auditors tested two monthly revenue reconciliations for fiscal year 2017. Those reconciliations were adequately supported, mathematically accurate, and matched the amounts of the revenue deposits received and recorded by the Texas Treasury Safekeeping Trust Company. However, for both revenue reconciliations tested, the Board did not document its review of the reconciliations. Having a documented process in place for the preparation and review of monthly reconciliations would help the Board ensure the continued accuracy of revenue amounts collected through the Texas

¹ The risk related to the issues discussed in Chapter 1-A is rated as low if the audit identified strengths that support the audited entity's ability to administer the program(s)/function(s) audited or the issues identified do not present significant risks or effects that would negatively affect the audited entity's ability to effectively administer the program(s)/function(s) audited.

Treasury Safekeeping Trust Company and recorded in the Board's licensing and enforcement system (TBAsE).

Recommendation

The Board should implement a process to review its monthly reconciliations, including documentation of that review.

Management's Response

On January 3, 2018, the Finance Manager updated the Board's policies to require the review and documentation of monthly reconciliations.

Chapter 1-B

The Board Generally Complied with SDSI Reporting Requirements; However, It Should Improve Controls Over Its Performance Measure Reporting

Chapter 1-B
Rating:
Medium ²

Overall, the Board complied with most self-directed, semi-independent (SDSI) reporting requirements of Texas Government Code, Section 472.104 (see text box for additional information). However, it did not include certain required information and reported inaccurate results for two performance measures tested.

SDSI Required Reports

The Board complied with most of its statutory reporting requirements and submitted its annual SDSI report for fiscal year 2016 in a timely manner and to the appropriate parties. However, the Board did not include in that report all required information. The Board combined the required reporting information it would have included in its biennial report into its annual SDSI report for fiscal year 2016. As a result, the Board:

- Omitted one year of information related to new rules adopted or repealed for the biennium.

Required SDSI Reports

Texas Government Code, Section 472.104, requires the Board to:

- Submit a biennial report with specific information to the Legislature and the governor by the first day of each legislative session.
- Submit, by November 1, an annual report with specific information to the governor, the committee of each house of the Legislature that has jurisdiction over appropriations, and the Legislative Budget Board. The annual report must include the results of a number of performance measures, in addition to other required information.

² The risk related to the issues discussed in Chapter 1-B is rated as medium because they present risks or results that if not addressed could moderately affect the audited entity's ability to effectively administer program(s)/function(s) audited. Action is needed to address the noted concern and reduce risks to a more desirable level.

- Did not include its annual financial report for fiscal year 2016 as required; however, it did include a schedule of its revenues and expenditures for fiscal year 2016. In previous reporting periods, the Board had included its complete annual financial report.

Including all required information is important because it helps present a more comprehensive picture of key Board information for the recipients of that report.

Performance Measures

The Board did not accurately report results for the two annual performance measures tested. Those two performance measures were included in the Board's annual SDSI report for fiscal year 2016. It also did not consistently retain the results of data extracts to support the results it used to report the two annual performance measures tested. However, the Board accurately reported results for two quarterly performance measures tested for the third quarter of fiscal year 2017.

Number of Registrants by Type and Status

The Board reported inaccurate results for the Number of Registrants by Type and Status performance measure in its fiscal year 2016 annual SDSI report. Total registrants are reported for each of the Board's registrant types and, according to Board policies, should include (1) business registrants that are active or pending and (2) individual registrants. However, the Board did not include all business registrants in its calculation, and it did not extract the data used to support the number of active and pending business registrants in a timely manner. In addition, it did not retain an extract of the underlying data/records that supported the number of individual registrants it reported. Specifically:

- Business Registrants - The Board excluded 174 pending business registrations from its calculation. In addition, Board policy required the Board to run on the first day of the new fiscal year (September 1, 2016) the report that it used to obtain the number of business registrants; however, the Board did not run that report until October 18, 2016. As a result, the number of registrants for the reporting period (as of September 1) may not be accurate. In addition, because the report that should have been used to calculate the number of business registrants cannot be re-created, auditors were unable to determine the number of business registrants the Board should have reported for fiscal year 2016.
- Individual Registrants - For fiscal year 2016, the Board accurately reported the number of individual registrants, including architects, landscape architects, and interior designers. However, the system-generated report

it used to calculate that performance measure was as of the time and date the Board ran that report, and the Board did not retain the underlying data/records that supported the numbers in that report. Because the report could not be re-created, it was not possible for auditors to validate the reported results. However, auditors verified that the query used to extract the data for that report produces accurate results. Auditors also reviewed a copy of the report that the Board ran on September 1, 2016, and confirmed that it matched the Number of Individuals Licensed that the Board reported in its fiscal year 2016 annual SDSI report.

Average Time for Complaint Resolution

The Board reported inaccurate results for the Average Time for Complaint Resolution performance measure in its fiscal year 2016 annual SDSI report because it did not include all complaints in its calculation. The Board understated the number of days to resolve a complaint in its fiscal year 2016 annual SDSI report by 16 days (10 percent). The average time for complaint resolution the Board reported was 149 days, but it should have reported 165 days. The difference occurred because the query the Board used to extract the complaint data included only internal complaints that the Board generated and excluded complaints received from external parties.

Quarterly Measures

In addition to its annual SDSI reports, the Board submitted quarterly reports on selected performance measures to the Legislature, Office of the Governor, and Legislative Budget Board even though those reports are not required by statute. Auditors reviewed the Board's report for the third quarter of fiscal year 2017 and determined that the Board reported accurate results for two quarterly performance measures tested—Number of Cases Closed and Number of Registrants.

Recommendations

The Board should:

- Include all required financial and performance data in its SDSI reports.
- Extract data used to support its performance measures in a timely manner and include all information required to be reported in its calculations.
- Retain an extract of the underlying data/records that support the results of system-generated reports that it uses to report performance measures.

- Include all complaints closed for the reporting period when calculating results for its complaint-related performance measures.

Management's Response

By January 31, 2018, the Communications Manager will update the Board's policies to require that:

- *required financial and performance data are included in the SDSI reports;*
- *data used to support the performance measures be extracted in a timely manner;*
- *performance measure calculations include required information; and*
- *extracts of the underlying data/records that support the result of system-generated reports used to report performance measures be retained for audit purposes.*

Additionally, the Communications Manager will review and update the performance measure definitions and calculations to comply with the recommendations. The performance measure review and updates will be completed and submitted with the next Strategic Plan.

The Board Established Processes for Setting Fees and Assessing Administrative Penalties; However, It Should Develop Procedures for Monitoring Its Fund Balance as Required

The Board has established processes for setting fees, establishing its budgets, and assessing administrative penalties. The Board has not raised its fees in 12 years. However, it should develop procedures for monitoring its fund balance as required by its policy.

Chapter 2-A

The Board Had a Process for Establishing Its Fees and Accurately Calculated and Collected Fees in Compliance With Its Rules; However, It Should Develop Procedures for Monitoring Its Fund Balance as Required

Chapter 2-A
Rating:
Low³

Overall, the Board had an established process for setting its fees, collected those fees in accordance with its approved fee schedule, and transferred its required SDSI fees. In addition, it had documented policies and procedures to establish its budgets, and its governing board approved those budgets in fiscal year 2016 and fiscal year 2017 as required by Texas Government Code, Chapter 472. The Board also ensured that it had the minimum fund balance needed to maintain its operations as required by its policy. However, it did not comply with certain requirements in its fund balance policy.

Fees and Transfers

Fee Setting. The Board had an established process for setting fees and has not increased its fees for 12 years. In addition, based on an analysis of fees collected in fiscal years 2016 and 2017, the Board collected fees in accordance with the approved fee schedule limits established in the Texas Occupations Code and Texas Administrative Code. The Board collected a total of \$5.96 million in fees between September 1, 2015, and August 31, 2017.

Payment of Required SDSI fees. The Board transferred its annual SDSI fee of \$510,000 to the General Revenue Fund in both fiscal year 2016 and fiscal year 2017 as required by Texas Government Code, Chapter 472.

³ The risk related to the issues discussed in Chapter 2-A is rated as low if the audit identified strengths that support the audited entity's ability to administer the program(s)/function(s) audited or the issues identified do not present significant risks or effects that would negatively affect the audited entity's ability to effectively administer the program(s)/function(s) audited.

Fund Balance Monitoring

Excerpts from Board Fund Balance Policy

- The minimal balance of the fund will be maintained at an amount equal to eight months of agency operations, which includes the SDSI payment [to the General Revenue Fund].
- The executive director will order the creation of internal procedures to monitor the reserve fund balance and will report the fund balance to the Board at least quarterly.

Source: The Board's fund balance policy.

The Board had a documented policy that described the criteria for the utilization of its fund balance, as well as the minimum balance it is required to maintain. In addition, it complied with that minimum fund balance requirement. However, it had not documented detailed procedures for monitoring its fund balance as required by that policy (see text box for additional details). During this audit, the Board asserted that it was in the process of using the best practices and a risk tool recommended by the Government Finance Officers Association to reevaluate the reserves it needs to maintain its operations in the event of a revenue short fall or unanticipated expenditures.

Recommendation

The Board should establish documented, detailed procedures to monitor its fund balance as required by its policies.

Management's Response

The Executive Director will document detailed procedures to monitor the Board's reserve fund balance in conjunction with the adoption of the budget at the Board's August 2018 meeting.

The Board Assessed Administrative Penalties Consistently and Transferred Penalties Collected as Required

Chapter 2-B
Rating:

Low ⁴

Penalty Assessments. The Board had a documented process to assess administrative penalties consistently and in compliance with its statutory requirements. Auditors tested 27 administrative penalties totaling \$83,300 that the Board assessed from September 1, 2015, through August 31, 2017. For all 27 penalties tested, the Board had support showing that it assessed the penalties in a consistent manner and in compliance with statute and Board policy. In addition, the members of the Texas Board of Architectural Examiners governing board approved the penalties tested. However, for four penalties tested, the Board did not have documentation of a required internal review by the managing investigator and/or the Board's executive director, as required by Board policies and procedures, before the penalties were submitted to the governing board for approval. The Board's policy requires an internal review to help ensure that administrative penalties are (1) assessed in a consistent manner, (2) based on appropriate factors as outlined in statute and administrative rules, and (3) adequately documented in the Board's enforcement files.

Transfers to General Revenue. The Board transferred \$289,044 in administrative penalties and professional fees collected in fiscal year 2016 to the State's General Revenue Fund as required by statute.

Recommendation

The Board should consistently document its internal review of administrative penalty assessments as required by its policies and procedures.

Management's Response

In August 2017, the General Counsel implemented measures to ensure that the internal review of administrative penalty assessments is documented.

⁴ The risk related to the issues discussed in Chapter 2-B is rated as low if the audit identified strengths that support the audited entity's ability to administer the program(s)/function(s) audited or the issues identified do not present significant risks or effects that would negatively affect the audited entity's ability to effectively administer the program(s)/function(s) audited.

The Board Had Adequate Information Technology System Controls in Place to Ensure the Reliability of Financial and Performance Data

Chapter 3
Rating:
Low ⁵

Auditors performed a limited review of general and application controls over TBAsE, the information technology system the Board uses to track licensing and enforcement information. The controls reviewed were adequate to ensure that the information in TBAsE was complete, accurate, and reliable for the purposes of this audit. However, the Board should improve certain controls over change management.

The Board had an adequate change management process in place; however, it did not consistently follow that process. Specifically, for 5 (42 percent) of 12 changes tested, the Board did not have documentation to support that those changes had been reviewed and tested prior to implementation. In addition, for 1 (8 percent) of the 12 changes tested, the Board did not have documentation to support that the change was reviewed by an employee who did not create the change before it was moved into production.

Recommendation

The Board should ensure that it documents changes made to its licensing and enforcement system to demonstrate that appropriate testing and approval have occurred prior to moving a change into production.

Management's Response

On January 3, 2018, the Information Technology Manager implemented enhancements to the Board's task tracking application to document changes to the licensing and enforcement system to demonstrate that appropriate testing and approval occurred prior to moving a change into production.

⁵ The risk related to the issues discussed in Chapter 3 is rated as low if the audit identified strengths that support the audited entity's ability to administer the program(s)/functions(s) audited or the issues identified do not present significant risks or effects that would negatively affect the audited entity's ability to effectively administer the program(s)/function(s) audited.

Appendices

Appendix 1

Objectives, Scope, and Methodology

Objectives

The objectives of this audit were to:

- Determine whether the Texas Board of Architectural Examiners (Board) has processes and related controls to help ensure the accuracy and completeness of financial and performance data.
- Evaluate the Board's processes for setting fees and penalties.

Scope

The scope of this audit covered financial and performance information, applicable processes, and other supporting documentation from September 1, 2015, through August 31, 2017.

Methodology

The audit methodology included collecting information and documentation, performing selected tests and other procedures on the information obtained, analyzing and evaluating the results of tests, and conducting interviews with Board management and staff. In addition, the methodology included performing a limited review of the general and application controls over the information technology system that the Board used to manage and report financial data and performance measure data.

Data Reliability and Completeness

Auditors used revenue, registration, and enforcement data from the Board's licensing and enforcement system (TBAsE). To determine the reliability of financial and performance information in TBAsE, auditors (1) tested access to that system, (2) tested change management for that system, (3) reviewed record completeness, (4) reviewed data fields and their contents for accuracy and validity, and (5) tested certain application controls. Auditors determined that the data in TBAsE was sufficiently reliable for the purposes of this audit.

Sampling Methodology

To assess the Board's financial reconciliation processes, auditors selected a risk-based sample of monthly reconciliations that the Board performed in fiscal year 2017. The sample items were generally not representative of the

population and, therefore, it would not be appropriate to project those test results to the population.

To test complaints with administrative penalty collections, auditors selected a nonstatistical sample of closed complaints from TBAsE for which an administrative penalty payment was made between September 1, 2015, and August 31, 2017, through random selection designed to be representative of the population. In addition, auditors selected based on risk two closed complaints with administrative penalties. Those two additional sample items generally were not representative of the population. The test results as presented in this report did not identify which items were selected randomly or risk-based. Therefore, it would not be appropriate to project those test results to the population.

Information collected and reviewed included the following:

- The Board's policies and procedures.
- The Board's fiscal year 2016 and fiscal year 2017 annual financial reports.
- Board reconciliations for revenues collected and deposits.
- Board meeting packets, budget information, and supporting documentation for the Board's budget and fee setting process.
- Data and supporting documents for the Board's closed complaints, including those resulting in administrative penalties.
- The Board's required fiscal year 2016 annual report for self-directed, semi-independent (SDSI) agencies.
- Data and supporting documents for selected performance measures.

Procedures and tests conducted included the following:

- Interviewed Board staff to identify the Board's financial and operational processes, including financial and administrative controls.
- Tested internal controls and selected significant accounts, including testing of detailed supporting documentation, to determine the accuracy of selected financial data in the Board's annual financial report for fiscal year 2016 and fiscal year 2017.
- Reviewed and evaluated the Board's processes for setting fees and administrative penalties.

- Analyzed fees collected in fiscal year 2016 and fiscal year 2017 to determine whether the Board made and recorded the payments in accordance with its established fee schedule.
- Tested selected administrative penalty transactions to determine whether the Board accurately calculated and appropriately assessed those penalties.
- Tested the Board’s compliance with transfer requirements related to its SDSI fees, professional fees, and administrative penalties.
- Analyzed and tested the Board’s compliance with its fund balance policy.
- Tested selected performance measure data that the Board reported in its required annual SDSI report for fiscal year 2016 and quarterly report for the third quarter of fiscal year 2017.
- Reviewed supporting documentation related to the general controls and application controls over the Board’s network and TBAsE.

Criteria used included the following:

- Texas Government Code, Chapter 472.
- Texas Occupations Code, Chapter 1051.
- Title 22, Texas Administrative Code, Part 22.
- Title 1, Texas Administrative Code, Chapter 202.
- The Office of the Comptroller of Public Accounts’ financial reporting requirements.
- The Board’s policies and procedures.

Project Information

Audit fieldwork was conducted from August 2017 through January 2018. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The following members of the State Auditor’s staff performed the audit:

- Stacey Williams, CGAP (Project Manager)
- Shahpar Michelle Hernandez, CPA, M/SBT, CISA (Assistant Project Manager)
- Charlotte Carpenter, CPA
- Joseph Smith, MBA, CISA
- Richard Wyrick
- Dennis Ray Bushnell, CPA (Quality Control Reviewer)
- Audrey O’Neill, CIA, CFE, CGAP (Audit Manager)

Issue Rating Classifications and Descriptions

Auditors used professional judgement and rated the audit findings identified in this report. Those issue ratings are summarized in the report chapters/sub-chapters. The issue ratings were determined based on the degree of risk or effect of the findings in relation to the audit objective(s).

In determining the ratings of audit findings, auditors considered factors such as financial impact; potential failure to meet program/function objectives; noncompliance with state statute(s), rules, regulations, and other requirements or criteria; and the inadequacy of the design and/or operating effectiveness of internal controls. In addition, evidence of potential fraud, waste, or abuse; significant control environment issues; and little to no corrective action for issues previously identified could increase the ratings for audit findings. Auditors also identified and considered other factors when appropriate.

Table 2 provides a description of the issue ratings presented in this report.

Table 2

Summary of Issue Ratings	
Issue Rating	Description of Rating
Low	The audit identified strengths that support the audited entity's ability to administer the program(s)/functions(s) audited <u>or</u> the issues identified do not present significant risks or effects that would negatively affect the audited entity's ability to effectively administer the program(s)/function(s) audited.
Medium	Issues identified present risks or effects that if not addressed could <u>moderately affect</u> the audited entity's ability to effectively administer program(s)/function(s) audited. Action is needed to address the noted concern(s) and reduce risks to a more desirable level.
High	Issues identified present risks or effects that if not addressed could <u>substantially affect</u> the audited entity's ability to effectively administer the program(s)/function(s) audited. Prompt action is essential to address the noted concern(s) and reduce risks to the audited entity.
Priority	Issues identified present risks or effects that if not addressed could <u>critically affect</u> the audited entity's ability to effectively administer the program(s)/function(s) audited. Immediate action is required to address the noted concern(s) and reduce risks to the audited entity.

Related State Auditor's Office Work

Related State Auditor's Office Work		
Number	Product Name	Release Date
12-009	An Audit Report on the Texas Board of Architectural Examiners: A Self-directed, Semi-Independent Agency	December 2011
10-003	An Audit Report on the Texas Board of Architectural Examiners: A Self-directed, Semi-Independent Agency	September 2009

Copies of this report have been distributed to the following:

Legislative Audit Committee

The Honorable Dan Patrick, Lieutenant Governor, Joint Chair

The Honorable Joe Straus III, Speaker of the House, Joint Chair

The Honorable Jane Nelson, Senate Finance Committee

The Honorable Robert Nichols, Member, Texas Senate

The Honorable John Zerwas, House Appropriations Committee

The Honorable Dennis Bonnen, House Ways and Means Committee

Office of the Governor

The Honorable Greg Abbott, Governor

Texas Board of Architectural Examiners

Members of the Texas Board of Architectural Examiners

Ms. Debra Dockery, Board Chair

Mr. Charles Anastos

Mr. Corbett Chase Bearden

Mr. Michael Chad Davis

Ms. Paula Ann Miller

Ms. Sonya B. Odell

Ms. Jennifer Nicole Walker

Mr. Bob Wetmore

Ms. Julie Hildebrand, Executive Director



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Draft Amendments to Rules 1.5, 1.21, 1.22, 1.41, and 1.123
Relating to an Update in Terminology for NCARB's Experience Program

Background

In the last few years, NCARB has made substantially changes to the experience program that applicants are required to complete prior to obtaining architect registration, known in the Board's rules as the Intern Development Program or IDP. This includes the "streamline" initiative in which NCARB decreased the number of hours required to complete IDP from 5,600 to 3,740, and the "overhaul" in which 17 experience areas were consolidated into six broad practice phases that correspond with the six divisions of ARE 5.0. These changes have already been incorporated into the Board's rules. However, there is one additional rulemaking action required to update the Board's rules to implement the recent NCARB changes. That is the renaming of the experience program from "Intern Development Program" to "Architectural Experience Program" or "AXP." This change in terminology was adopted by NCARB following research and outreach by various NCARB committees, which resulted in a determination that NCARB would sunset its use of the term "intern."

Draft Amendments

The draft rules would adopt the "Architectural Experience Program" terminology. Doing so would allow the Board to maintain consistency with NCARB and decrease confusion for AXP participants and applicants for architectural registration. Additionally, the draft rules would maintain a reference to IDP in the definition for "Architectural Experience Program," thereby maintaining eligibility of individuals who completed IDP prior to the change in terminology. Lastly, the draft amendments include a housekeeping change in the definition for "NCARB" which corrects a reference to the number of member jurisdictions.

Staff Recommendation

Approve the draft amendments to 22 Tex. Admin. Code §§ 1.5, 1.21, 1.22, 1.41 and 1.123 for publication in the Texas register, with authority for the General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the Texas Register.

RULE §1.5 Terms Defined Herein

The following words, terms, and acronyms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) The Act--The Architects' Registration Law.

(2) Administrative Procedure Act (APA)--Texas Government Code §§2001.001 et seq.

(3) APA--Administrative Procedure Act.

(4) Applicant--An individual who has submitted an application for registration or reinstatement but has not yet completed the registration or reinstatement process.

(5) Architect--An individual who holds a valid Texas architectural registration certificate granted by the Board.

(6) Architect Registration Examination (ARE)--The standardized test that a Candidate must pass in order to obtain a valid Texas architectural registration certificate.

(7) Architect Registration Examination Financial Assistance Fund (AREFAF)--A program administered by the Board which provides monetary awards to Candidates and newly registered Architects who meet the program's criteria.

(8) Architects' Registration Law--Chapter 1051, Texas Occupations Code.

(9) Architectural Barriers Act--Texas Government Code, Chapter 469.

(10) Architectural Experience Program-- The comprehensive architectural experience program established, interpreted, and enforced by NCARB, or the predecessor Intern Development Program.

~~(10)~~ Architectural Intern--An individual enrolled in the ~~Intern Development Program (IDP)~~Architectural Experience Program (AXP).

~~(11)~~ ARE--Architect Registration Examination.

~~(12)~~ AREFAF--Architect Registration Examination Financial Assistance Fund.

(14) AXP--The Architectural Experience Program

~~(15)~~ Barrier-Free Design--The design of a building or a facility or the design of an alteration of a building or a facility which complies with the Texas Accessibility Standards, the Americans with Disabilities Act, the Fair Housing Accessibility Guidelines, or similarly accepted standards for accessible design.

~~(16)~~ Board--Texas Board of Architectural Examiners.

~~(17)~~ Cancel, Cancellation, or Cancelled--The termination of a Texas architectural registration certificate by operation of law two years after it expires without renewal by the certificate-holder.

~~(18)~~ Candidate--An Applicant approved by the Board to take the ARE.

(197) CEPH--Continuing Education Program Hour(s).

(2018) Chair--The member of the Board who serves as the Board's presiding officer.

(2119) Construction Documents--Drawings; specifications; and addenda, change orders, construction change directives, and other Supplemental Documents prepared for the purpose(s) of Regulatory Approval, permitting, or construction.

(220) Consultant--An individual retained by an Architect who prepares or assists in the preparation of technical design documents issued by the Architect for use in connection with the Architect's Construction Documents.

(231) Contested Case--A proceeding, including a licensing proceeding, in which the legal rights, duties, or privileges of a party are to be determined by a state agency after an opportunity for adjudicative hearing.

(242) Continuing Education Program Hour (CEPH)--At least fifty (50) minutes of time spent in an activity meeting the Board's continuing education requirements.

(253) Council Certification--Certification granted by NCARB to architects who have satisfied certain standards related to architectural education, training, and examination.

(264) Delinquent--A registration status signifying that an Architect:

(A) has failed to remit the applicable renewal fee to the Board; and

(B) is no longer authorized to Practice Architecture in Texas or use any of the terms restricted by the Architects' Registration Law.

(275) Emeritus Architect (or Architect Emeritus)--An honorary title that may be used by an Architect who has retired from the Practice of Architecture in Texas pursuant to Texas Occupations Code, §1051.357.

(286) Energy-Efficient Design--The design of a project and the specification of materials to minimize the consumption of energy in the use of the project. The term includes energy efficiency strategies by design as well as the incorporation of alternative energy systems.

(297) Feasibility Study--A report of a detailed investigation and analysis conducted to determine the advisability of a proposed architectural project from a technical architectural standpoint.

(3028) Good Standing--

(A) a registration status signifying that an Architect is not delinquent in the payment of any fees owed to the Board; or

(B) an application status signifying that an Applicant or Candidate is not delinquent in the payment of any fees owed to the Board, is not the subject of a pending TBAE enforcement proceeding, and has not been the subject of formal disciplinary action by an architectural registration board that would provide a ground for the denial of the application for architectural registration in Texas.

(~~3129~~) Governmental Entity--A Texas state agency or department; a district, authority, county, municipality, or other political subdivision of Texas; or a publicly owned Texas utility.

(~~320~~) Governmental Jurisdiction--A governmental authority such as a state, territory, or country beyond the boundaries of Texas.

~~(31) IDP--The Intern Development Program as administered by NCARB.~~

(~~332~~) Inactive--A registration status signifying that an Architect may not Practice Architecture in the State of Texas.

~~(33) Intern Development Program (IDP) --A comprehensive internship program established, interpreted, and enforced by NCARB.~~

(34) Institutional Residential Facility--A building intended for occupancy on a 24-hour basis by persons who are receiving custodial care from the proprietors or operators of the building. Hospitals, dormitories, nursing homes and other assisted living facilities, and correctional facilities are examples of buildings that may be Institutional Residential Facilities.

(35) Licensed--Registered.

(36) Member Board--An architectural registration board that is part of the nonprofit federation of architectural registration boards known as NCARB.

(37) NAAB--National Architectural Accrediting Board.

(38) National Architectural Accrediting Board (NAAB)--An agency that accredits architectural degree programs in the United States.

(39) National Council of Architectural Registration Boards (NCARB)--A nonprofit federation of architectural registration boards from fifty ~~five~~ four (~~545~~) states and territories of the United States.

(40) NCARB--National Council of Architectural Registration Boards.

(41) Nonregistrant--An individual who is not an Architect.

(42) Practice Architecture--Perform or do or offer or attempt to do or perform any service, work, act, or thing within the scope of the Practice of Architecture.

(43) Practicing Architecture--Performing or doing or offering or attempting to do or perform any service, work, act, or thing within the scope of the Practice of Architecture.

(44) Practice of Architecture--A service or creative work applying the art and science of developing design concepts, planning for functional relationships and intended uses, and establishing the form, appearance, aesthetics, and construction details for the construction, enlargement, or alteration of a building or environs intended for human use or occupancy, the proper application of which requires education, training, and experience in those matters.

(A) The term includes:

(i) establishing and documenting the form, aesthetics, materials, and construction technology for a building, group of buildings, or environs intended to be constructed or altered;

(ii) preparing or supervising and controlling the preparation of the architectural plans and specifications that include all integrated building systems and construction details, unless otherwise permitted under Texas Occupations Code, §1051.606(a)(4); and

(iii) observing the construction, modification, or alteration of work to evaluate conformance with architectural plans and specifications described in clause (ii) of this subparagraph for any building, group of buildings, or environs requiring an architect.

(B) The term "practice of architecture" also includes the following activities which, pursuant to Texas Occupations Code §1051.701(a), may be performed by a person who is not registered as an Architect:

(i) programming for construction projects, including identification of economic, legal, and natural constraints and determination of the scope and spatial relationship of functional elements;

(ii) recommending and overseeing appropriate construction project delivery systems;

(iii) consulting, investigating, and analyzing the design, form, aesthetics, materials, and construction technology used for the construction, enlargement, or alteration of a building or environs and providing expert opinion and testimony as necessary;

(iv) research to expand the knowledge base of the profession of architecture, including publishing or presenting findings in professional forums; and

(v) teaching, administering, and developing pedagogical theory in academic settings offering architectural education.

(45) Principal--An architect who is responsible, either alone or with other architects, for an organization's Practice of Architecture.

(46) Prototypical--From or of an architectural design intentionally created not only to establish the architectural parameters of a building or facility to be constructed but also to serve as a functional model on which future variations of the basic architectural design would be based for use in additional locations.

(47) Public Entity--A state, a city, a county, a city and county, a district, a department or agency of state or local government which has official or quasi-official status, an agency established by state or local government though not a department thereof but subject to some governmental control, or any other political subdivision or public corporation.

(48) Registered--Licensed.

(49) Registrant--Architect.

(50) Regulatory Approval--The approval of Construction Documents by the applicable Governmental Entity after a review of the architectural content of the Construction Documents as a prerequisite to construction or occupation of a building or a facility.

(51) Reinstatement--The procedure through which a Surrendered or revoked Texas architectural registration certificate is restored.

(52) Renewal--The procedure through which an Architect pays a periodic fee so that the Architect's registration certificate will continue to be effective.

(53) Responsible Charge--That degree of control over and detailed knowledge of the content of technical submissions during their preparation as is ordinarily exercised by registered architects applying the applicable architectural standard of care.

(54) Revocation or Revoked--The termination of an architectural registration certificate by the Board.

(55) Rules and Regulations of the Board--22 Texas Administrative Code §§1.1 et seq.

(56) Rules of Procedure of SOAH--1 Texas Administrative Code §§155.1 et seq.

(57) Secretary-Treasurer--The member of the Board responsible for signing the official copy of the minutes of each Board meeting and maintaining the record of Board members' attendance at Board meetings.

(58) Signature--A personal signature of the individual whose name is signed or an authorized copy of such signature.

(59) SOAH--State Office of Administrative Hearings.

(60) Sole Practitioner--An Architect who is the only design professional to offer or render architectural services on behalf of a business entity.

(61) State Office of Administrative Hearings (SOAH)--A Governmental Entity created to serve as an independent forum for the conduct of adjudicative hearings involving the executive branch of Texas government.

(62) Supervision and Control--The amount of oversight by an architect overseeing the work of another whereby:

(A) the architect and the individual performing the work can document frequent and detailed communication with one another and the architect has both control over and detailed professional knowledge of the work; or

(B) the architect is in Responsible Charge of the work and the individual performing the work is employed by the architect or by the architect's employer.

(63) Supplemental Document--A document that modifies or adds to the technical architectural content of an existing Construction Document.

(64) Surrender--The act of relinquishing a Texas architectural registration certificate along with all privileges associated with the certificate.

(65) Sustainable Design--An integrative approach to the process of design which seeks to avoid depletion of energy, water, and raw material resources; prevent environmental degradation caused by facility and infrastructure developments during their implementation and over their life cycle; and create environments that are livable and promote health, safety and well-being. Sustainability is the concept of meeting present needs without compromising the ability of future generations to meet their own needs.

(66) TBAE--Texas Board of Architectural Examiners.

(67) TDLR--Texas Department of Licensing and Regulation.

(68) Texas Department of Licensing and Regulation (TDLR)--A Texas state agency responsible for the implementation and enforcement of the Texas Architectural Barriers Act.

(69) Texas Guaranteed Student Loan Corporation (TGSLC)--A public, nonprofit corporation that administers the Federal Family Education Loan Program.

(70) TGSLC--Texas Guaranteed Student Loan Corporation.

(71) Vice-Chair--The member of the Board who serves as the assistant presiding officer and, in the absence of the Chair, serves as the Board's presiding officer. If necessary, the Vice-Chair succeeds the Chair until a new Chair is appointed.

RULE §1.21 Registration by Examination

(a) In order to obtain architectural registration by examination in Texas, an Applicant:

(1) shall have a professional degree from:

(A) an architectural education program accredited by the National Architectural Accreditation Board (NAAB),

(B) an architectural education program that became accredited by NAAB not later than two years after the Applicant's graduation,

(C) an architectural education program that was granted candidacy status by NAAB and became accredited by NAAB not later than three years after the Applicant's graduation, or

(D) an architectural education program outside the United States where an evaluation by NAAB or another organization acceptable to the Board has concluded that the program is substantially equivalent to an NAAB accredited professional program;

(2) shall successfully demonstrate completion of the Architectural Experience Program (AXP)~~Intern Development Program~~; and

(3) shall successfully complete the architectural registration examination as more fully described in Subchapter C.

(b) An Applicant who applies for architectural registration by examination on or before August 31, 2011 is not required to complete the Architectural Experience Program (AXP) ~~Intern Development Program~~ if the Applicant successfully demonstrates that prior to January 1, 1984, he/she acquired at least eight (8) years of acceptable architectural experience or eight (8) years of a combination of acceptable education and experience. This subsection is repealed effective September 1, 2011.

(c) An Applicant who applies for architectural registration by examination on or before August 31, 2011 and who commenced his/her architectural education or experience prior to September 1, 1999, shall be

subject to the rules and regulations relating to educational and experiential requirements as they existed on August 31, 1999. This subsection is repealed effective September 1, 2011.

(d) For purposes of this section, an Applicant shall be considered to have "commenced" his/her architectural education upon enrollment in an acceptable architectural education program. This subsection is repealed effective September 1, 2011.

(e) In accordance with federal law, the Board must verify proof of legal status in the United States. Each Applicant shall provide evidence of legal status by submitting a certified copy of a United States birth certificate or other documentation that satisfies the requirements of the Federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. A list of acceptable documents may be obtained by contacting the Board's office.

RULE §1.22 Registration by Reciprocal Transfer

(a) A person may apply for architectural registration by reciprocal transfer if the person holds an architectural registration that is active and in good standing in another jurisdiction and the other jurisdiction:

(1) has licensing or registration requirements substantially equivalent to Texas registration requirements; or

(2) has entered into a reciprocity agreement with the Board that has been approved by the Governor of Texas.

(b) In order to obtain architectural registration by reciprocal transfer, an Applicant must demonstrate the following:

(1) the Applicant has:

(A) successfully completed the Architect Registration Examination (ARE) or another architectural registration examination which the National Council of Architectural Registration Boards (NCARB) has approved as conforming to NCARB's examination standards; and

(B) successfully completed the requirements of the Architectural Experience Program (AXP) ~~Intern Development Program (IDP)~~ or acquired at least three years of acceptable architectural experience following registration in another jurisdiction; or

(2) the Applicant has been given Council Certification by NCARB and such Council Certification is not currently in an expired or revoked status.

(c) An Applicant for architectural registration by reciprocal transfer must remit the required registration fee to the Board within 60 days after the date of the tentative approval letter sent to the Applicant by the Board.

RULE §1.41 Requirements

(a) Every Applicant for architectural registration by examination in Texas must successfully complete all sections of the Architect Registration Examination (ARE).

(b) The Board may approve an Applicant to take the ARE only after the Applicant has completed the educational requirements for architectural registration by examination in Texas, has completed at least six (6) months of full-time experience working under the direct supervision of a licensed architect, has enrolled in the Architectural Experience Program (AXP) ~~Intern Development Program~~ by establishing a council record with NCARB, and has submitted the required application materials.

(c) An Applicant may take the ARE at any official ARE testing center but must satisfy all Texas registration requirements in order to obtain architectural registration by examination in Texas.

(d) Each Candidate must achieve a passing score in each division of the ARE. Scores from individual divisions may not be averaged to achieve a passing score.

(e) An examination fee may be refunded as follows:

(1) The application fee paid to the Board is not refundable or transferable.

(2) The Board, on behalf of a Candidate, may request a refund of a portion of the examination fee paid to the national examination provider for scheduling all or a portion of the registration examination. A charge for refund processing may be withheld by the national examination provider. Refunds of examination fees are subject to the following conditions:

(A) A Candidate, because of extreme hardship, must have been precluded from scheduling or taking the examination or a portion of the examination. For purposes of this subsection, extreme hardship is defined as a serious illness or accident of the Candidate or a member of the Candidate's immediate family or the death of an immediate family member. Immediate family members include the spouse, child(ren), parent(s), and sibling(s) of the Candidate. Any other extreme hardship may be considered on a case-by-case basis.

(B) A written request for a refund based on extreme hardship must be submitted not later than thirty (30) days after the date the examination or portion of the examination was scheduled or intended to be scheduled. Documentation of the extreme hardship that precluded the applicant from scheduling or taking the examination must be submitted by the Candidate as follows:

(i) Illness: verification from a physician who treated the illness.

(ii) Accident: a copy of an official accident report.

(iii) Death: a copy of a death certificate or newspaper obituary.

(C) Approval of the request and refund of the fee or portion of the fee by the national examination provider.

(3) An examination fee may not be transferred to a subsequent examination.

RULE §1.123 Titles

(a) Architects duly registered in Texas are authorized to use any form of the word "architect" or the word "architecture" to describe themselves and to describe services they offer and perform in Texas.

(b) A firm, partnership, corporation, or other business association may use any form of the word "architect" or the word "architecture" in its name or to describe services it offers or performs in Texas only under the following conditions:

(1) The business employs at least one Architect on a full-time basis or associates with at least one Architect pursuant to the provisions of section 1.122; and

(2) The Architect(s) employed by or associated with the business pursuant to subsection (b)(1) of this section exercise Supervision and Control over all architectural services performed by nonregistrants on behalf of the business, or in the case of services rendered pursuant to section 1.122(e), exercise, at a minimum, Responsible Charge over all such services.

(c) No entity other than those qualified in subsections (a) and (b) of this section may use any form of the word "architect" or "architecture" in its name or to describe services it offers or performs in Texas.

(d) A person enrolled in the Architectural Experience Program (AXP)~~Intern Development Program (IDP)~~ may use the title "architectural intern."

PRESS

NCARB Launches Architectural Experience Program

6/29/16

Architectural Experience Program (AXP)



NCARB's experience program has been updated to reflect current architectural practice and terminology.

Washington, DC—The program designed to guide professionals through the early stages of their career has been renamed the **Architectural Experience Program™ (AXP™)** and updated to reflect modern practice. Effective June 29, 2016, the program now requires licensure candidates to document 3,740 hours of experience in six simplified areas that cover all phases of architectural practice, rather than 17 experience areas.

Developed by the National Council of Architectural Registration Boards (NCARB), the program—which was previously called the Intern Development Program (IDP)—is required for licensure in most U.S. jurisdictions.

This update is one of several NCARB has made to its experience program over the past few years, namely: streamlining the number of required hours from 5,600 to 3,740; the ability to report experience beyond six months and up to five years; accepting AXP credit for paid academic internships; and enabling licensure candidates to earn AXP credit after high school and regardless of a project's duration.

The six new experience areas include: Practice Management, Project Management, Programming & Analysis, Project Planning & Design, Project Development & Documentation, and Construction & Evaluation. These areas also mirror the six divisions of the new licensing exam, **Architect Registration Examination® (ARE®) 5.0**, which launches November 1, 2016, providing further alignment between the two programs.

“The NCARB Board of Directors, in consultation with our Member Boards, has updated the AXP to more closely align with current practice and terminology,” said NCARB President Kristine Harding, NCARB, AIA. “We have carefully broadened the program's scope without reducing its rigor, which will help ensure licensure candidates acquire the skills and knowledge needed to practice in today's evolving landscape.”

Over the past year, NCARB has released a number of resources to help licensure candidates and their supervisors prepare for this update, such as:

- The [AXP Guidelines](#): A comprehensive guide to navigating the program, reporting experience, and more.
- The [Experience Calculator](#): An online tool that shows how professional experience will transfer to the new program.
- A [blog series](#) that breaks down the tasks associated with each area, plus real-world examples of opportunities that qualify for the AXP.

June 29 also marks the launch of NCARB's [AXP Portfolio](#), a new option for design professionals who can document two years of experience that is older than five years. To qualify for licensure through this alternative option, candidates will also need to meet their licensing board's education and examination requirements.

For more information on NCARB's experience program, visit www.ncarb.org/experience.

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About NCARB

The National Council of Architectural Registration Boards' membership is made up of the architectural registration boards of all 50 states as well as those of the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands. NCARB assists its member registration boards in carrying out their duties and provides a certification program for individual architects.

NCARB protects the public health, safety, and welfare by leading the regulation of the practice of architecture through the development and application of standards for licensure and credentialing of architects. In order to achieve these goals, the Council develops and recommends standards to be required of an applicant for architectural registration; develops and recommends standards regulating the practice of architecture; provides to Member Boards a process for certifying the qualifications of an architect for registration; and represents the interests of Member Boards before public and private agencies. NCARB has established reciprocal registration for architects in the United States and Canada.

Visit: www.ncarb.org

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**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: 053-18A
Respondent: Nicholas King Cade
Location of Respondent: Dallas, TX
Location of Project(s): Frisco, TX
Nature of Violation: Violation of Architectural Barriers Act (TDLR)
Instrument: Report and Notice of Violation

Findings:

- Nicholas King Cade (hereafter “Respondent”) is registered as an architect in Texas with registration number 9301.
- Previous History
 - On May 16, 2012, the Executive Director issued a Warning to the Respondent based on findings that the Respondent failed to timely submit plans to TDLR for accessibility review.
- On September 26, 2017, the Texas Board of Architectural Examiners (TBAE) received a referral from the Texas Department of Licensing and Regulation (TDLR) indicating that Respondent had failed to submit plans for a project known as “Frisco Market Center – LOT 9” located in Frisco, Texas, to TDLR for accessibility review within 20 days of issuance as required by Texas Government Code §469.102(b). The plans and specifications were issued on November 12, 2015, and were submitted to TDLR on June 6, 2017.
- On September 26, 2017, the Texas Board of Architectural Examiners (TBAE) received a referral from the Texas Department of Licensing and Regulation (TDLR) indicating that Respondent had failed to submit plans for a project known as “Frisco Market Center – LOT 8” located in Frisco, Texas, to TDLR for accessibility review within 20 days of issuance as required by Texas Government Code §469.102(b). The plans and specifications were issued on January 14, 2016, and were submitted to TDLR on June 6, 2017.

Applicable Statutory Provisions and Rules:

- By failing to submit plans and specifications on two (2) projects for accessibility review no later than 20 days after issuance, Respondent violated §1051.252(2) of the Architect Practice Act and Board Rule 1.170(a).

Action Recommended by Executive Director:

- The Executive Director recommends an administrative penalty of **\$2,000**.

**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: 030-17A
Respondent: Marcello D. Martinez
Location of Respondent: San Antonio, TX
Nature of Violation: Violation of Architectural Barriers Act (TDLR)
Instrument: Report and Notice of Violation

Findings:

- Marcello Diego Martinez (hereafter “Respondent”) is registered as an architect in Texas with registration number 18417.
- Previous History
 - On January 5, 2017, the Executive Director issued a Warning to the Respondent based on findings that the Respondent failed to timely submit plans to TDLR for accessibility review.
- On or about October 20, 2016, while researching TDLR records, the Managing Investigator for the Board discovered eight (8) projects that were registered by Respondent and assigned a RAS number, but were never reviewed or inspected.
- On or about April 9, 2014, Respondent issued architectural plans and specifications for a project identified as “Parkway Assisted Living” in San Antonio, Texas. However, Respondent did not submit the plans for accessibility review until November 8, 2016, after the Respondent was notified of this investigation.
- On or about December 12, 2014, Respondent issued architectural plans and specifications for a project identified as “Urban Bricks Pizza” in San Antonio, Texas. However, Respondent did not submit the plans for accessibility review until November 8, 2016, after the Respondent was notified of this investigation.
- On or about December 18, 2014, Respondent issued architectural plans and specifications for a project identified as “Sakura, Sushi & Steak” in San Marcos, Texas. However, Respondent did not submit the plans for accessibility review until November 8, 2016, after the Respondent was notified of this investigation.
- On or about February 6, 2015, Respondent issued architectural plans and specifications for a project identified as “Taco Palenque” at 6507 Leslie Road in San Antonio, Texas. However, Respondent did not submit the plans for accessibility review until November 8, 2016, after the Respondent was notified of this investigation.
- On or about April 1, 2015, Respondent issued architectural plans and specifications for a project identified as “Bundles of Joy” in San Antonio, Texas. However, Respondent did not submit the plans for accessibility review until November 8, 2016, after the Respondent was notified of this investigation.
- On or about June 19, 2015, Respondent issued architectural plans and specifications for a project identified as “Taco Palenque” at 13707 West IH-10 in San Antonio, Texas. However, Respondent did not submit the plans for accessibility review until November 8, 2016, after the Respondent was notified of this investigation.

- On or about May 11, 2016, Respondent issued architectural plans and specifications for a project identified as “Haven for Hope” in San Antonio, Texas. However, Respondent did not submit the plans for accessibility review until November 8, 2016, after the Respondent was notified of this investigation.
- On or about June 15, 2016, Respondent issued architectural plans and specifications for a project identified as “Retail Shell Building” in San Antonio, Texas. However, Respondent did not submit the plans for accessibility review until November 8, 2016, after the Respondent was notified of this investigation.

Applicable Statutory Provisions and Rules:

- By failing to submit plans and specifications on eight (8) projects for accessibility review no later than 20 days after issuance, Respondent violated §1051.252(2) of the Architect Practice Act and Board Rule 1.170(a).

Action Recommended by Executive Director:

- The Executive Director recommends an administrative penalty of **\$8,000** and required completion of the TDLR Accessibility Academy within one (1) year.

**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: 004-18A
Respondent: Kurt Chandler Aichler
Location of Respondent: New Ulm, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Kurt Chandler Aichler (hereafter “Respondent”) is a registered architect in Texas with registration number 9276.
- 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, 2015 through December 31, 2015.
- 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:

- The Executive Director recommends an administrative penalty of **\$700**.

**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: 030-18L
Respondent: James E. Carrillo
Location of Respondent: San Marcos, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- James E. Carrillo (hereafter “Respondent”) is a registered landscape architect in Texas with registration number 1377.
- 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, 2016 through December 31, 2016.
- Subsequently, he completed supplemental CEPH pursuant to Board Rule 3.69(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 3.69. The Board’s standard assessment for providing false information is **\$700**.

Action Recommended by Executive Director:

- The Executive Director recommends an administrative penalty of **\$700**.

**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:	028-18A
Respondent:	Roger E. Dahlin, Jr.
Location of Respondent:	Carrollton, Texas
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Roger E. Dahlin, Jr. (hereafter "Respondent") is a registered architect in Texas with registration number 9621.
- 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, 2016 through December 31, 2016.
- 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:

- The Executive Director recommends an administrative penalty of **\$700**.

**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: 027-18A
Respondent: David L. Dobson
Location of Respondent: Richardson, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- David L. Dobson (hereafter “Respondent”) is a registered architect in Texas with registration number 18103.
- 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, 2016 through December 31, 2016.
- 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:

- The Executive Director recommends an administrative penalty of **\$700**.

**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:	042-18L
Respondent:	John Thomas Dupuy
Location of Respondent:	Houston, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- John Thomas Dupuy (hereafter “Respondent”) is a registered landscape architect in Texas with registration number 2194.
- 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, 2015 through December 31, 2015.
- Subsequently, he completed supplemental CEPH pursuant to Board Rule 3.69(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 3.69. The Board’s standard assessment for providing false information is **\$700**.

Action Recommended by Executive Director:

- The Executive Director recommends an administrative penalty of **\$700**.

**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: 260-17A
Respondent: Jerry Brent Flemons
Location of Respondent: Dallas, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Jerry Brent Flemons (hereafter “Respondent”) is registered as an architect in Texas with registration number 17493.
- Previously, on August 23, 2012, in TBAE Enforcement Matter 169-12A, the Board entered an administrative penalty in the amount of \$1,700 against Respondent based on findings of fact that he failed to fulfill mandatory continuing education hours within the required audit period; falsely reported continuing education prior to renewal; and failed to respond to two board inquiries within 30 days.
- In the current matter, 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, 2015 through December 31, 2015.
- In addition to completing the required continuing education hours outside of the continuing education period, Respondent falsely certified completion of CE responsibilities in order to renew his architectural registration.
- During the course of staff’s investigation regarding Respondent’s continuing education credits, Respondent failed to respond to two written requests for information.

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(g). The Board’s standard assessment for providing false information is **\$700**.
- By failing to timely complete the required continuing education program hours, Respondent violated Board rule 1.69(f). The standard administrative penalty assessed for this violation is **\$500**.
- By failing to respond to two written requests for information within 30 days of staff’s requests, Respondent violated Board rule 1.171 which requires that an architect answer an inquiry or produce requested documents within 30 days of a request. Each violation is subject to a standard administrative penalty of **\$250** totaling **\$500**.

Action Recommended by Executive Director:

- The standard penalty for a first-time violation of these rules is \$1,700. However, since Respondent has previously been subject to discipline for the same conduct, he is

subject to increased penalties under 22 Tex. Admin. Code §1.177(5) and 1.232(k).
Therefore, the Executive Director recommends an administrative penalty of **\$2,000**.

**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:	026-18A
Respondent:	David D. Foster
Location of Respondent:	Conroe, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- David D. Foster (hereafter "Respondent") is an emeritus architect in Texas with registration number 4442.
- 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, 2015 through December 31, 2015.
- Subsequently, he completed supplemental CEPH pursuant to Board Rule 1.69(g)(2).
- Following the continuing education audit, Mr. Foster placed his architect registration on emeritus status.

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:

- The Executive Director recommends an administrative penalty of **\$700**.

**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:	040-18I
Respondent:	Katherine Hough Gelsheimer
Location of Respondent:	Lake St. Louis, Missouri
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Katherine Hough Gelsheimer (hereafter “Respondent”) is registered as an interior designer in Texas with registration number 11354.
- Based upon the results of a random continuing education audit, it was determined that Respondent failed to complete her continuing education requirements for the audit period of January 1, 2016 through December 31, 2016, but completed them prior to the renewal of her interior design registration.

Applicable Statutory Provisions and Rules:

- By failing to timely complete the required continuing education program hours during the audit period, but before her renewal period, Respondent violated Board Rule 5.79(b). The standard administrative penalty assessed for this violation is **\$500**.

Action Recommended by Executive Director:

- The Executive Director recommends an administrative penalty of **\$500**.

**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: 375-17A
Respondent: Robert A. Goodspeed
Location of Respondent: Fort Worth, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Robert A. Goodspeed (hereafter “Respondent”) is a registered architect in Texas with registration number 10251.
- 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, 2016 through December 31, 2016.
- 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:

- The Executive Director recommends an administrative penalty of **\$700**.

**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:	029-18A
Respondent:	Thomas Andrew Holland
Location of Respondent:	Frisco, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Thomas Andrew Holland (hereafter “Respondent”) is a registered architect in Texas with registration number 16722.
- 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, 2016 through December 31, 2016.
- 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:

- The Executive Director recommends an administrative penalty of **\$700**.

**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:	025-18I
Respondent:	Wendy W. Konradi
Location of Respondent:	Dallas, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Wendy W. Konradi (hereafter “Respondent”) is a registered as an interior designer in Texas with registration number 10210.
- 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, 2015 through December 31, 2015.

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:

- The Executive Director recommends an administrative penalty of **\$700**.

**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:	041-18A
Respondent:	Michael Earl Menefee
Location of Respondent:	Dallas, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Michael Earl Menefee (hereafter “Respondent”) is registered as an architect in Texas with registration number 7961.
- 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, 2016 through December 31, 2016, 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, but before his renewal period, Respondent violated Board Rule 1.69(b). The standard administrative penalty assessed for this violation is **\$500**.

Action Recommended by Executive Director:

- The Executive Director recommends an administrative penalty of **\$500**.

**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:	124-18A
Respondent:	Shae Suzanne Mulligan
Location of Respondent:	Dallas, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Shae Suzanne Mulligan (hereafter “Respondent”) is registered as an architect in Texas with registration number 19816.
- Based upon the results of a random continuing education audit, it was determined that Respondent failed to complete her continuing education requirements for the audit period of January 1, 2016 through December 31, 2016, but completed them prior to the renewal of her architectural registration.

Applicable Statutory Provisions and Rules:

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

Action Recommended by Executive Director:

- The Executive Director recommends an administrative penalty of **\$500**.

**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: 122-18A
Respondent: Daniel P. O'Connell
Location of Respondent: Wichita Falls, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Daniel P. O'Connell (hereafter "Respondent") is registered as an architect in Texas with registration number 12124.
- 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, 2016 through December 31, 2016, 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, but before his renewal period, Respondent violated Board Rule 1.69(b). The standard administrative penalty assessed for this violation is **\$500**.

Action Recommended by Executive Director:

- The Executive Director recommends an administrative penalty of **\$500**.

**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: 417-171
Respondent: April Dawn Rains
Location of Respondent: Colorado Springs, CO
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- April Dawn Rains (hereafter “Respondent”) is registered as an interior designer in Texas with registration number 9760.
- Based upon the results of a random continuing education audit, it was determined that Respondent failed to complete her continuing education requirements for the audit period of January 1, 2016 through December 31, 2016, but completed them prior to the renewal of her interior design registration.
- Respondent stated that she thought the time spent studying and preparing for the American Academy of Healthcare Interior Designers CHID examination would satisfy the continuing education requirements.

Applicable Statutory Provisions and Rules:

- By failing to timely complete the required continuing education program hours during the audit period, but before her renewal period, Respondent violated Board Rule 5.79(b). The standard administrative penalty assessed for this violation is **\$500**.

Action Recommended by Executive Director:

- The Executive Director recommends an administrative penalty of **\$500**.

**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: 415-171
Respondent: Cynthia Erin Steinbrecher
Location of Respondent: Denver, CO
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Cynthia Erin Steinbrecher (hereafter “Respondent”) is registered as an interior designer in Texas with registration number 11418.
- Based upon the results of a random continuing education audit, it was determined that Respondent failed to complete her continuing education requirements for the audit period of January 1, 2015 through December 31, 2015, but completed them prior to the renewal of her interior design registration.

Applicable Statutory Provisions and Rules:

- By failing to timely complete the required continuing education program hours during the audit period, but before her renewal period, Respondent violated Board Rule 5.79(b). The standard administrative penalty assessed for this violation is **\$500**.

Action Recommended by Executive Director:

- The Executive Director recommends an administrative penalty of **\$500**.

**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: 296-171
Respondent: Chaval Rennee´ Sutherland
Location of Respondent: Fort Worth, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Chaval Rennee´ Sutherland (hereafter “Respondent”) is registered as an interior designer in Texas with registration number 8753.
- Based upon the results of a random continuing education audit, it was determined that Respondent failed to complete her continuing education requirements for the audit period of January 1, 2016 through December 31, 2016, but completed them prior to the renewal of her interior design registration.

Applicable Statutory Provisions and Rules:

- By failing to timely complete the required continuing education program hours during the audit period, but before her renewal period, Respondent violated Board Rule 5.79(b). The standard administrative penalty assessed for this violation is **\$500**.

Action Recommended by Executive Director:

- The Executive Director recommends an administrative penalty of **\$500**.

**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: 414-17I
Respondent: Brenda Venable
Location of Respondent: San Antonio, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Brenda Venable (hereafter “Respondent”) is registered as an interior designer in Texas with registration number 10030.
- Based upon the results of a random continuing education audit, it was determined that Respondent failed to complete her continuing education requirements for the audit period of January 1, 2016 through December 31, 2016, but completed them prior to the renewal of her interior design registration.

Applicable Statutory Provisions and Rules:

- By failing to timely complete the required continuing education program hours during the audit period, but before her renewal period, Respondent violated Board Rule 5.79(b). The standard administrative penalty assessed for this violation is **\$500**.

Action Recommended by Executive Director:

- The Executive Director recommends an administrative penalty of **\$500**.

TBAE Event Calendar 2018

January 2018							
Nº	S	M	T	W	T	F	S
1		1	2	3	4	5	6
2	7	8	9	10	11	12	13
3	14	15	16	17	18	19	20
4	21	22	23	24	25	26	27
5	28	29	30	31			

01: New Year's Day (Closed)
01: NCARB AIA Students' Forum, Austin
15: Martin Luther King Day (Closed)
16: Survey of Excellence (Jan 16-19)
19: Confederate Heroes Day (Skeleton Crew)
24: Texas Tech University
25: TWC EEO Policy Review

July 2018							
Nº	S	M	T	W	T	F	S
27	1	2	3	4	5	6	7
28	8	9	10	11	12	13	14
29	15	16	17	18	19	20	21
30	22	23	24	25	26	27	28
31	29	30	31				

04: Independence Day (Closed)
05: TBAE Holiday (Skeleton)
16: CAPPS Go Live

February 2018							
Nº	S	M	T	W	T	F	S
5					1	2	3
6	4	5	6	7	8	9	10
7	11	12	13	14	15	16	17
8	18	19	20	21	22	23	24
9	25	26	27	28			

01: Board Meeting - Rm III-102
12: CLARB MB Committee Meeting Washington, D.C.
13: Stephen F Austin University ID Program
15: Panel Discussion UT Arlington
19: Presidents Day (Closed)

August 2018							
Nº	S	M	T	W	T	F	S
31				1	2	3	4
32	5	6	7	8	9	10	11
33	12	13	14	15	16	17	18
34	19	20	21	22	23	24	25
35	26	27	28	29	30	31	

07: Building Officials Association of Texas (BOAT) 2018 Conference - Amarillo, TX
08: METROCON18 - Dallas Market Center
21: Board Meeting - Rm III-102
27: LBJ's Birthday (Skeleton)

March 2018							
Nº	S	M	T	W	T	F	S
9					1	2	3
10	4	5	6	7	8	9	10
11	11	12	13	14	15	16	17
12	18	19	20	21	22	23	24
13	25	26	27	28	29	30	31

02: Texas Independence Day (Skeleton)
05: NCARB Outreach: Rice University; University of Houston, AIA Houston
09: NCARB 2018 Regional Summit Wichita, KS
30: Good Friday (Skeleton)

September 2018							
Nº	S	M	T	W	T	F	S
35							1
36	2	3	4	5	6	7	8
37	9	10	11	12	13	14	15
38	16	17	18	19	20	21	22
39	23	24	25	26	27	28	29
40	30						

03: Labor Day (Closed)
TBD: 2018 LRGV-AIA Building Communities Conference & Expo - South Padre Island
27: 2018 CLARB Annual Meeting Toronto, Canada

April 2018							
Nº	S	M	T	W	T	F	S
14	1	2	3	4	5	6	7
15	8	9	10	11	12	13	14
16	15	16	17	18	19	20	21
17	22	23	24	25	26	27	28
18	29	30					

6 Educators Conference & Region3 Training | Orlando, FL
18: 2018 TX ASLA Conference - Galveston, TX
20: Risk Management Review
30: Personal Financial Statement Filing Deadline

October 2018							
Nº	S	M	T	W	T	F	S
40		1	2	3	4	5	6
41	7	8	9	10	11	12	13
42	14	15	16	17	18	19	20
43	21	22	23	24	25	26	27
44	28	29	30	31			

May 2018							
Nº	S	M	T	W	T	F	S
18			1	2	3	4	5
19	6	7	8	9	10	11	12
20	13	14	15	16	17	18	19
21	20	21	22	23	24	25	26
22	27	28	29	30	31		

22: Board Meeting - Rm III-102
28: Memorial Day (Closed)
24: Lampasas ISD Last Day of School
30: Austin ISD Last Day of School

November 2018							
Nº	S	M	T	W	T	F	S
44					1	2	3
45	4	5	6	7	8	9	10
46	11	12	13	14	15	16	17
47	18	19	20	21	22	23	24
48	25	26	27	28	29	30	

08: TxA Design Expo - Ft. Worth, TX
09: 2018 CIOQ Council of Delegates Meeting (Nashville, TN)
11: Veterans' Day
15: Board Meeting - Rm III-102
21: TBAE Holiday (Skeleton)
22: Thanksgiving (Closed)
23: Day after Thanksgiving (Closed)

June 2018							
Nº	S	M	T	W	T	F	S
22						1	2
23	3	4	5	6	7	8	9
24	10	11	12	13	14	15	16
25	17	18	19	20	21	22	23
26	24	25	26	27	28	29	30

28: NCARB 2018 Annual Business Meeting - Detroit, MI
19: Emancipation Day (Skeleton)

December 2018							
Nº	S	M	T	W	T	F	S
48							1
49	2	3	4	5	6	7	8
50	9	10	11	12	13	14	15
51	16	17	18	19	20	21	22
52	23	24	25	26	27	28	29
1	30	31					

24: Christmas Eve (Closed)
25: Christmas Day (Closed)
26: Day after Christmas (Closed)
27-28: TBAE Holiday (Skeleton)
31: TBAE Holiday (Skeleton)