

TEXAS BOARD OF ARCHITECTURAL EXAMINERS

Board Meeting Agenda
The Centennial Towers
TBAE/TSBPA Board Room, Suite 370
505 E. Huntland Drive, Austin, Texas
Thursday, February 23, 2023
10:00 a.m. – Conclusion

1. **Preliminary Matters**
 - A. Call to order Debra Dockery
 - B. Roll call Darren James
 - C. Excused and unexcused absences Debra Dockery
 - D. Determination of a quorum
 - E. Recognition of guests
 - F. Chair's opening remarks
 - G. Public comments

2. **Approval of November 17, 2022 Board Meeting Minutes (Action)** Debra Dockery

3. **Executive Director Performance Review Committee Update (Information)** Joyce Smith

4. **Executive Director Report (Information)** Julie Hildebrand
 - A. Summary of Executive Accomplishments
 - B. Operating Budget/Scholarship Fund: Presentation on 1st Quarter FY 2023 Expenditures/Revenues
 - C. Legislative Update - Legislative and Rules Committee Updates

5. **Enforcement Cases (Action)** Lance Brenton
Review and possibly adopt ED's recommendation in the following enforcement cases:
 - A. **Registrant/Non-Registrant Cases:**

Case No. 048-20N	Fry, Lucas Stewart	Non-Registrant
Case No. 072-22N	Maltby, Randell L.	Non-Registrant
 - B. **Continuing Education Cases:**

Case No. 017-23I	Acosta, Olga Lidia	RID #10171
Case No. 090-22I	Alford, Cassie Deanne	RID #11595
Case No. 012-23A	Andrews, Jr. Donald Allen	Arch. #24304
Case No. 024-23A	Bockhorn, Bruce Frederick	Arch. #9292
Case No. 001-23I	Cochran, John R.	RID #689
Case No. 025-23A	Dovolis, Dean James	Arch. #14979
Case No. 062-23A	Duffin, Devon James	Arch. #28865
Case No. 060-23A	Eckols, Donald E.	Arch. #13288
Case No. 097-23A	Hernandez, Oscar	Arch. #26177
Case No. 222-22I	Michels, Christine Petru	RID #11172
Case No. 084-23L	Smidt, Elizabeth A.	L.A. #2184

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

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505 E. Huntland Drive, Austin, Texas
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| 6. | Reports on National Regulatory Boards and Board Member and Staff Committee Service <i>(Information)</i>
NCARB Rolling Clock Policy Update | Debra Dockery |
| 7. | Report on Upcoming Conferences and Meetings <i>(Information)</i>
A. NCARB Regional Summit – March 3
B. ASLA Texas Conference – April 25
C. NCARB Annual Business Meeting – June 15 | Debra Dockery |
| 8. | Board Member Comments/Future Agenda Items <i>(Information)</i> | Debra Dockery |
| 9. | Upcoming Board Meetings <i>(Information)</i>
Monday, June 5, 2023
Thursday, August 24, 2023
Tuesday, November 14, 2022 | Debra Dockery |
| 10. | Adjournment | Debra Dockery |

NOTE: *Items may not necessarily be considered in the order they appear on the agenda.*

- ◆ *The Chair of the Board will be present and preside over the meeting from the location identified in this agenda. The open portions of the meeting will be open to the public at that location. Note that some Board members may attend the meeting by videoconference call.*
- ◆ *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) workdays 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)
CIDQ	Council for Interior Design Qualification
CLARB	Council of Landscape Architectural Registration Boards
GAA	General Appropriations Act
GRF	General Revenue Fund
IDCEC	International Design Continuing Education Council
IDEC	Interior Design Educators Council
IIDA	International Interior Design Association
LARE	Landscape Architect Registration Examination
MBA	Member Board Administrator (within NCARB)
NAAB	National Architectural Accrediting Board
NCARB	National Council of Architectural Registration Boards
NCEES	National Council of Examiners for Engineering and Surveying
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
TBPELS	Texas Board of Professional Engineers and Land Surveyors
TxA	Texas Society of Architects
TSPE	Texas Society of Professional Engineers

TEXAS BOARD OF ARCHITECTURAL EXAMINERS
Minutes of November 17, 2022 Board Meeting
Centennial Building, 505 E. Huntland Dr., Ste. 350
Austin, TX 78752
10:00 a.m. until completion of business

AGENDA ITEMS	DESCRIPTIONS																
1A. Call to Order	Ms. Dockery called the meeting to order at 10:00 a.m.																
1B. Roll Call	<p>Mr. James called the roll.</p> <p><u>Present Board Members</u></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Debra Dockery</td> <td style="width: 50%;">Chair, Architect</td> </tr> <tr> <td>Tim Bargainer</td> <td>Vice-Chair, Landscape Architect</td> </tr> <tr> <td>Darren James</td> <td>Secretary/Treasurer, Architect</td> </tr> <tr> <td>Robert (Bob) Wetmore</td> <td>Architect</td> </tr> <tr> <td>Jennifer Walker</td> <td>Architect</td> </tr> <tr> <td>Joyce Smith</td> <td>Public Member</td> </tr> <tr> <td>Fernando Trevino</td> <td>Public Member</td> </tr> <tr> <td>Lauren Taylor</td> <td>Public Member</td> </tr> </table> <p>Rosa Salazar was not present at the time roll was called.</p>	Debra Dockery	Chair, Architect	Tim Bargainer	Vice-Chair, Landscape Architect	Darren James	Secretary/Treasurer, Architect	Robert (Bob) Wetmore	Architect	Jennifer Walker	Architect	Joyce Smith	Public Member	Fernando Trevino	Public Member	Lauren Taylor	Public Member
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Fernando Trevino	Public Member																
Lauren Taylor	Public Member																
1C. Excused and Unexcused Absences	Ms. Dockery stated that she expected Ms. Salazar to join the meeting, so she did not call for a vote regarding the absence.																
1D. Determination of a Quorum	A quorum was present.																
1E. Recognition of Guests	Ms. Dockery acknowledged the following members of TBAE staff in attendance: Julie Hildebrand, Executive Director; Lance Brenton, General Counsel; Dale Dornfeld, IT Manager; Jessica Ramirez, Legal Assistant; Pim Mayo, Assistant General Counsel; and Glenn Garry, Communications.																
1F. Chair’s Opening Remarks	Ms. Dockery began the meeting by sharing her experience participating in the convocation ceremony for new architects at the Texas Association of Architects Annual Meeting. She described her appreciation of the annual ceremony and said this year was especially meaningful because one of her staff members was recently licensed and participated in the ceremony. Ms. Dockery shared the story of another participant in the ceremony, who overcame obstacles to become registered more than 20 years after receiving his architectural degree. Ms. Dockery said this story was																

	<p>inspirational to her because she recently began mentoring a group of individuals who are 20-30 years out from their own graduations and are hoping to become registered. She said many in this group were not employed in traditional architectural roles, ranging from academics and manufacturing to homebuilding. But they have come to realize the value of being able to represent themselves as licensed professionals, and she looks forward to helping them through the rightfully rigorous process to becoming registered, including passing the examination.</p> <p>Ms. Dockery also addressed her recent experience at a meeting of the advisory council of the Texas A&M School of Architecture. At that meeting, A&M provided information about its new five-year Bachelor of Architecture degree, which would be in addition to the four-plus-two-year Master of Architecture degree. She said this is meant to provide an additional, shorter pathway to registration. Ms. Dockery stated that A&M is the only school of architecture in Texas that offers an NCARB IPAL program, which stands for Integrated Path to Architectural Licensing. Ms. Dockery said demand for this program has far surpassed initial expectations, with 50 individuals currently participating.</p> <p>Whether it is a renewed effort to become registered after 20 years, or the selection of an expedited path toward registration by a current student, these experiences highlight for Ms. Dockery the sense of importance for these individuals to become licensed.</p> <p>Ms. Dockery welcomed Ms. Salazar, who joined the meeting during Ms. Dockery’s opening remarks.</p>
<p>1G. Public Comments</p>	<p>None.</p>
<p>2. Approval of August 25, 2022 Board Meeting Minutes</p>	<p>A MOTION WAS MADE AND SECONDED (Smith/Walker) TO APPROVE THE AUGUST 25, 2022, BOARD MEETING MINUTES.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p>
<p>3. Executive Director’s Report A. Summary of Executive Accomplishments</p>	<p>Ms. Dockery invited Ms. Hildebrand to deliver the Executive Director’s report.</p> <p>Ms. Hildebrand discussed recent staff accomplishments as described on page 14 of the board materials and referred the Board to those materials as a supplement to her verbal presentation. In particular, she addressed the recent hiring of a second attorney, Pim Mayo. She asked Mr. Brenton to introduce Ms. Mayo.</p> <p>Mr. Brenton discussed the circumstances that led to the decision to hire a new attorney, including an increased caseload from the enforcement team, as well as the departure of a highly experienced legal assistant in August.</p>

<p>B. Operating Budget/Scholarship Fund: Presentation on 4th Quarter Fiscal Year 2022 Expenditures/Revenue</p>	<p>Mr. Brenton introduced Ms. Mayo and provided a description of her legal experience and training. He said she had done great work so far and that the legal department was in a very strong place with its recent hires. He highlighted recent successes the department had in closing older cases and expressed his excitement for the future.</p> <p>Ms. Hildebrand directed the Board to the report on agency trends beginning on page 16 of the Board materials and provided a summary of that information.</p> <p>Ms. Hildebrand referred the Board to the FY 2022 budget on page 18 of the Board materials and provided a final report of the budget numbers for 2022.</p> <p>Ms. Smith asked for an update regarding the FY2023 budget so far.</p> <p>Ms. Hildebrand stated that, two months in, the agency had taken in approximately \$5,000 less in revenue as compared to the same time in FY2022.</p> <p>The Board engaged in general discussion about the possibility of a recession and how that might impact registration numbers (particularly nonresidents) and Board revenues.</p>
<p>C. Discussion Regarding ARE Grant Program</p>	<p>Ms. Hildebrand referred the Board to page 19 of the packet and addressed the scholarship fund balance. In following up on previous Board requests to increase participation in the scholarship fund, she said staff had sent a direct email to all applicants who had passed an exam in the past 6 months, notifying them of the scholarship and encouraging them to apply. Additionally, the agency was utilizing new signage at booths advertising the ARE Grant, in addition to publishing articles in the TBAE newsletter. As a result, the agency had made 39 grants so far in FY 2023.</p> <p>Mr. Bargainer asked how that number compared to the previous year.</p> <p>Ms. Hildebrand stated that the agency had only made 28 grants during the entirety of FY2022, so she was very happy with the progress and highlighted the email outreach as having a large impact.</p>
<p>D. Report on the Annual Financial Report (AFR)</p>	<p>Ms. Hildebrand directed the Board to the Annual Financial Report beginning on page 20 of the Board materials and provided a summary of the report, as well as the process in preparing the report.</p> <p>Ms. Hildebrand described GASB accounting standards and their impact on how the lease was recorded within the AFR. Ms. Smith provided supplemental information on how those standards are applied.</p>

	<p>Overall, Ms. Hildebrand said it was a successful exercise and thanked the finance department for their efforts.</p>
<p>4. Discussion Regarding the Fund Balance Policy</p>	<p>Ms. Hildebrand directed the Board to the revised agency policy regarding the Reserve Fund Balance beginning on page 37 of the Board materials. Ms. Hildebrand described the revision to the policy, which requires the executive director to offer recommendations for sustainable fee reductions if the fund balance exceeds 12 months of operational needs. Ms. Hildebrand noted that this change was motivated in part by a recent audit of the Texas Real Estate Commission, which resulted in similar changes to the TREC policy on reserve funds.</p> <p>Ms. Hildebrand noted that the agency was currently at an 11-month balance. While the FY2023 budget included an expected draw on the fund balance, she said staff would be considering potential options if revenue reductions became necessary.</p>
<p>5. Trend Analysis</p>	<p>Mr. Garry directed the Board to the Annual Report on Trends beginning on page 39 of the Board materials, provided a summary of observable trends in agency operations, and responded to Board questions regarding the data.</p> <p>In response to the growth in emeritus registrations across professions, Mr. James inquired about agency data regarding the age of professionals.</p> <p>Ms. Hildebrand provided a comparison between 2016 and 2022 for the percentage of registrants over age 65. For architects, that number has increased from 25% to 32%; for RIDs, an increase from 25% to 29%; and for landscape architects, an increase from 12% to 21%.</p> <p>Ms. Dockery supplemented Mr. Garry’s presentation by discussing a recent report from NCARB. This report addressed registration data by factors such as ethnicity, gender, and residency. She noted that, when NCARB began tracking in-state vs reciprocal registrations in 2012, the ratio was 70% in-state vs 30% out-of-state. Now, that trend has moved heavily toward a higher percentage of out-of-state registrants, which she credited to lower registration fees and the amount of available work.</p> <p>Ms. Dockery also addressed gender and ethnic diversity in the profession and shared that she would have thought the profession was doing better than what the data is showing. She also highlighted the lower-than-average ARE pass rate in Texas, but noted a trend toward closing that gap, which is a positive development.</p> <p>Ms. Hildebrand offered to update the Board more regularly on demographic trends.</p>

	<p>Ms. Dockery said that would be helpful, especially for RIDs and landscape architects to supplement the information that is received from NCARB.</p> <p>Ms. Hildebrand noted that age was an easy factor to track because birthdates are required for registration, whereas data was less available for gender and ethnicity due to voluntary reporting of those factors by registrants. Ms. Hildebrand reported that 6% of registrants don't report gender information and 28% don't report information for race or ethnicity.</p> <p>Mr. Bargainer asked how NCARB got its data on these factors.</p> <p>Ms. Hildebrand acknowledged the limitations on this information coming from NCARB, in that such data only applies to certificate holders, not all licensees, and such data collection is also on a voluntary basis.</p>
<p>6. Board Member Learning and Envisioning "Website"</p>	<p>Mr. Garry reported on the recent effort to update the Board's website. He noted that, while the old website was functional, the agency often received requests to update the website in response to public surveys. With that in mind, Mr. Garry identified a few notable improvements, including more widespread accessibility for staff members to make updates to the website and increased readability and modernization for users.</p> <p>Ms. Taylor commented that she had an urgent matter she needed to attend to and left the meeting.</p> <p>Board members expressed their appreciation for the changes to the website.</p> <p>The Board took a break at 11:07 and reconvened at 11:20.</p>
<p>7. Enforcement Cases Review and possibly adopt ED's recommendation in the following cases</p> <p>7A. Registrant/Non-Registrant Cases</p>	<p>Ms. Dockery noted that she would recuse herself from two cases, Case Nos. 063-20A and 027-22A and passed the gavel to Mr. Bargainer.</p> <p>Mr. Bargainer asked Mr. Brenton to present the enforcement cases for Board consideration.</p> <p>Case No. 063-20A Dunn, Gary Michael Arch. #21740</p> <p>Mr. Brenton directed the Board to the written materials for the case beginning on page 59 and provided a summary of the case as well as staff's recommendation.</p> <p>A MOTION WAS MADE AND SECONDED (James/Wetmore) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$1,500 AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED AUGUST 24, 2022.</p>

Ms. Dockery abstained.

THE MOTION PASSED UNANIMOUSLY.

Case No. 027-22A Oppelt, Thomas Hubert Arch. #17442

Mr. Brenton directed the Board to the written materials for the case beginning on page 64 and provided a summary of the case as well as staff's recommendation.

A MOTION WAS MADE AND SECONDED (Trevino/Smith) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$4,000 AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED AUGUST 23, 2022.

Mr. Trevino noted the similarity between the violations in this case and the previous case against Mr. Dunn and asked Mr. Brenton to explain the difference in recommended penalties. Mr. Brenton noted that Mr. Dunn provided significant mitigating evidence in the previous matter demonstrating more substantial review and modification of the preexisting plans, thereby mitigating some risk to the public health, safety, and welfare.

Ms. Dockery abstained.

THE MOTION PASSED UNANIMOUSLY.

Case No. 148-20N Cesare, Matthew Non-Registrant

Mr. Brenton directed the Board to the written materials for the case beginning on page 48 and provided a summary of the case as well as staff's recommendation.

A MOTION WAS MADE AND SECONDED (Bargainer/Walker) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$2,000 AND WHICH ORDERS THE RESPONDENT TO CEASE AND DESIST ANY AND ALL VIOLATIONS OF OCCUPATIONS CODE CHAPTER 1051 AND BOARD RULES, AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED SEPTEMBER 30, 2020.

THE MOTION PASSED UNANIMOUSLY.

Case No. 118-22N Colvin, Michael Todd Non-Registrant

Mr. Brenton directed the Board to the written materials for the case beginning on page 50 and provided a summary of the case as well as staff's recommendation.

A MOTION WAS MADE AND SECONDED (Walker/Wetmore) TO ADOPT THE ATTACHED ORDER, INCLUDING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW, AND WHICH IMPOSES AN ADMINISTRATIVE PENALTY OF \$3,000 AND ORDERS THE RESPONDENT TO CEASE AND DESIST ANY AND ALL VIOLATIONS OF TEXAS OCCUPATIONS CODE CHAPTER 1051 AND BOARD RULES.

THE MOTION PASSED UNANIMOUSLY.

Mr. Wetmore asked how this matter came to the agency's attention.

Mr. Brenton responded that the case was the subject of a complaint to the agency.

Case No. 364-19N Estrada, Nathan Non-Registrant

Mr. Brenton directed the Board to the written materials for the case beginning on page 61 and provided a summary of the case as well as staff's recommendation.

A MOTION WAS MADE AND SECONDED (James/Bargainer) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$2,000 AND WHICH ORDERS THE RESPONDENT TO CEASE AND DESIST ANY AND ALL VIOLATIONS OF OCCUPATIONS CODE CHAPTER 1051 AND BOARD RULES, AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED SEPTEMBER 30, 2020.

THE MOTION PASSED UNANIMOUSLY.

Case No. 224-19N Forbes, Dave A. Non-Registrant

Mr. Brenton directed the Board to the written materials for the case beginning on page 62 and provided a summary of the case as well as staff's recommendation.

A MOTION WAS MADE AND SECONDED (Bargainer/Smith) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$11,000 AND WHICH ORDERS THE RESPONDENT TO CEASE AND DESIST ANY AND ALL VIOLATIONS OF OCCUPATIONS CODE CHAPTER 1051 AND BOARD RULES, AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED OCTOBER 4, 2019.

Ms. Smith asked how this matter came to the Board's attention.

Mr. Brenton responded that the Board received a complaint in this matter.

Mr. James asked for more information in support of the recommend penalty.

Mr. Brenton responded that, in this case, the Board had a particularly strong case, in that there was a clear use of the title in connection with the offer to practice, an issuance of a full set of plans, and a previous, unanswered inquiry by the Board to the Respondent to eliminate an online title violation prior to receipt of the complaint. In light of those factors, staff recommended a higher penalty.

THE MOTION PASSED UNANIMOUSLY.

Case No. 119-20N Senkowski, Jorge Ostap Non-Registrant

Mr. Brenton directed the Board to the written materials for the case beginning on page 65 and provided a summary of the case as well as staff's recommendation.

A MOTION WAS MADE AND SECONDED (Walker/James) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$1,000 AND WHICH ORDERS THE RESPONDENT TO CEASE AND DESIST ANY AND ALL VIOLATIONS OF OCCUPATIONS CODE CHAPTER 1051 AND BOARD RULES, AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED AUGUST 12, 2020.

THE MOTION PASSED UNANIMOUSLY.

Case No. 098-19I Woods, Warren RID #9653

SOAH Docket No.

459-22-09379

Mr. Brenton directed the Board to the written materials for the case beginning on page 66 and provided a summary of the case as well as staff's recommendation.

A MOTION WAS MADE AND SECONDED (Bargainer/Smith) TO ENTER THE ATTACHED ORDER OF THE BOARD, WHICH INCORPORATES THE STAFF'S NOTICE OF HEARING, FORMAL CHARGES AND ORDER NO. 2 OF DEFAULT DISMISSAL ISSUED BY ALJ STEVE RIVAS ON SEPTEMBER 27, 2022, IMPOSES AN ADMINISTRATIVE PENALTY IN THE SUM OF \$13,000, REQUIRES THE RESPONDENT TO PAY RESTITUTION TO THE COMPLAINANT IN THE AMOUNT OF \$23,734.82 AND REVOKES THE RESPONDENT'S REGISTRATION.

Ms. Smith noted this was a rare case in which restitution would be ordered and asked for more information about that procedure.

Mr. Brenton said the Board was authorized to order the payment of restitution against a registrant under Tex. Occ. Code § 1051.505. He acknowledged that it was rare for staff to recommend the imposition of restitution but said the argument in favor of its use in this case was particularly strong due to the Respondent's total failure to deliver certain services under his contract.

Mr. Bargainer asked about the overall size of the contract in comparison to the restitution amount.

Mr. Brenton said the contract was over twice the amount of the recommended restitution. He said the project proceeded in stages, and that the Respondent failed to deliver on a later stage after initially complying with the contract.

Ms. Walker asked Mr. Brenton to provide more detail regarding the Respondent's registration status.

Mr. Brenton stated that the Respondent's registration was active at the time services were offered and provided, but that the registration expired and eventually became cancelled during the pendency of this case.

Mr. James asked the difference between a cancelled registration and a revoked registration.

Mr. Brenton stated that the Board's rule §5.188 requires a person whose registration has been revoked to meet a higher standard to become registered again. For that reason, staff is recommended the registration be revoked.

Mr. Bargainer asked how long the agency had had the case.

Mr. Brenton said the complaint was received in 2018. He noted that Mr. Woods did not respond, which usually results in a longer case resolution time.

Ms. Salazar noted that, because the Respondent was registered as an interior designer, the complainant had recourse to file a complaint, whereas if Respondent was not a registrant, there would have been no recourse with TBAE because Texas does not have an interior designer practice act.

THE MOTION PASSED UNANIMOUSLY.

<p>7B. Continuing Education Cases:</p>	<p>Mr. Brenton directed the Board to written materials for the continuing education cases beginning on page 79, which contained summaries of the cases as well as staff's recommendations.</p> <p>Ms. Dockery stated that, unless any Board members needed to recuse themselves from any case, she would entertain a motion to accept staff's recommendations for all the continuing education cases. There were no recusals.</p> <p>A MOTION WAS MADE AND SECONDED (Bargainer/James) TO ACCEPT STAFF'S RECOMMENDATION FOR DISCIPLINE IN THE FOLLOWING CONTINUING EDUCATION CASES:</p> <p>Case No. 019-23A Crochet, Terrell Anthony Arch. #14560 Case No. 205-22L Curry, Clark W. L. Arch. #996 Case No. 208-22A Glisson, Robert Arch. #27567 Case No. 219-22I Hanson, Amy Ann RID #4138 Case No. 217-22A King, Stanley Ray Arch. #7021 Case No. 007-23A Koehne, Douglas Ray Arch. #14945 Case No. 198-22A Lim, G. Yim Lei Arch. #7563 Case No. 003-23A Lund, Christopher Robin Arch. #24375 Case No. 015-23A Nguyen, Tien Thu Sr. Arch. #11644 Case No. 215-22A Porterfield, Jack M. Jr. Arch. #11662 Case No. 197-22A Redmond, Steven Michael Arch. #17896 Case No. 199-22I Sander, Erin Lindsay RID #10788 Case No. 006-23I Seidler, Morgan Allison RID #11067 Case No. 005-23L Taphorn, Austin Patrick L. Arch #3350</p> <p>THE MOTION PASSED UNANIMOUSLY.</p>
<p>8.Report on Conferences and Meetings</p> <p>A. CLARB Annual Meeting – Sep 21-23</p>	<p>Ms. Dockery invited the Board members to report on conferences and meetings.</p> <p>Mr. Bargainer said he attended the CLARB Annual Meeting. He said it was an amazing experience, with discussions focusing on diversity in the profession, building the licensure pipeline, examinations, and regulatory issues. He said his favorite discussion occurred in the Board member breakout session, which focused on how Boards could be more strategic and effective. He noted that the Sunset process was upcoming and he invited the Board to consider how to be more strategic as it approaches that process.</p> <p>Ms. Hildebrand shared information with the Board about the Sunset process and suggested she could bring future agenda items to the Board regarding the challenges and opportunities facing the Board to encourage the type of strategic thinking that Mr. Bargainer was promoting.</p>

<p>B. NCARB MB Chairs & Executives Leadership Summit – Oct 14-15</p> <p>C. TxA Annual Conference & Expo – Oct 26-28</p> <p>D. CIDQ Annual Delegates Meeting – Nov 11-12</p>	<p>The Board expressed agreement with this plan.</p> <p>Mr. Wetmore noted that the Board had engaged in similar discussions in the past but had often run up against the outer boundaries of its statutory mandate as those conversations progressed.</p> <p>Mr. Bargainer said it would be helpful to understand the limits of the Board’s authority within the context of those conversations.</p> <p>Ms. Hildebrand noted the Sunset consideration of challenges and opportunities is a very broad process and would be an appropriate setting for these conversations.</p> <p>Ms. Dockery stated she and Ms. Hildebrand attended the NCARB Member Board Chairs and Executive Leadership meeting, and she said it was one of the best summits she had ever attended. She shared NCARB’s update on the analysis of practice survey, outreach to licensing advisers, and legislative updates from around the country. The main topic of the meeting was the discussion surrounding proposed changes to NCARB governance, which would modify the path toward NCARB leadership and the NCARB regional system. She said these changes would be submitted as an NCARB resolution and addressed by TBAE at a future Board meeting.</p> <p>Mr. James attended the TxA Annual Meeting. He spoke on two panels – one on Diverse Pathways to Fellowship and another on Involvement with Underserved Communities in which he discussed his work on Fair Park in Dallas. He said it was a very nice event and worth the trip out to El Paso.</p> <p>Ms. Hildebrand also attended the TxA Annual Meeting. She shared her experience participating in the workshop for emerging professionals, which she found to be energizing and exciting, with the participants focused on how they could positively impact the future.</p> <p>Ms. Hildebrand attended the CIDQ Annual Meeting. She said this meeting is often practice-related, but that this year had additional focus on regulatory matters. She addressed the CIDQ plan to modify the experience requirements for certification. Under this plan, candidates would be required to accumulate experience within certain categories, which is intended to ensure diversification of experience. She said TBAE could expect to receive more information on this topic in the spring.</p>
<p>9. Report on Upcoming Conferences and Meetings (Information)</p>	<p>Ms. Dockery notified the Board of upcoming meetings.</p>

<p>A. NCARB Regional Meeting – Mar 3-4</p> <p>B. Texas ASLA – Apr 25-27</p> <p>C. NCARB Annual Business Meeting – Jun 15-17</p>	
<p>10. Board Member Comments/Future Agenda Items</p>	<p>Ms. Dockery noted the previous determination to add an agenda item for strategic planning within the context of the Sunset process. She asked if the Board members had any additional comments or suggestions on future agenda items. No suggestions were received.</p>
<p>11. Upcoming Board Meetings</p>	<p>Ms. Dockery announced the dates for the upcoming meetings as:</p> <p>Thursday, February 23, 2023 Thursday, June 22, 2023 Thursday, August 24, 2023 Tuesday, November 14, 2023</p> <p>Ms. Dockery said the Board might need to push the June meeting forward to allow for consideration of NCARB Resolutions prior to the annual meeting. Ms. Hildebrand said she would look at the issue.</p>
<p>12. Adjournment</p>	<p>THE MEETING ADJOURNED AT 12:28</p>

APPROVED BY THE BOARD:

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

TBAE Staff Accomplishments: February 2023 Board Meeting

November

- CLARB Leadership Advisory Council Meeting
- CIDQ Annual Meeting – Los Angeles, CA
- First Day to File Bills for the 88th Legislative Session
- Board Meeting
- CLARB Leadership Development Workgroup Meeting
- Texas E-Records Conference – Legal and Information Technology
- Open Government Conference – Legal
- ICOR Practice Overlap Steering Committee Meeting
- NCARB's Deeper Dive into Advocacy
- CLARB ITK – Digital Seals and Signatures
- SANS – Battlefield Forensics and Data Acquisition – Information Security
- State of Texas Regulatory Executive and Licensing Sub-Team Meetings

December

- NCARB Committee Summit – Washington, DC
- NCARB Region 3 Meeting
- CLARB Leadership Advisory Council Meeting – Reston, VA
- Texas Tribune – A Preview of the 2023 Legislative Session – Glenn
- CLARB Leadership Advisory Council Meeting
- Meeting with Texas ASLA
- NCARB Governance Workgroup Listening Session
- State of Texas Regulatory Executive and Licensing Sub-Team Meetings

January

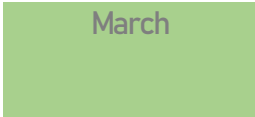
- CLARB Leadership Development Workgroup Meeting
- ICOR Practice Overlap Steering Committee Meeting
- Meeting with Texas Society of Architects
- 88th Legislative Session Convenes
- CLARB Leadership Advisory Council Meeting
- NCARB Region 3 Meeting
- State Auditor's Office Entrance Conference
- SAO Management Objectives Meeting
- SAO Staff Interviews
- NCARB Advisors Retreat – Registration
- CLARB DEI: Stories from Alternative Paths
- Accessibility Professional Association Presentation – Austin, TX – Enforcement
- UT-Austin Professional Practice Presentation – Enforcement and Registration
- FARB Forum – Nashville, TN – Debra and Legal



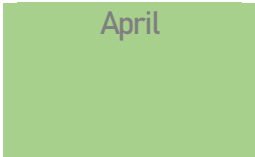
- ICOR Practice Overlap Steering Committee Meeting – Nashville, TN
- Recertification of Records Retention Schedule
- State of Texas Regulatory Executive and Licensing Sub-Team Meetings



- IIDA Shift Presentation – Registration
- NCARB Rolling Clock Policy Update
- ICOR Practice Overlap Steering Committee Meeting
- NCARB Governance Resolution Listening Session
- CLARB Leadership Development Workgroup Meeting
- NCARB Region 3 Meeting
- CLARB Leadership Advisory Council Meeting
- Board Meeting
- State of Texas Regulatory Executive and Licensing Sub-Team Meetings
- SAO Audit Continues



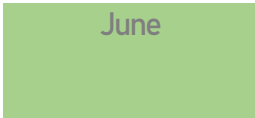
- NCARB MBE Meeting and Regional Summit – Honolulu, HI
- NCARB Licensure R&D Task Force Meeting – Tucson, AZ
- SAO Audit Continues



- NCARB Region 3 Meeting
- Texas ASLA – Ft. Worth, TX
- CLARB Leadership Advisory Council Meeting – Reston, VA
- SAO Audit Continues



- SAO Audit Report
- Adjournment of 88th Legislative Session



- NCARB Region 3 Meeting
- Board Meeting
- NCARB Annual Business Meeting

Applicants		New Registrants		Registrants (active)		The Rest	
507 Fiscal Year to Date	-13 (520) Year-over-Year	411 FYTD	-22 (433) YOY	20226 As of month ended	+319 (19907) YOY	A survey of the Registration Division's additional accomplishments and activities	
By-examination applications received FYTD, by profession: Architect: 178 RID: 56 LA: 39 Subtotal: 273		By-examination registrations issued FYTD, by profession: Architect: 110 RID: 59 LA: 19 Subtotal: 188		Architects Resident: 8711 Nonresident: 5730 Subtotal: 14441		1187 exam results received FYTD 1008 Arch 0 RID 179 LA	
Reciprocal applications received FYTD, by profession: Architect: 206 RID: 3 LA: 25 Subtotal: 234		Reciprocal registrations issued FYTD, by profession: Architect: 203 RID: 4 LA: 16 Subtotal: 223		RIDs Resident: 3701 Nonresident: 286 Subtotal: 3987		521 Continuing Education audits conducted FYTD	37 referred to Investigations FYTD
<h1>About this report</h1> <p>FYTD: Fiscal Year to Date. Compares current data to that of the beginning of the current fiscal year.</p> <p>YOY: Year-over-Year. Compares current data to that of 12 months prior.</p>				Landscape Architects Resident: 1229 Nonresident: 569 Subtotal: 1798		45 scholarship applications approved FYTD	
				All registrants Resident: 13641 Nonresident: 6585 Total: 20226		61 Certificates of Standing issued FYTD	

Cases Opened		Cases Dismissed		Days to Investigate a Case		Cases Resolved (as of month ended)	
103 Fiscal Year to Date		33 Year Over Year		42 Fiscal Year to Date		Same Year Over Year	
41 January 2023		64 FY Avg to Date		9 Warning(s) by Executive Director		0 Voluntary Surrender(s)	
56 Case(s) referred to Legal Fiscal Year to Date		Dismissal details TDLR: 0 Other: 1*		Context Typical target: 105-400 (2022-23) SDSI avg. actual: 110 (2018)		22 Disciplinary Action(s) by Board	
		*e.g. No evidence, not a violation, criminal history provisional registration, contract dispute				46 *Notice(s) of Violation	
						3 *Complaint(s) Filed at SOAH	
						0 *Informal Conference(s)	

*Matters are ongoing and not yet resolved

Customer Service		Newsletter		Employee Engagement		Contact volume (to front desk alone)	
32,989 Customers surveyed		1,618 Responses		85% Read at least half (2018)		21,000+ Recipients	
463 Most recent score (2022)		443 Avg. score since 2016		1,533 Calls Fiscal Year to Date		317 Emails FY to Date	
93% Customer satisfaction (2022)		"Disciplinary Actions" Most-read topic (2018)		Strengths: Strategic Workplace Supervision		Weaknesses: Pay Benefits Development	
				Avg. monthly calls FYTD: 383		Avg. monthly emails FYTD: 79	

**Texas Board of Architectural Examiners
Actual 2023 Budget**

	FY2023 Budget	FY2023 As of 11/30/2022
Total Beginning Fund Balance		3,134,658.12
Revenues:		
Licenses & Fees	\$ 3,041,516	\$ 754,933
Business Registration Fees	\$ 157,913	\$ 32,490
Late Fee Payments	\$ 177,413	\$ 41,678
Other	\$ -	\$ 685
Interest	\$ 4,000	\$ 23,064
Convenience Fees	\$ 73,000	\$ 18,517
Draw on Fund Balance	\$ 76,111	\$ -
Total Revenues	\$ 3,529,953	\$ 871,366
Expenditures:		
Salaries and Wages	\$ 1,791,077	\$ 434,894
Payroll Related Costs	\$ 626,876	\$ 154,429
Professional Fees and Services	\$ 25,000	\$ 4,745
Professional Fees and Services - IT/IS	\$ 25,000	\$ 2,967
Board Travel	\$ 23,000	\$ 1,791
Staff Travel	\$ 21,000	\$ 8,954
Materials and Supplies	\$ 6,000	\$ 1,151
Materials and Supplies - Postal	\$ 10,000	\$ 450
Materials and Supplies - IT/IS	\$ 26,000	\$ 3,550
Communication and Utilities	\$ 65,000	\$ 10,500
Repairs and Maintenance	\$ 1,000	\$ -
Rentals and Leases - Equipment and Space	\$ 14,000	\$ 2,426
Rentals and Leases - Office Space	\$ 143,000	\$ 35,552
Printing and Reproduction	\$ 7,000	\$ 782
Membership Dues (Other)	\$ 16,000	\$ 9,709
Board/Staff Training and Conference Fees (Other)	\$ 25,000	\$ 1,951
Operating Expenditures (Other)	\$ 22,000	\$ 18,516
Convenience Fees	\$ 73,000	\$ 18,810
SWCAP Payment (Other)	\$ 100,000	\$ -
GR Payment (Other)	\$ 510,000	\$ -
Total Expenditures	\$ 3,529,953	\$ 711,178
Excess/ (Deficiency) of Rev over Exp.	-	160,189

Funding for 8 months		\$ 2,365,069
Excess Fund Balance		\$ 869,998
Total Fund Balance	\$ -	\$ 3,235,067

Administrative Penalties Collected	\$ 20,825.00
Transferred to Comptroller	-
Balance Pending Transfer	20,825.00

**Texas Board of Architectural Examiners
Fiscal Year 2023 Budget
Scholarship Fund**

	FY 2023 Actual Sept 1, 2022 - Nov 30, 2022
ARE Grant Fund Beginning Balance	119,644.63
Revenues:	
ARE Grant Licensing Fees	\$ 6,264.33
Interest	\$ 831.57
Untransferred	\$ (6,264.33)
Expenditures:	
ARE Grant Payments	\$ (19,500.00)
Trust Fees	\$ (47.67)
Fund Balance Ending	\$ 100,928.53

Number of Scholarships Awarded **39**
Frequency per Fiscal Year----September 30, January 31, and May 31

**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: 048-20N
Respondent: Lucas Stewart Fry
Location of Respondent: Houston, TX
Instrument: Agreed Order

Findings:

- See attached proposed Agreed Order.

Action Recommended by Executive Director:

- Enter the attached Agreed Order, including the findings of fact and conclusions of law, which imposes an administrative penalty of **\$5,000**, prohibits the Respondent from practicing architecture or using any form of the word “architect” or “architecture” to describe Respondent or services provided by Respondent in the State of Texas unless and until Respondent becomes registered by the Board as an architect, and retains Respondent’s status as an approved candidate for the Architect Registration Examination and architect registration in Texas.

BEFORE THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS

In the Matter of	§	AGREED
LUCAS STEWART FRY,	§	
Candidate for Registration by	§	ORDER
Examination		

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

Information received by the Board produced evidence that Lucas Stewart Fry (Respondent) is subject to disciplinary action for violations of Occupations Code Chapter 1051, including Sections 1051.701 and 1051.752, Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Julie Hildebrand, Executive Director, on January 5, 2021, subject to ratification by the Board. Upon the recommendation of its Executive Director, the Board makes the following Findings of Fact and Conclusions of Law and enters this Order:

FINDINGS OF FACT

1. Prior to the institution of agency proceedings, notice of the matters specified below in the Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law.
2. Respondent waived noticed and hearing and agreed to the entry of this Order.
3. On or about September 25, 2009, Respondent submitted an Application for Architectural Registration in Texas. Pursuant to this application, Respondent is an approved candidate for registration by examination, although Respondent has not completed the examination.

4. Respondent is not, and has never been, registered to engage in the practice of architecture in Texas.
5. Respondent is the Principal of the architectural firm, *Sun Collective Design Group*.
6. On or about February 11, 2014, Respondent registered his business *Sun Collective Design Group* with the Board, which was granted architectural business registration number BR 1711. At that time, the architect associated with *Sun Collective Design Group* was D.C., a registered architect in Texas.
7. On or about January 8, 2015, D.C. notified the Board that he was no longer associated with *Sun Collective Design Group*. At that time, the Board changed the registration status of the company from “active” to “inactive” and notified Respondent via email that he was required to associate with another architect and provide the name of the architect associated with the company within thirty (30) days or cease to offer architectural services through his company *Sun Collective Design Group*.
8. On or about August 22, 2019, while acting on behalf of *Sun Collective Design Group*, Respondent entered into a contract to provide “design and drafting services” and “construction documents,” including a site plan, floor plans, interior and exterior elevations, and building and wall sections, for a “two apartment buildings with 12 identical 2 bedroom / 1 bath units stacked three stories tall.”
9. On or about November 4, 2019, while acting on behalf of *Sun Collective Design Group*, and acting pursuant to the contract described above, Respondent issued architectural plans for the project *Allum Oaks Apartment*, a three-story multifamily dwelling located in Houston, Texas. The architectural plans were not developed under the supervision and control of, or sealed by, an architect.

10. On or about November 13, 2019, Respondent utilized a website for the firm *Sun Collective Design Group* that indicated the firm was engaged in providing services including “architecture” and “architectural projects.”
11. On or about November 13, 2019, Respondent utilized a Houzz profile that indicated the firm was a “full service Houston-based architectural design firm” and that “all architectural . . . drawings are produced in-house.”
12. On or about November 13, 2019, Respondent utilized a LinkedIn profile that indicated the firm was a “full service architectural firm” which included “a young group of architects and designers” and specialized in providing services including “environmentally responsible architecture, residential architecture, and commercial architecture.”
13. On or about November 13, 2019, Respondent utilized a Twitter profile that used the title “architect” to describe himself.

CONCLUSIONS OF LAW

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

3. Under Texas Occupations Code Section 1051.701, a person may not engage in the practice of architecture or offer or attempt to engage in the practice of architecture, as defined in Section 1051.001(7)(A), (B), or (C), unless the person is registered as an architect.
4. Only architects registered by the Board may prepare, or supervise and control the preparation of, architectural plans and specifications for a multifamily dwelling of three stories or more in Texas. See. Tex. Occ. Code 1051.606(a)(4)(C) and 22 Tex. Admin. Code §1.211.
5. Only architects, duly registered by the Board, may use any form of the words “architect” or “architecture” to describe themselves or to describe the services they offer or perform in Texas. Tex. Occ. Code §1051.701(a)&(b) and 22 Tex. Admin. Code §1.123(a).
6. A firm, partnership, corporation, association, or other business entity may engage in the practice of architecture, represent itself to the public that it is engaged in the practice of architecture or offering architectural services only if any practice of architecture or architectural service performed on behalf of the entity is performed by or through a person registered as an architect by the Board. Tex. Occ. Code §1051.701(b).
7. A firm may not use any form of the word "architect" or the word "architecture" in its name or to describe services it offers or performs in Texas unless the firm employs or associates with at least one architect pursuant to 22 Tex. Admin. Code §1.122 and the architect exercises supervision and control over all architectural services performed by non-registrant persons on behalf of the business. 22 Tex. Admin. Code §1.123(b)
8. A firm or other business entity may not offer or provide architectural services in Texas unless it is registered with the Board. *See* 22 Tex. Admin. Code §1.124.

9. By preparing and issuing architectural plans and specifications for the project identified as *Allum Oaks Apartment*, Respondent engaged in the unauthorized practice of architecture in violation of Texas Occupations Code Sections 1051.701, 1051.752(1) and 1051.801.
10. By utilizing the term “architecture” to describe 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 §§ 1.122, 1.123(c), and §1.124.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to the approval of the Texas Board of Architectural Examiners, that Respondent shall pay an administrative penalty in the amount of Five Thousand Dollars (\$5,000). The administrative penalty shall be paid in 10 monthly payments of \$500 each. The first payment is due within sixty (60) days following the date on which this Order becomes final. Thereafter, the Respondent shall pay \$500 per month, due on the 15th day of every month thereafter, until the administrative penalty has been paid in full. Respondent shall pay the administrative penalty regardless of whether Respondent continues to seek registration as an architect in Texas. Failure to timely pay the administrative penalty shall be considered a violation of this Order, subject to a penalty of up to and including denial, suspension or revocation of Respondent’s architectural registration, as applicable. If the Respondent fails to comply with any of the terms and conditions of this Order or otherwise violates the laws or rules of the Board, including failing to make timely payments, any remaining amount of the administrative penalty shall become payable and due immediately, and any failure to pay such debt shall be referred to the Attorney General’s office for collection.

It is further ORDERED that RESPONDENT SHALL NOT engage in or offer to engage in the practice of architecture as defined by Tex. Occ. Code Chapter 1051, unless and until

Respondent becomes registered by the Board as an architect. This provision is not intended to prohibit Respondent from acting within any exception set out in Tex. Occ. Code §§1051.601–1051.606, provided that Respondent complies with all limitations of the exception.

RESPONDENT SHALL NOT use any form of the word “architect” or “architecture” to describe Respondent or services provided by Respondent in the State of Texas unless and until Respondent becomes registered by the Board as an architect.

RESPONDENT SHALL NOT accept employment with, knowingly provide services for or on behalf of, or hold any ownership or managerial authority in, any firm, partnership, corporation, or association that represents to the public that the entity is engaged in the practice of architecture or is offering architectural services, or otherwise uses any form of the word “architect” or “architecture” in any manner in its name, unless any and all practice of architecture or performance of architectural service on behalf of the entity is performed by and through a duly registered architect and the entity is duly registered as a firm which may practice architecture in Texas.

It is further AGREED and ORDERED, that Respondent shall retain his status as an approved candidate for the Architect Registration Examination. Provided that the Respondent does not engage in violations of the Board’s laws or rules occurring after the date of entry of this Order, neither the violations of law addressed in this Agreed Order, nor any other violation of law relating to the unauthorized practice of architecture occurring prior to the entry of this order, shall be used by the Board as a ground for denial of Respondent’s registration as an architect. However, if Respondent is found to have violated the laws or rules governing the practice of architecture based on conduct occurring after the date of this Order, the violations addressed by this Order and any other prior act may be considered in any action to deny architectural registration to the Respondent.

Under all circumstances, Respondent shall be required to comply with the payment schedule of this Order and satisfy all generally applicable licensure eligibility requirements prior to becoming registered as an architect.

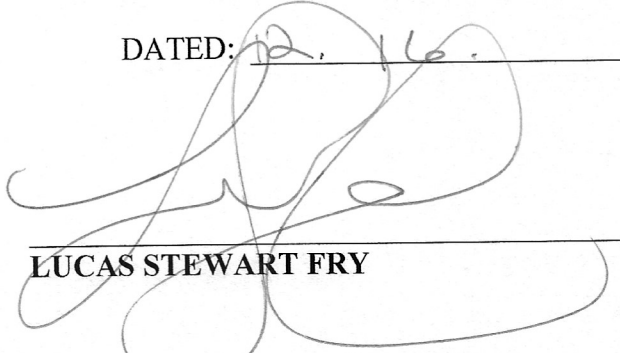
Upon approval by the Board, the Chair of the Texas Board of Architectural Examiners is authorized to sign this Agreed Final Order on behalf of the Board.

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

DATED: 12, 16, 2022.

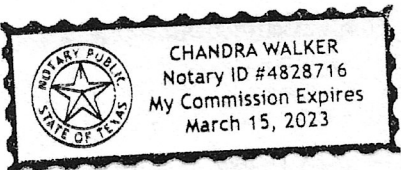



LUCAS STEWART FRY

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

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

Sworn to and subscribed before me by LUCAS STEWART FRY on this the 16th day of December, 2022.





NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Architectural Examiners hereby ratifies and adopts the Agreed Order that was signed on the 16th day of December, 2022, by Lucas Stewart Fry, Respondent, and said Order is final.

Effective this the ____ day of _____, 20__.

DEBRA DOCKERY, FAIA
Chair, TEXAS BOARD OF ARCHITECTURAL EXAMINERS

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

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

Case Number: 072-22N
Respondent: Randell L. Maltby
Location of Respondent: Kingsville, TX
Instrument: Report and Notice of Violation

Findings:

- Randell Maltby (Respondent) is not and has never been registered as an architect in the State of Texas.
- On or about February 1, 2021, Respondent prepared architectural plans for a project identified as Kenedy County Justice of the Peace Office Building to be located in Kenedy County, Texas. At the time he prepared the architectural plans, Respondent was not working under the supervision and control of an architect.
- On or about August 24, 2021, Respondent presented a proposal for services and the architectural plans dated February 2, 2021 for the Kenedy County Justice of the Peace Office Building to the Kenedy County Commissioner’s Court. At that time, Respondent notified the commissioners that the plans were complete but that an architect had not yet placed his stamp of approval on the plans. The anticipated construction cost of the project was presented as \$2,180,507.83.
- On or about September 30, 2021, Maltby Builders, Inc., a corporation for which Respondent served as Vice-President, entered into a limited architectural service proposal with Texas architect, John Wright (hereafter “Wright”), to perform architectural services for the Kenedy County Justice of the Peace Office Building project. According to the agreement, Wright would provide services including the procurement of a registered Accessibility Specialist, seal existing construction documents after thorough review and approval, visit construction site as needed, and provide professional services that may be required by Kenedy County.
- On or about October 18, 2021, Maltby Builders, Inc. entered into a contract with Kenedy County to provide design-build services for the Kenedy County Justice of the Peace Office Building project. The execution of this contract occurred following the acceptance by Kennedy County of a proposal by Maltby Builders Inc., to “furnish all the materials and perform all the labor necessary for the completion of Kenedy County J P Office Building Per Plans by Randy Maltby dated February 1, 2021 . . . with deletions and changes noted.” Later in the proposal, Maltby Builders Inc. stated “We have not received the final . . . architectural plans.”
- According to a Kenedy County official, Kenedy County “was always of the opinion that the architect who was hired in September 2021 would do the architectural work required for the construction of the Kenedy County JP Building” and that “Kenedy County, on October 18, 2021, understood that the sealed architectural plans were necessary and Kenedy County and Maltby were expecting to receive the final and sealed architectural plans.”

- On or about January 26, 2022, Wright contacted TBAE seeking input regarding the legality of sealing the documents prepared by Respondent, which Wright stated he would carefully review and revise to the extent necessary in his official opinion. Based on information provided by TBAE, Wright determined that he would not seal the documents prepared by Respondent, and to this date has not done so. Subsequently, Wright notified Respondent and Kenedy County he would not seal the architectural plans.
- On or about March 22, 2022, Wright confirmed in writing that he did not prepare or supervise the preparation of the plans that were presented to Kenedy County and used for the construction of the project.
- Construction of *Kenedy County Justice of the Peace Office Building* project proceeded based on the plans initially developed by Respondent in February 2021, with only slight modifications developed during accessibility review.

Applicable Statutory Provisions and Rules:

- By issuing architectural plans for the project, Kenedy County Justice of the Peace Building, Respondent engaged in the unregistered practice of architecture in violation of Tex. Occ. Code §§ 1051.701(a) and 1051.703(a)(2)

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$3,000** and which Orders the Respondent to cease and desist any and all violations of Occupations Code Chapter 1051 and Board rules, as set forth in the Report and Notice of Violation dated December 28, 2022.

**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:	017-23I
Respondent:	Olga Lidia Acosta
Location of Respondent:	Dallas, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Olga Lidia Acosta (hereafter “Respondent”) is registered as an interior designer in Texas with registration number 10171.
- Based upon the results of a continuing education audit, it was determined that Respondent failed to complete qualifying continuing education during the audit period of January 1, 2020 through December 31, 2020.

Applicable Statutory Provisions and Rules:

- By failing to timely complete the required continuing education program hours during the audit period of January 1, 2020 through December 31, 2020, Respondent violated 22 Tex. Admin. Code § 5.79(b). The standard administrative penalty applicable during the 2020 audit period for failing to timely complete 12 hours of qualifying continuing education hours was \$500.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$500** as set forth in the Report and Notice of Violation dated October 19, 2022.

**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: 090-221
Respondent: Cassie Deanne Alford
Location of Respondent: San Antonio, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Cassie Deanne Alford (hereafter “Respondent”) is registered as a registered interior designer in Texas with registration number 11595.
- Based upon the results of a continuing education audit, it was determined that Respondent completed only 7 hours of qualifying continuing education credit during the audit period of January 1, 2021 through December 31, 2021.

Applicable Statutory Provisions and Rules:

- By failing to timely complete 12 hours of qualifying continuing education credit hours during each calendar year, Respondent violated 22 Tex. Admin. Code § 5.79(b). The standard administrative penalty assessed for this violation is \$100 per hour of deficiency.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$500** as set forth in the Report and Notice of Violation dated July 26, 2022.

**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: 012-23A
Respondent: Donald Allen Andrews, Jr.
Location of Respondent: Tempe, AZ
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Donald Allen Andrews, Jr. (hereafter “Respondent”) is registered as an architect in Texas with registration number 24304.
- On August 16, 2021, Respondent was notified by the Board that he was being audited for compliance with the continuing education requirements for the audit period of January 1, 2020 through December 31, 2020.
- Subsequently, Respondent replied that he could not produce a detailed record of Respondent’s continuing education activities for the audit period.

Applicable Statutory Provisions and Rules:

- By failing to maintain a detailed record of continuing education activities for the audit period of January 1, 2020 through December 31, 2020, Respondent violated 22 Tex. Admin. Code § 1.69(g). The standard administrative penalty applicable during the 2020 audit period for this violation was \$700.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$700** as set forth in the Report and Notice of Violation dated October 19, 2022.

**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: 024-23A
Respondent: Bruce Frederick Bockhorn
Location of Respondent: Carmine, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Bruce Frederick Bockhorn (hereafter “Respondent”) is registered as an architect in Texas with registration number 9292.
- Based upon the results of a continuing education audit, it was determined that Respondent completed only 4 hours of qualifying continuing education credit during the audit period of January 1, 2020 through December 31, 2020.

Applicable Statutory Provisions and Rules:

- By failing to timely complete 12 hours of qualifying continuing education credit hours during each calendar year, Respondent violated 22 Tex. Admin. Code § 1.69(b). The standard administrative penalty applicable during the 2020 audit period for this violation was \$500.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$500** as set forth in the Report and Notice of Violation dated November 8, 2022.

**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:	001-23I
Respondent:	John R. Cochran
Location of Respondent:	Fort Worth, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- John R. Cochran (hereafter “Respondent”) is registered as a registered interior designer in Texas with registration number 689.
- Previously, on May 9, 2008, the Board issued an Order to Respondent in TBAE Case Number 115-08I based on findings that he failed to timely complete continuing education requirements. Under the terms of the Order, Respondent was ordered to pay an administrative penalty of \$1,000.
- In the current matter, based upon the results of a continuing education audit, it was determined that Respondent completed only one hour of qualifying continuing education during the audit period of January 1, 2021 through December 31, 2021.

Applicable Statutory Provisions and Rules:

- By failing to timely complete 12 hours of qualifying continuing education credit hours during each calendar year, Respondent violated 22 Tex. Admin. Code § 5.79(b). The standard administrative penalty assessed for this violation is \$100 per hour of deficiency.

Action Recommended by Executive Director:

- The standard penalty for a first-time violation of these rules is \$1,100. However, since Respondent has previously been subject to discipline for failure to comply with the continuing education requirements, he is subject to increased penalties under 22 Tex. Admin. Code §§ 5.187(5) and 5.242(k). Therefore, the Executive Director recommends that the Board enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$2,000** as set forth in the Report and Notice of Violation dated September 29, 2022.

**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:	025-23A
Respondent:	Dean James Dovolis
Location of Respondent:	Minneapolis, MN
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Dean James Dovolis (hereafter “Respondent”) is registered as an architect in Texas with registration number 14979.
- On July 15, 2022, Respondent was notified by the Board that he was being audited for compliance with the continuing education requirements for the audit period of January 1, 2021 through December 31, 2021.
- Subsequently, Respondent replied that he could not produce a full detailed record of Respondent’s continuing education activities for the audit period. Respondent was able to provide acceptable documentation for the completion of only 4 hours of continuing education.

Applicable Statutory Provisions and Rules:

- By failing to maintain a detailed record of continuing education activities for the audit period of January 1, 2021 through December 31, 2021, Respondent violated 22 Tex. Admin. Code § 1.69(g). The standard administrative penalty for failing to maintain a detailed record of continuing education activities is \$100 per hour of deficiency.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$800** as set forth in the Report and Notice of Violation dated February 6, 2023.

**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: 062-23A
Respondent: Devon James Duffin
Location of Respondent: Helotes, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Devon James Duffin (hereafter “Respondent”) is registered as an architect in Texas with registration number 28865.
- Based upon the results of a continuing education audit, it was determined that Respondent failed to complete qualifying continuing education during the audit period of January 1, 2021 through December 31, 2021.
- In addition to failing to complete the required continuing education hours within the continuing education period, Respondent falsely certified compliance with continuing education requirements when he had not completed sufficient continuing education to make this certification.

Applicable Statutory Provisions and Rules:

- By failing to timely complete 12 hours of qualifying continuing education credit hours during each calendar year, Respondent violated 22 Tex. Admin. Code § 1.69(b). The standard administrative penalty assessed for this violation is \$100 per hour of deficiency.
- By falsely certifying compliance with compliance with continuing education requirements at the time of his registration renewal, Respondent provided the Board with false information in violation of 22 Tex. Admin. Code § 1.69(j)(1). The Board’s standard assessment for falsely certifying is \$500.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$1,700** as set forth in the Report and Notice of Violation dated December 15, 2022.

**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: 060-23A
Respondent: Donald E. Eckols
Location of Respondent: Austin, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Donald E. Eckols (hereafter “Respondent”) is registered as an architect in Texas with registration number 13288.
- Previously, on February 13, 2014, in TBAE Case Number 061-14A, the Board entered an administrative penalty in the amount of \$700 against Respondent based on findings that he falsely reported certified completion of his CE requirements.
- In the current matter, based upon the results of a continuing education audit, it was determined that Respondent failed to complete qualifying continuing education during the audit period.
- In addition to failing to complete the required continuing education hours within the continuing education period, Respondent falsely certified compliance with continuing education requirements when he had not completed sufficient continuing education to make this certification.

Applicable Statutory Provisions and Rules:

- By failing to timely complete 12 hours of qualifying continuing education credit hours during each calendar year, Respondent violated 22 Tex. Admin. Code § 1.69(b). The standard administrative penalty assessed for this violation is \$100 per hour of deficiency.
- By falsely certifying compliance with compliance with continuing education requirements at the time of his registration renewal, Respondent provided the Board with false information in violation of 22 Tex. Admin. Code § 1.69(j)(1). The Board’s standard assessment for falsely certifying is \$500.

Action Recommended by Executive Director:

- The standard penalty for a first-time violation of this rule is \$100 per hour and \$500 for falsely certifying. However, since Respondent was previously subject to discipline for failure to comply with the continuing education requirements, he is subject to increase penalties under 22 Tex. Admin. Code §§ 1.177(5) and 1.232(k). Therefore, the Executive Director recommends that the Board enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$2,000** as set forth in the Report and Notice of Violation dated December 15, 2022.

**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: 097-23A
Respondent: Oscar Hernandez
Location of Respondent: Farmers Branch, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Oscar Hernandez (hereafter “Respondent”) is registered as an architect in Texas with registration number 26177.
- On October 17, 2022, Respondent was notified by the Board that he was being audited for compliance with the continuing education requirements for the audit period of January 1, 2021 through December 31, 2021.
- Subsequently, Respondent replied that he could not produce a full detailed record of Respondent’s continuing education activities for the audit period. Respondent was able to provide acceptable documentation for the completion of only 10 hours of continuing education.

Applicable Statutory Provisions and Rules:

- By failing to maintain a detailed record of continuing education activities for the audit period of January 1, 2021 through December 31, 2021, Respondent violated 22 Tex. Admin. Code § 1.69(g). The standard administrative penalty for failing to maintain a detailed record of continuing education activities is \$100 per hour of deficiency.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$200** as set forth in the Report and Notice of Violation dated January 24, 2023.

**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:	222-221
Respondent:	Christine Petru Michels
Location of Respondent:	Houston, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Christine Petru Michels (hereafter “Respondent”) is registered as a registered interior designer in Texas with registration number 11172.
- Based upon the results of a continuing education audit, it was determined that Respondent failed to complete qualifying continuing education during the audit period of January 1, 2021 through December 31, 2021.

Applicable Statutory Provisions and Rules:

- By failing to timely complete 12 hours of qualifying continuing education credit hours during each calendar year, Respondent violated 22 Tex. Admin. Code § 5.79(b). The standard administrative penalty assessed for this violation is \$100 per hour of deficiency.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$1,200** as set forth in the Report and Notice of Violation dated September 29, 2022.

**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: 084-23L
Respondent: Elizabeth A. Smidt
Location of Respondent: McKinney, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Elizabeth A. Smidt (hereafter “Respondent”) is registered as a landscape architect in Texas with registration number 2184.
- Based upon the results of a continuing education audit, it was determined that Respondent completed only 8 hours of qualifying continuing education credit during the audit period of January 1, 2021 through December 31, 2021.
- In addition to failing to complete the required continuing education hours within the continuing education period, Respondent falsely certified compliance with continuing education requirements when she had not completed sufficient continuing education to make this certification.

Applicable Statutory Provisions and Rules:

- By failing to timely complete 12 hours of qualifying continuing education credit hours during each calendar year, Respondent violated 22 Tex. Admin. Code § 3.69(b). The standard administrative penalty assessed for this violation is \$100 per hour of deficiency.
- By falsely certifying compliance with compliance with continuing education requirements at the time of [his/her] registration renewal, Respondent provided the Board with false information in violation of 22 Tex. Admin. Code § 3.69(j)(1). The Board’s standard assessment for falsely certifying is \$500.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$900** as set forth in the Report and Notice of Violation dated January 24, 2023.

TBAE Strategic Agenda – Fiscal Years 2023 - 2025

Overarching Goal:

With the upcoming Sunset Process and the need for an Executive Director Succession Plan, what is the envisioned future for the Texas Board of Architectural Examiners and what action must be taken?

Anticipated Timeline:

February 2023 – The board will assess the factors most likely to impact the board's operations over the next two to five years keeping in mind the Sunset Process and Executive Director Succession Plan. Background information and prompts will be provided to the board in January to assist with preparation for discussion at the board meeting. After the board meeting, the board may request any additional information needed from TBAE Staff to develop an action plan.

June 2023 – Based upon the board's assessment of relevant factors, the board will devise a strategy to prepare for the Sunset Process (including possible legislative and/or operational changes), plan for the succession of the Executive Director (including determining needed skills and experience for the next leader) and lay the foundation for its envisioned future (including budget and operational needs).

August 2023 – The board will provide input on the Sunset **Self-Evaluation**. The Self-Evaluation template will be provided to the board when it is available to assist with preparation for discussion at the board meeting. Additionally, the board will review and approve board/staff's roles and responsibilities related to the selection and onboarding of any future Executive Director (presented by Glenda Best).

November 2023 – The board will provide input on any needed TBAE Staff action as a result of the Sunset Self-Evaluation. The board will receive updates on Sunset **Staff's Evaluation**.

February 2024 – The board will receive updates on Sunset Staff's Evaluation and TBAE Staff action related to the Sunset Self-Evaluation.

May 2024 – The board will receive updates on Sunset Staff's Evaluation and TBAE Staff action related to the Sunset Self-Evaluation. The board will review and approve the required Strategic Plan.

August 2024 – The board will review the Sunset Staff's Report and determine any needed action prior to the Sunset Commission hearings.

November 2024 – The board will receive updates on the Sunset Commission's deliberation and legislative recommendation.

February 2025 – The board will receive updates on the Legislature’s consideration of Sunset’s recommendations.

June 2025 – The board will review any legislative action and determine the needed action plan.

Sample Executive Director Succession Plan

Interim Plan: If the Executive Director vacates the position on short notice (90/180 days or fewer) it is recommended that **name up to 3 internal employees in ranked order:**

- Assume the interim ED position immediately following the ED's departure;
- Be included as a serious candidate in the ED search;
- Develop a contingency plan to replace/fill their current position if selected as the ED.

List each employee's areas of strengths and areas for development along with a plan and the needed time to obtain mastery of the areas of development.

The Board will discuss needed areas of experience and expertise at the February Board Meeting.

ED Recruitment and Placement Plan: If the ED's departure is planned with more than 90/180 days' notice, the Board and Staff will execute the approved attached plan.

The Board will review and approve the Recruitment and Placement Plan at the August Board Meeting.

Goals and Objectives

Fiscal Year 2023

Executive Director

Goal - To provide policy advice to the Board, implement agency policies, and manage the organization in a manner that will accomplish the stated mission, goals, and objectives of the Board.

Objectives

1. To coordinate the development of proposed goals and objectives for the agency; prepare a report on the accomplishments of the agency; and direct the preparation and submission of the Board's Annual Report to be presented to the Board.
2. To manage and monitor the agency's performance and operational efficiency in the licensing of architects, landscape architects and registered interior designers and in the enforcement of each respective practice act.
3. To direct the preparation of the operating budget for review and approval by the Board.
4. To assist in the development and implementation of the practice act, rules, policies, procedures, and guidelines to enhance the Board's ability to protect the public and to improve the efficiency and effectiveness of the agency's operations; and to review and implement legislation passed by the Texas Legislature that affects agency operations and the practice of architecture, landscape architecture and interior design.
5. To direct the collection of data and the preparation and submission of the Self-Directed Semi-Independent Reports as required by Chapter 472 of the Government Code.
6. To direct the communication of public information to the public, registrants and stakeholders via publications, news releases, staff presentations, and the agency website.
7. To represent agency policies and programs to local, state, and national architecture, landscape architecture, interior design, and consumer organizations; act as the Board's liaison to the professional associations; represent the Board before the state legislature and executive branch; and assure coordination of agency activities with those of other state and federal agencies involved in the regulation of the practice of architecture, landscape architecture and interior design.

8. To review all federal and state statutes, regulations, policies, and trends that may impact the regulation of the practice of architecture, landscape architecture and interior design and make timely recommendations to the Board for implementation of any required Board actions.
9. To coordinate and participate in the orientation of new Board Members appointed by the Governor.
10. To maintain a staff development program by encouraging staff to participate in professional and interpersonal development seminars, cross training, and on-the-job training; conduct periodic reviews and annual evaluations of Division Directors and Executive Division staff and to monitor evaluations of employees in all Board Divisions.

All Divisions

Goal – To assist the Executive Director, in cooperation with other Divisions, to manage the Division in a manner that will accomplish the stated mission, goals and objectives.

Objectives

1. To assist the Executive Director, in cooperation with other Divisions, to prepare and propose the operating budget for review and approval by the Board.
2. To assist the Executive Director, in cooperation with other Divisions, to review and implement legislation passed by the Texas Legislature that affects agency operations and the practice of architecture, landscape architecture and interior design.
3. To assist the Executive Director, in cooperation with other Divisions, to collect data and prepare and submit the Self-Directed Semi-Independent Report as required by Chapter 472 of the Government Code.
4. To assist the Executive Director, in cooperation with other Divisions, to communicate public information to the public, registrants and stakeholders via publications, news releases, staff presentations, and the agency website.
5. To provide verbal and written information in a timely manner to Board staff and customers as needed or required, to include providing technical assistance to other Divisions, agencies, and legislators.
6. To destroy records in accordance with the agency's record retention plan.

7. To recommend changes to the practice acts and rules and to recommend policies and procedures that will enhance the Board's ability to protect the public or will improve the efficiency and effectiveness of the agency's operations and forward the recommendations to the Executive Director.
8. To update the agency Personnel Handbook and the Division's Policies and Procedures Manual as needed and submit any revisions to the Executive Director for approval.
9. To manage employees under the supervision of the Division, in compliance with all applicable state and federal personnel statutes, including the following: to hire qualified applicants for new or vacant positions; to update or develop job descriptions in compliance with the State Classification System; to participate in State Classification audits of positions; to conduct periodic reviews and annual evaluations of Division employees; and to promote self-development through such activities as on-the-job training, cross-training, and attendance at professional seminars.
10. To prepare monthly reports on the accomplishment of Division objectives, for incorporation into the Board's Annual Report.

Finance Division

Goal – To administer finance and purchasing operations for the agency.

Objectives

1. To prepare a proposed budget for submission to the Board and plan, organize and execute all budgetary activities.
2. To prepare and submit the Annual Financial Report and all other required accounting and fiscal reports, statements, and reconciliations in compliance with all applicable state statutes.
3. To inform management of budget deviations, problems, and events likely to affect operations; explain causes; and measure effect on the agency's mission and resources.
4. To review and recommend to the Executive Director possible uses of funds and additional sources of spendable revenue and to assess fees charged for agency services.
5. To assess the material needs of the agency and supervise the purchasing and supply activities in accordance with all Texas Procurement and Support Services rules and procedures.

Operations Division

Goal – To administer agency operations including human resources, risk management, business continuity and board member and agency administrative support.

Objectives

1. To provide administrative and technical assistance to the Board members and Executive Director, including preparation for Board Meetings. To act as liaison to the Texas Register and submit meeting notices.
2. To maintain the agency Personnel Handbook and the Division's Policies and Procedures Manual as needed.
3. To develop and maintain business continuity and crisis management strategies, plans and procedures.
4. To serve as the agency's Human Resource Coordinator in ensuring agency compliance with all applicable state and federal personnel statutes.
5. To serve as the Agency Risk Manager by annually assessing areas of agency risk exposures and recommending procedures to control these exposures.
6. To increase the efficiency and productivity of Board office operations by managing and coordinating space needs and on-site maintenance of the Board's office facilities.
7. To assist Board members and staff with processing travel arrangements and to ensure compliance with all applicable state laws and rules.
8. To ensure proper processing and distribution of agency mail.

Information Technology Division

Goal – To administer the information technology operations for the agency.

Objectives

1. To manage the information resource needs (data processing, telecommunication, and Web site) of the agency.
2. To evaluate and implement solutions for the evolving computing needs of the agency.
3. To provide a stable infrastructure for existing information technology systems.

4. To increase the efficiency and productivity of Board operations with the use of information resources.

Information Security Division

1. To assure the integrity, availability, and confidentiality of the agency's information resources.
2. To secure the agency's information technology system against internal and external information security threats.

Registration Division

Goal – To conduct an architect, landscape architect and interior designer registration and ongoing renewal system.

Objectives

1. To issue registrations by examination or reciprocity within an average of three working days after the date the agency receives all required documents.
2. To issue renewals to all registrants within an average of three working days of receipt of the required fee and all required documents.
3. To audit the registrants' compliance with continuing education and to initiate complaints on registrants who are not in compliance with the rules regarding mandatory continuing education for renewal, in cooperation with the Investigations and Legal Divisions.
4. To image and store registrant files and records for use by all divisions within the agency in an efficient manner.
5. To ensure that the best possible customer service is provided to all customers, both internal and external.

Investigations Division

Goal – To enforce laws and rules relating to the practice of architecture, landscape architecture and interior design through investigations of complaints. To monitor the complaint process and transfer complaints involving substantive allegations to the Legal Division for review and potential prosecution.

Objectives

1. To coordinate and monitor the receipt, assignment, and resolution of all complaints filed with the agency and the notification of complainants.
2. To investigate complaints within an average of 90 days according to the priorities set by the Executive Director.
3. In cooperation with the Registration Division and in compliance with the agency's policies and procedures, to process criminal background checks on applicants and registrants, including fingerprint-based criminal background checks. To monitor real time reported criminal history of registrants as updated daily by DPS and FBI. To comply with DPS/FBI procedures related to registrant subscriptions. To assist Registration Division with other general background information for registrants as needed to confirm contact information.
4. To provide technical assistance, maintain liaison, and coordinate joint investigations of architects, landscape architects, registered interior designers, and practicing non-registrants with federal, state, and local law enforcement agencies, including regulatory or administrative agencies.
5. In cooperation with the Legal Division, to monitor compliance with all Board Orders and Agreed Settlement Orders.

Legal Division

Goal – To prosecute violations of the laws and rules related to the practice of architecture, landscape architecture, and interior design. To monitor compliance with Disciplinary Orders. To provide adjudicative information to Board customers. To provide legal services and guidance to the Board and the Board staff relating to the regulation of the practice of architecture, landscape architecture, and interior design and the administration of the agency. To coordinate the drafting of and amendments to Board rules and serve as the liaison to the Texas Register. To respond to public information requests in compliance with the Public Information Act.

Objectives

1. To coordinate and monitor the receipt, assignment, and resolution of all cases accepted by the Legal Division.
2. To review all cases referred to the Division for potential disciplinary action; and if sufficient evidence exists to warrant action, to institute disciplinary proceedings against registrants within an average of 30 days in accordance with priorities established by the Executive Director.

3. To refer disciplinary cases to the State Office of Administrative Hearings (SOAH) and file a complaint with SOAH within an average of 60 days in accordance with priorities established by the Executive Director.
4. In cooperation with the Investigations Division, to monitor compliance with all Board Orders and Agreed Settlement Orders.
5. To provide legal assistance and maintain liaison with appropriate local, state, and federal prosecutors, legal divisions, and enforcement agencies involved in the investigation or prosecution of Board registrants, in conjunction with the Investigations Division.
6. To coordinate the drafting of and amendments to Board rules; act as agency liaison to the *Texas Register*; coordinate and monitor all submissions to the *Texas Register*; review and monitor the *Texas Register* for activities of other agencies that would impact the agency or the practice of architecture, landscape architecture or interior design; and provide periodic notice of publications to Board Members, staff, and other interested parties.
7. To respond to public information requests in accordance with the procedures set forth in the Texas Public Information Act and draft requests for Attorney General letter rulings.
8. To research legal issues and provide legal services and advice to the Board and Board staff.
9. To serve as the Agency Records Retention Manager to the Texas State Library, in maintaining a Records Retention Program for the economical and efficient management of agency records.
10. To serve as liaison for the Board to the Office of the Attorney General (OAG); to monitor and assist with opinion requests, appeals, injunctions, or civil litigation handled by the OAG against registrants and non-registrants.

Communications

Goal – To share timely and accurate information with the public, registrants, and stakeholders to enhance the transparency of the agency's processes.

Objectives

1. To assist with the communication of public information to the public, registrants and stakeholders via publications, news releases, staff presentations, and the agency website.

2. To provide information to Board Members, Staff, and customers, including responses to surveys and questionnaires, oral and written communication, and public speaking engagements, as needed and required.
3. To publish a newsletter to promote voluntary compliance with the law by providing information to educate registrants about their responsibilities under current law and rules, and to provide information consistent with the responsibilities of the Board.

	Julie	Dale	Julio	Glenda	Glenn	Jack	Ken	Lance	Mike	Su
Executive Division										
Board Reports	AR	C	C	C	C	C	C	C	C	
Annual Board Report	A	C	C	C	R	C	C	C	C	
NCARB, CLARB , NCIDQ Liaison	AR	I	I	R	I	I	I	I	I	
Strategic Plan	AR	C	C	C	C	C	C	C	C	
Operating Policy Manual - Content	A	R	R	R	R	R	R	R	R	
Performance Reviews - Content	A									R
Finance Division										
Annual Budget	A	C	C	C	C	C	R	C	C	
Financial Reporting	A						R			
Revenue/Safekeeping Trust/TBAsE	A						R			
Payroll	A			C			R			
Accounts Payable/Inventory/Travel Payments	A						R			
Operations Division										
Board Meeting Preparation	A	C	C	R	C	C	C	C	C	
Board Member Training	A	C	C	R	C	C	C	R	C	
Board Member Support	A			R						
Board Member/Meeting postings - Texas Register, Website	A	A		AR	C			C		
Executive Director Support	A			R						
Continuity of Operations Plan	A	C	C	R	C	C	C	C	C	
Maintenance of Operating Policy Manual	A	I	I	R	I	I	I	I	I	
External Audits	A	C	C	R	C	C	C	C	C	
Travel Processing	A			R			Ca			Ca
Purchase Processing - Board and ED Conferencing	A			R			Ca			
Mail Processing & Managing Daily Check Register	I			AR			Ca			
Office Supply Requisitioning, Distribution & Budget Planning	C	C	C	AR	C	C	C	C	C	
Time and Attendance Reporting	I			AR						Ca
Risk Management	I		C	AR				C		
Survey of Employee Engagement	I			AR						

	Julie	Dale	Julio	Glenda	Glenn	Jack	Ken	Lance	Mike	Su
Celebratory Coordination (Birthdays, Holidays, etc.)	I			AR						C
Facility Operations and Landlord Communications	C	C	C	AR	C	C	C	C	C	
HR - Hiring/Employee Actions	A			R				C		Ca
HR - Performance Management (Reviews - Process)	A			R				C		I
HR - Job Descriptions and Classifications	A			R				C		Ca
HR - Benefits	I			AR						
HR - Workers' Comp, FMLA, ADA, EEOC, etc.	A			R				C		C
HR - Employee Training (EEOC, etc.)	A			R			Ca			Ca
HR - Employee Grievances	A			R				C		C
HR - Facility Maintenance/Office Safety and Security	I			AR						
HR - Personnel Actions	A			R			Ca	C		C
HR - Service Awards/Incentive Awards	AR			AR				C		C
CAPPS HR/Payroll Management	A			AR			C			
Communications										
Legislation	A	C	C	C	R	C	C	R	C	
Other Agencies	A	C	C	C	R	C	C	C	C	
Press/Media	A	C	C	C	R	C	C	C	C	
Newsletter	A	C	C	C	R	C	C	C	C	
Public Outreach	A	C	C	C	R	C	C	C	C	
SDSI Reports	A	C	C	C	R	C	C	C	C	
Performance Measures	A	C	C	C	R	C	C	C	C	
Customer Service Report	A	C	C	C	R	C	C	C	C	
Website Content and Design	A	C	C	C	R	C	C	C	C	
Communications for ED, Board and Divisions	A	C	C	C	R	C	C	C	C	
Public Requests for Data	A	C	C	C	R	C	C	C	C	
Legal										
Counsel and Advise	C	C	C	C	C	C	C	AR	C	
Contested Cases - Settlement and SOAH	C	C	C	C	C	C	C	AR	C	
Rules	A	C	C	C	C	C	C	R	C	

	Julie	Dale	Julio	Glenda	Glenn	Jack	Ken	Lance	Mike	Su
Open Meetings	C	C	C	C	C	C	C	AR	C	
Public Information Requests	C	C	C	C	C	C	C	AR	C	
Record Retention	C	C	C	C	C	C	C	AR	C	
AG Liaison	C	C	C	C	C	C	C	AR	C	
Contracts/Insurance	A	C	C	C	C	C	C	R	C	
Board Meeting Minutes	A	C	C	C	C	C	C	R	C	
Investigations										
Investigations	C					AR		C		
Law/Rule Inquiries	C					AR		C		
Business Registrations	C					AR		C		
Order Compliance	C					AR		C		
Fingerprinting	C					AR		C		
Registration										
Applications	C							C	AR	
Renewals	C							C	AR	
Continuing Education Audits	C							C	AR	
Customer Service/Receptionist	I								AR	
Information Technology										
IT Maintenance and Support	I	AR	C	I	I	I	I	I	I	
Information Resource Manager	I	AR	I	I	I	I	I	I	I	
IT Accessibility	I	AR	C	I	I	I	I	I	I	
IT Policies and Training	I	AR	I	I	I	I	I	I	I	
Audio Recordings of Board Meetings		R		A						
Information Security										
IT Security	C	C	AR	C	C	C	C	C	C	
Information Security Officer	I	I	AR	I	I	I	I	I	I	
IS Policies and Training	I	I	AR	I	I	I	I	I	I	