Licensing News



CHAIR'S COLUMN Debra Dockery, FAIA



ARCHITECTURE

INTERIOR DESIGN

LANDSCAPE ARCHITECTURE

AUGUST 2023

Design for Every Texan

In my office archives is a publication titled "The Texas State Program for Preventing Architectural Barriers." It is an Act of the Texas Legislature, effective January 1970, and it may be the first accessibility standards in the state. The standards set forth in the Act applied "to all buildings and facilities used by the public which are constructed in whole or in part by the use of state, county, or municipal funds, or the funds of any political subdivision of the state." The provisions of the Act were to "eliminate, in so far as possible, unnecessary barriers encountered by aged, handicapped, or disabled persons, whose ability to engage in gainful occupations or to achieve maximum personal independence is needlessly restricted..." The document is 10 pages long, including a page with the wheelchair symbol of accessibility.

Since 1970, there have been major updates and reorganizations of the rules, including in 1994 when the Texas Accessibility Standards (TAS) were brought in closer alignment with the Americans with Disability Act, and in 2001, 2012, and most recently in 2022 with the addition of outdoor recreation standards amongst other updates. Incremental updates and technical memoranda have been promulgated every year since the inception of the standards. From 10 pages to more than 200 pages, the TAS has evolved from aspirational guidelines to very descriptive requirements.

Yet, after more than 50 years of accessibility requirements, Registered Accessibility Specialists reviewing our drawings report many submissions with elements not meeting the standards or lacking information to facilitate a compliance review. For able-bodied persons with years of developing fine motor skills that become automatic, the requirements for accessibility are not intuitive. Accessibility by wheelchair-reliant persons tends to be the focus of accessibility concerns, but there are a wide range of disabilities that require accommodation included in the TAS.

Accessibility to buildings and sites by all persons in Texas is a health, safety, and welfare concern, indeed. Safe ingress, egress, unobstructed circulation, and the ability to access and participate in programs and functions must be designed and constructed to meet the minimum accessibility standards. We must be diligent in our responsibility to meet the Texas Accessibility Standards. This issue of Licensing News focuses on the health, safety, and welfare concerns of accessibility compliance. We hope this edition proves useful to you in keeping the built environment safe and accessible to every Texan.

- A new appreciation for accessible design
- Tips for accessible design
- Disciplinary Actions



INSIGHT FROM THE EXECUTIVE DIRECTOR

Julie Hildebrand
Executive Director

Not long ago I was talking with a member of TBAE's registration staff, who shared a conversation he just had with a registrant. The caller was an architect who is starting to get older and has begun to use a walker to help him get around. The architect's comment was that every design professional should, at some point, consider spending a day using a walker or a wheelchair to understand firsthand how the built environment affects mobility and access in everyday life.

This story hit home. In recent months I too have experienced mobility challenges after surgery and needing to wear an unwieldy cast. I'll be doing the same again soon, navigating the built environment in another clunky cast. I noticed features I took for granted: the slope of

a walkway, the type and placement of signage, of door handles, of bathroom fixtures. I could recognize and relate in a way I hadn't understood before.

The caller now using a walker had the same insight and understanding. Over the years we've heard much the same from many other Texas design professionals: a deeper appreciation of how thoughtful design translates into a usable, accessible built environment for everyone. As Executive Director of TBAE, I know Texas design professionals do a great job meeting and exceeding accessibility standards as they evolve. As a sometime (and future) beneficiary of such thoughtful design, I thank Texas design professionals like you for that.

CONTINUING EDUCATION

By Sharon BricenoContinuing Education Coordinator

Continuing Education and Accessible Design: Tips to Remember

By now, you surely know that each calendar year, one of the 12 hours of continuing education (CE) you are required to earn must be on a topic related to accessible design. Here are a few additional hints to help ensure you meet that requirement:

- The title and course description offer clues to show you that the course is about accessible design, whether or not the course is specifically designated as such by any accrediting organization. Common words or phrases of this type include:
 - Accessibility or accessible design
 - Universal design

- Barrier-free design
- Americans with Disabilities Act (ADA/ADAAG)
- ° Inclusive design
- You are allowed earn up to four hours of CE via self-study, and your accessible design hour can be one of them.
- You are welcome to earn your accessible design hour in a classroom, via self-study, or online.
- Reviewing accessible design-related regulations, such as the Texas Accessibility Standards, Accessibility Guidelines for Buildings and Facilities (ADAAG), or Fair Housing Accessibility Guidelines will always count for TBAE CE credit (self-study).



A New Appreciation for Accessible Design

It wasn't that long ago that I was as mobile as anyone I knew. Heck, I was the skateboard champ of San Antonio in 1965; I hopped barbed wire fences chasing car thieves in my law enforcement days; I endured the vigorous training at the FBI National Academy in '86; and I hiked the mountains around Taos, New Mexico a few years ago.

If we've met—and I've met a great many of the folks who are reading this newsletter—you probably have me pegged as an extrovert. I like to stroll around a conference of TBAE registrants looking for old friends. I've enjoyed driving to small towns to talk to a local professional society chapter. Working for hours in my garden to grow veggies to share with friends and coworkers has brought me great joy. Getting up on a stage to sing and play guitar at the drop of a hat is as natural to me as breathing. Been known to dance a bit, too.

But things have changed in the past few years. I've had two total knee replacements and three total hip replacements. (No, I don't have three hips; just had one redone after a few hip dislocations.) And the results? I've slowed down a lot. My physical therapist is trying to free me from what she calls my "Pirate Walk," and she is assisting me with my great struggle with stairs. Myself, I got a Roomba to eliminate some light work around the house, and have come to accept that skateboarding, water skiing, and dancing the Cotton Eyed Joe are most likely just pleasant memories.

So now I benefit greatly from a Persons with Disabilities Parking Placard from the Department of Motor Vehicles. You get one for six months post-surgery and with all the above, I've pretty much had one for a few years straight now. I begin reaping the post-surgery benefits each morning as I pull into the office parking

lot. There are five designated spots for persons with disabilities. Although being close is a plus, I look for the spot with the access aisle on the driver's side. Being able to open the door fully to exit or enter my car is Nirvana to me. I easily step out on to a flat and even surface. The space is sheltered, and well-lit in the early morning dark.

Next comes the walk to the entryway. Up a shallow incline, with handrails on either side and in easy reach. There's a flat and even landing about halfway up, and then the same shallow slope up to the door. Pulling the properly tensioned door handle is doable even when one of my hands is occupied (usually holding a taquito with cheese). The same is true of all the doors in my office building, even when the handles are of different designs. I don't rely on these design features heavily, by any stretch. But they're a welcome feature, nonetheless.

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A new appreciation for accessible design

...continued from page 3

I have of course noticed these things before, if mostly peripherally. The concrete ramp that's not too steep and its handy railings. The fact that opening doors isn't overly difficult. Having space to easily exit my vehicle. But I'll tell you something. I notice those things now in an entirely different light, and I appreciate and value them so much more.

Another thing I'll tell you: I understand, and I appreciate, that it is the very people reading this newsletter who make that happen. Who ensure that I can get to work and move around the office just like everyone else. It's not an abstraction anymore, not something I know about from working alongside design professionals and Registered Accessibility Specialists, and some familiarity with the Texas Accessibility Standards. No, not an abstraction now, but a concrete, physical manifestation. It's the built environment.

And it all began with design professionals like you, sitting down carefully with your design tools, your expertise and vision, and your close adherence to accessibility regulations. When you want a second opinion on an accessibility close call, you might ask a colleague or a specialist. When you get feedback from a building official or a RAS, you adjust your design accordingly. You become an even better design professional from the feedback you receive. And every Texan benefits from what you do. Me included.

My parking placard expires at the end of August. I have a vision that, by then, I'll be up to parking in tight spots again. But my appreciation for the efforts every Texas design professional makes in furtherance of designing accessible buildings and parking spaces—that has no expiration date. So, here is a big Texas-sized Thank You from this old cowboy. Steady as you go.



DISCIPLINARY ACTIONS

The following cases were decided during TBAE Board meetings in August 2022, November 2022 and February 2023. Each case is based on the applicable rule in effect at the time of the violation, and was considered by Enforcement staff and the Board in light of its unique facts.

In order to ensure compliance with continuing education (CE) responsibilities, TBAE staff selects a sample of its registrants to be audited. All continuing education enforcement cases stem from the random audit program. The most common violations include: (1) failing to complete adequate continuing education hours during a program year, (2) failing to maintain continuing education records and verification of participation in CE activities for a period of five years, (3) falsely certifying, at the time of renewal, compliance with continuing education responsibilities, and/or (4) failing to respond to a request for information within 30 days.

Registrant/Non-Registrant Cases

Cesare, Matthew

\$2,000

Non-Registrant

Dallas, TX

By issuing a Builder's Services and Architectural Design Deposit Agreement to a potential client and offering "architectural" services on a project, Respondent offered to engage in the practice of architecture, in violation of Tex. Occ. Code § 1051.701(a).

By preparing and issuing architectural drawings pursuant to an offer to provide architectural services, Respondent engaged in the unregistered practice of architecture in violation of Tex. Occ. Code § 1051,701(a).

By utilizing the term "architectural design" on websites to describe services provided by Respondent or his firm, Respondent violated Tex. Occ. Code § 1051.701(a) and 22 Tex. Admin. Code § 1.123.

Colvin, Michael Todd

\$3,000

Non-Registrant

Tyler, TX

By issuing a proposal for services to a potential client that included an offer to provide architectural drawings on the project, Respondent offered to practice architecture in violation of Tex. Occ. Code § 1051.701(a) and 22 Tex. Admin. Code § 1.123.

By identifying himself as an architect to clients and others in connection with providing services on a project, Respondent violated 22 Tex. Admin. Code § 1.123.

By issuing architectural plans pursuant to the offer to provide architectural services and while utilizing the title "architect," Respondent engaged in the unauthorized practice of architecture in violation of Tex. Occ. Code § 1051.701.

Dunn, Gary Michael

\$1,500

Architect

Katy, TX

By affixing his architectural seal to architectural plans that were not prepared under his supervision and control, Respondent violated Tex. Occ. Code § 1051.752(1) and 22 Tex. Admin. Code § 1.104(a).

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Estrada, Nathan

\$2,000

Non-Registrant

New Braunfels, TX

By issuing a Proposal to a potential client offering "architectural" services on a project, Respondent offered to engage in the practice architecture, in violation of Tex. Occ. Code § 1051.701(a).

By utilizing the term "Architectural Drafter" to describe himself on his LinkedIn profile, Respondent violated 22 Tex. Admin. Code § 1.123(c).

Forbes, Dave A.

\$11,000

Non-Registrant

Houston, TX

By entering into a professional services agreement on behalf of the DAF Group, LLC with a potential client to provide architectural services, Respondent offered to practice architecture in violation of Tex. Occ. Code § 1051.701.

By issuing architectural plans and specifications for a project while working under a professional services agreement to provide "architectural services," Respondent engaged in the unregistered practice of architecture in violation of Tex. Occ. Code § 1051.701.

By utilizing the term "architectural design" on a website and Facebook page to describe his firm and the services he provides, Respondent violated 22 Tex. Admin. Code § 1,123.

Fry, Lucas Stewart

\$5,000

Non-Registrant

Houston, TX

By preparing and issuing architectural plans and specifications for a three-story multi-family dwelling, Respondent engaged in the unauthorized practice of architecture in violation of Tex. Occ. Code \$\$ 1051.606((a)(4)(C), 1051.701, 1051.752(1) and 1051.801.

By utilizing the term "architectural" to describe services offered his firm, and the term "architect" to describe himself, in advertisements on the firm's website and other online platforms, Respondent violated 22. Tex. Admin. Code § 1.123(c).

Hooker, Jerry Wayne

\$3,000

Landscape Architect

Houston, TX

By utilizing an advertisement that identified Respondent as an architect, Respondent violated Tex. Occ. Code § 1051.701(a) and 22 Tex. Admin. Code § 1.123(c).

Loggins, James

\$5,000

Non-Registrant

Spring, TX

By issuing architectural plans and specifications for a project under a purported business title that utilized the word "Architect" and by sealing the plans with a registrant's Texas architectural seal without that registrant's permission, Respondent engaged in the unregistered practice of architecture and the unauthorized use of a seal in violation of Tex. Occ. Code § 1051,702 and 22 Tex. Admin. Code § 1.104(c)(2).

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Maltby, Randell L.

\$3,000

Non-Registrant

Kingsville, TX

By issuing architectural plans for a publicly-owned building to be used for education, assembly, or office occupancy with construction costs exceeding \$100,000, Respondent engaged in the unregistered practice of architecture in violation of Tex. Occ. Code §§ 1051.701(a) and 1051.703(a)(2).

Oppelt, Thomas Hubert

\$4.000

Architect

Hondo, TX

By affixing his architectural seal to architectural plans that were not produced under his supervision and control, Respondent violated Tex. Occ. Code § 1051.752(1) and 22 Tex. Admin. Code § 1.104(a).

Senkowski, Jorge Ostap

\$1.000

Non-Registrant

The Woodlands, TX

By issuing a Professional Services Agreement to a potential client using the regulated title "architect" and offering "architectural design" on the project, Respondent violated Tex. Occ. Code § 1051.701(a) and 22 Tex. Admin. Code § 1.123(a).

Woods, Warren

\$13,000

RID (Revoked)

Houston, TX

By failing to deliver products and/or services due to client under a contract for interior design services which had been paid for by the client, or in the alternative, failing to return the payment to client due to an inability to provide the required services, Respondent engaged in dishonesty in the practice of interior design, in violation of Tex. Occ. Code § 1053.252(1),(4)&(11) and 22 Tex. Admin. Code § 5.154(a)(1).

By failing to respond to two Board inquiries within thirty (30) days, Respondent violated 22 Tex. Admin. Code § 5.181. In addition to the \$13,000 administrative penalty, the Respondent's RID registration was revoked and the Respondent was ordered to pay \$23,734.82 in restitution to the client.

Continuing Education Cases

Acosta, Olga Lidia

\$500

RID

Dallas, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 5.79.

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Alford, Cassie Deanne

\$500

RID

San Antonio, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 5.79.

Andrews, Donald Allen, Jr.

\$700

Architect

Tempe, AZ

By failing to maintain a detailed record of continuing education activities for the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

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Bockhorn, Bruce Frederick

\$500

Architect

Carmine, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

Boggess, Carolina Leonor

\$1,20

RID

San Antonio, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 5.79.

Borden, Brooke Taylor

\$1,200

Architect

Houston, TX

By failing to maintain a detailed record of continuing education activities for the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

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Cochran, John R.

\$2,000

RID

Austin, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 5.79.

This is Respondent's second disciplinary action for failing to comply with continuing education requirements.

Crochet, Terrell Anthony

\$1,200

Architect

New Iberia, LA

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

Respondent falsely certified compliance with continuing education requirements in violation of 22 Tex. Admin. Code § 1.69.

Curry, Clark W.

\$1,700

Landscape Architect

Houston, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 3.69.

Respondent falsely certified compliance with continuing education requirements in violation of 22 Tex. Admin. Code § 3.69.

Cutshall, Brent

\$700

Architect

Austin, TX

By failing to maintain a detailed record of continuing education activities for the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

De Leon, Rodolfo

\$600

RID

San Antonio, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 5.79.

DeVoss, Thomas Arlen

\$1,050

Architect

Los Angeles, CA

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

Respondent falsely certified compliance with continuing education requirements in violation of 22 Tex. Admin. Code § 1.69.

Dovolis, Dean James

\$800

Architect

Minneapolis, MN

By failing to maintain a detailed record of continuing education activities for the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

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Duffin. Devon James

\$1,700

Architect

San Antonio, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

Respondent falsely certified compliance with continuing education requirements in violation of 22 Tex. Admin. Code § 1.69.

Eckols. Donald E.

\$2.000

Architect

Austin, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

Respondent falsely certified compliance with continuing education requirements in violation of 22 Tex. Admin. Code § 1.69.

This is Respondent's second disciplinary action for failing to comply with continuing education requirements.

Glisson. Robert

\$900

Architect

Tampa, FL

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

Hanson, Amy Ann

\$1,30

RID

Fort Worth, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 5.79.

Respondent falsely certified compliance with continuing education requirements in violation of 22 Tex. Admin. Code § 5.79.

Hernandez. Oscar

\$200

Architect

Farmers Branch, TX

By failing to maintain a detailed record of continuing education activities for the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

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Horan, Megan Rose

\$400

RID

Dallas, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 5.79.

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Jackson, Scott D.

\$800

Architect

Anthem, AZ

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69

Kelley, Nina Kathryn

\$1.200

RID

Buda, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 5.79.

King, Stanley Ray

\$800

Architect

Austin, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

Kinkaid, Chris

\$1,300

Landscape Architect

University Park, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 3.69.

Respondent falsely certified compliance with continuing education requirements in violation of 22 Tex. Admin. Code § 3.69.

Koehne, Douglas Ray

\$300

Architect

Plano, TX

By failing to maintain a detailed record of continuing education activities for the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

Lim, G. Yim Lei

\$600

Architect

San Francisco, CA

By failing to timely complete continuing education obligations for the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

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Lund, Christopher Robins

\$1,000

Architect

Salt Lake City, UT

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

Respondent falsely certified compliance with continuing education requirements in violation of 22 Tex. Admin. Code § 1.69.

Michels, Christine Petru

\$1,200

RID

Houston, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 5.79.

Nguyen, Tien Thu, Sr.

\$1,300

Architect

Houston, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

Respondent falsely certified compliance with continuing education requirements in violation of 22 Tex. Admin. Code § 1.69.

Perez, Julio Gabriel

\$300

Architect

Mesguite, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

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Porterfield, Jack M., Jr.

\$1,200

Architect

Houston, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

Redmond, Steven Michael

\$600

Architect

Houston, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

Sander, Erin Lindsay

\$2,000

RID Dallas, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 5.79.

This is Respondent's second disciplinary action for failing to comply with continuing education requirements.

Seidler, Morgan Allison

\$700

RID

Dallas, TX

By failing to maintain a detailed record of continuing education activities for the audit period, Respondent violated 22 Tex. Admin. Code § 5.79.

Smidt, Elizabeth A.

\$900

Landscape Architect

McKinney, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 3.69.

Respondent falsely certified compliance with continuing education requirements in violation of 22 Tex. Admin. Code § 3.69.

Snyder, Wayne C.

\$1,700

Architect

Los Angeles, CA

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

Respondent falsely certified compliance with continuing education requirements in violation of 22 Tex. Admin. Code § 1.69.

Suttles. Paul G.

\$800

Architect

Austin, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

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Taphorn, Austin Patrick

\$700

Landscape Architect

Houston, TX

By failing to maintain a detailed record of continuing education activities for the audit period, Respondent violated 22 Tex. Admin. Code § 3.69.

Weitzman, Maria Carolina

\$1,250

Architect

Houston, TX

By failing to timely complete continuing education obligations during the audit period, Respondent violated 22 Tex. Admin. Code § 1.69.

Respondent falsely certified compliance with continuing education requirements in violation of 22 Tex. Admin. Code § 1.69.

Change of Address

Please make sure that we have your current mailing and email address so we may send your renewal notice to you in a timely fashion. You may update your own record by logging in to your online account on our Web site, www.tbae.texas.gov. You can also mail or fax 512.305.8900 the address change along with your signature. We will send renewal reminders to registrants at the e-mail address on file with TBAE, so be sure to keep your valid and unique email address updated.

Upcoming Board Meetings

• Tuesday, November 14, 2023

Executive Director

Julie Hildebrand

Board Members

Debra Dockery, FAIA

Chair, Architect Member; Term ends 1/31/23

Tim A. Bargainer, PLA, ASLA, CLARB

Vice-Chαir, Landscape Architect Member, Term ends 1/31/25

Darren La Marr James, FAIA

Secretary-Treasurer, Architect Member, Term ends 1/31/25

Jennifer Walker, AIA - Architect Member; Term ends 1/31/27

Rosa G. Salazar, RID - Registered Interior Designer Member;

Term ends 1/31/23

Joyce Smith - Public Member; Term ends 1/31/23

Fernando Trevino - Public Member; Term ends 1/31/25

Vacant - Architect Member

Vacant - Public Member

The mission of the Texas Board of Architectural Examiners (TBAE) is to serve the State of Texas by protecting and preserving the health, safety, and welfare of the Texans who live, work, and play in the built environment through the regulation of the practice of architecture, landscape architecture, and interior design.

www.tbae.texas.gov



ATTESTATION OF SELF-DIRECTED CREDIT HOURS EARNED

TBAE newsletter, Licensing News

I certify that I read the	_[Month/Season, Year as found on page one] issue of TBAE's <i>Licensing News</i> for
one (1) hour CEPH credit on	[date].
This continuing education hour	will count for self-directed Health/Safety/Welfare study for the calendar
year in which it was earned. I un	derstand that up to four continuing education hours of the required 12 per
calendar year may be earned via	a self-study.

Please keep this Certificate for your records, and submit it if you receive an audit letter from TBAE, along with all additional certificates for the specified calendar year.

An organization other than the Texas Board of Architectural Examiners may or may not accept this coupon for that particular organization's continuing education requirements.



Your name

Date