



## in this issue

### September, 2009 Issue

- NEW Utah Architectural Licensing Board Newsletter Premieres!
- MEET the Utah Licensing Board.
- UTAH Education and Enforcement Fund
- BOARD Actions
- WCARB Comes to Salt Lake City!
- REPORT on 2009 NCARB Annual Meeting and Conference
- 2009 Disciplinary Actions

## calendar

- September 25, 2009 AIA Utah Design Conference
- October 14, 2009, 9 am Next Scheduled Board meeting

## moving? new job?

Visit the following link to update your personal info:

[update license](#)

## board members

- Jeanne M. Jackson, Chair
- Mary W. Bearson
- Hans Hoffman
- Jim Nielson
- Bryan J. Turner

## DOPL staff

- Dennis Meservy, Bureau Manager
- Yvonne King, Board Secretary

## New Utah Architects Licensing Board Newsletter Premieres!

### Welcome to the new Utah Architects Licensing Board Newsletter!

In an effort to keep Utah's licensed architects up-to-date on the current issues affecting our profession, as well as the actions taken by both the local Utah Board and the National Council of Architectural Licensing Boards (NCARB), we are instituting a quarterly newsletter for our constituents.

You are receiving the first issue of this newsletter as a paper copy, as well as electronically, if DOPL has your current e-mail address on file. Future issues will be e-mailed only, in the interest of both sustainability and financial responsibility.

To update your e-mail address, go to [www.dopl.utah.gov](http://www.dopl.utah.gov) and click on the [Change Name/Address](#) link on the left side of the page.

Back issues will be available on the official Utah DOPL website. Please take a minute to update your personal information with the State – it's fun and easy! Just click on the [update license](#) link at left and fill in the form – this will also ensure that your licensure renewal is sent to the proper address.

**TO ENSURE THAT YOU RECEIVE FUTURE COPIES OF THE NEWSLETTER  
PLEASE UPDATE YOUR E-MAIL TODAY BY GOING TO  
[www.DOPL.UTAH.GOV](http://www.DOPL.UTAH.GOV) and clicking on [Change Name/Address](#)**

## meet the utah licensing board. . .

### Jeanne Jackson, AIA, NCARB, LEED AP, Board Chair

Jeanne is a partner with VCBO Architecture. Since 1990, Jeanne has specialized in the design of educational facilities, specifically concentrating on the factors which create a stimulating and exciting environment for education. Jeanne holds a Master's of Architecture degree from the University of Utah, and is a member of the leadership group for the AIA Committee on Architecture in Education, and current president of the Utah Chapter of the Council of Educational Facilities Planners International.

### Mary Bearson, Public Member

Mary Bearson resides in Bountiful, Utah and is a lifelong resident of this State. She attended the University of Utah and graduated from Brigham Young University in 1972. She describes herself as a Domestic Engineer. She has been employed by the State of Utah as a public member of several State Licensing Boards since 1991. She is currently completing her first term on the Architect Licensing Board. She considers this to be an extremely educational and enjoyable experience, and feels a great sense of responsibility to the citizens of our state.

### Hans Hoffman, AIA, NCARB, LEED AP

Hans is the founding principal of Hoffman Architects LLC. In addition to being an NCARB certificate holder, he is licensed in four states and the province of Alberta, and certified by the Canadian Architectural Certification Board. Hans is a LEED accredited professional with the USGBC. Hoffman Architects primary focus is on sport, resort, and housing projects. Hoffman Architects is a member of the US Green Building Council and Architecture 2030. Hans lives in Sugarhouse with his wife Jessica and two kids.



### **Jim Nielson, AIA, LEED AP**

Jim is a principal at CRSA. Professionally, his areas of focus include commercial and institutional projects ranging from industrial to higher education facilities. He is also responsible for finance and administration at CRSA. Jim is a LEED Accredited Professional and has lectured widely on sustainable building practices. Jim has served on the licensing board since 2006.

### **Bryan Turner, AIA**

Bryan is the Director of Architectural Services for the Davis School District where he supervises the design and construction of all the District's building projects. In this capacity, he has the privilege of working with many of the architects in the State. He is a certified plans examiner and energy code plans examiner with the International Code Council (ICC). Bryan holds a Master's of Architecture degree from the University of Utah and a construction management degree from Brigham Young University. Bryan is currently a member of Utah Chapter of ICC, the Utah Chapter of the Council of Education Facilities Planners International, and is a Past President of the Utah Facilities Operation and Maintenance Association.

The Board typically meets on the second Wednesday of every other month at the Division of Professional Licensing offices in the Heber Wells Building. Agendas for future meetings and minutes of prior meetings can be found at <http://dopl.utah.gov/licensing/architecture.html>.

## licensing board activities . . .

The Architects Licensing Board has oversight of the Architect Education and Enforcement Fund. This fund is used for education and training for registration and continuing education credit for Utah architects.

Six applications for educational programming originating from the Utah Chapter of the American Institute of Architects were recently presented to, and approved by, the Board. The first funding request was earmarked for a continuing education presentation on the updated American Disabilities Act (ADA) requirements. The second request was to provide funding for the purchase of study guides intended to assist Utah's architectural interns preparing to take the Architectural Registration Examination. These materials are based in the Utah AIA office and are available to all interns on a lending library basis. The Board has funded the purchase of similar materials in past years.

The other four requests for funding were for programming at the annual 2009 AIA Utah Design Conference. These requests were approved, allowing the conference to provide outstanding national speakers to educate Utah Architects. The AIA Utah Design Conference will take place at the Salt Palace Convention center, New Section, September 25, 2009; registration is open to all. Interested parties can get more information at [www.aiautah.org](http://www.aiautah.org) or by calling the AIA Utah office, 801.532.1727.

Additionally, an application for funding from the University Of Utah School of Architecture + Planning was reviewed and approved. The request was made in order to fund speakers for the Fall 2009 Lecture Series. **All** are invited to attend these free lectures! For complete dates and details on each lecturer, please download the lecture poster from the following website: [www.arch.utah.edu](http://www.arch.utah.edu).

### **Proposed Rule Changes**

During 2008 the Architect Licensing Board took up two potential changes to the Architect Licensing Act Rule, concerning intern supervision and incidental practice.

Approved by the Board in the February board meeting was a rule change defining failure to "verify actual work experience" for one "who is or has been an employee" as unprofessional conduct. This change addresses the actions of some employers or former employers who have been reported as standing in the way of employees receiving IDP credits for legitimate work experience.



Also approved by the Board was a change to the date for submission of continuing education credits in order to make this submission coincide with the present licensure renewal cycle.

The Board has been working for some time, in conjunction with the Utah Engineering Licensing Board, to clarify the definition of Incidental Practice in the Rule. At the June Board meeting, consensus was reached on a more specific definition of incidental practice.

These rule changes will now go through internal review prior to issuance of a Notice of Proposed Rulemaking and a public hearing before the Board prior to adoption.

## WCARB in salt lake city!

Each spring, delegates from the six Regions that comprise the member boards of NCARB gather to discuss regional business and issues of concern to the profession. This year, Utah hosted Regions 4, 5, and 6, the Mid-Central, Central, and Western Conferences.

This year's two day meeting took place on March 27th and 28th, and included an educational program discussing the IDP and involving students at the University of Utah College of Architecture + Planning.

Delegates met to begin discussion of 2009 resolutions being readied for the Annual meeting in June, as well as issues of import to each individual region.

## report on 2009 NCARB annual meeting and conference ...

### Chicago, Illinois - June 2009

During the National Council of Architectural Registration Boards' (NCARB) 90th Annual Meeting and Conference in Chicago, Illinois, last June, delegates representing all of the Council's 54 Member Boards that oversee the practice of architecture held the annual elections for 2010 leadership of the Council, as well as voting on four resolutions. Attendees heard updates on the Architect Registration Examination content disclosure issues, changes to the Intern Development Program (IDP), and plans for the new NCARB web site.

Utah's own Kenneth J. Naylor, AIA, was elected President-Elect. Ken was a member and chair of the Utah Board of Architectural Licensing for a number of years, during which he served as the Regional Director for Region 6, (the largest region in the Council, comprised of Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Nevada, New Mexico, Oregon, Utah and Washington). We congratulate Ken on the achievement of his new position, and are confident that he will serve his fellow architects in his usual excellent manner.

The meeting also provided an opportunity for the registration boards to discuss and approve four resolutions. Delegates voted to apply the five-year rolling clock to ARE divisions passed prior to 1 January 2006 (including all paper-based exams prior to 1997). These divisions will remain valid until 1 July 2014. Also, effective 1 July 2011, exam candidates must take a division of the ARE (pass or fail) once every five years to keep their authorizations to test valid. Candidates whose authorizations have become invalid will need to establish a new eligibility under the then current procedures of their registration boards.

Delegates approved a resolution that will allow the phase-in of IDP 2.0 to begin on 1 July 2009. Training units will become training hours in January 2010. Training areas will become experience areas that were identified in the 2007 Practice Analysis of Architecture and work settings will be simplified in January 2011. Also, portions of the NCARB Education Standard will be moved to a new document called the Education Guidelines to make it easier to update programs such as the Broadly Experienced Architect (BEA) Program and Broadly Experienced Foreign Architect (BEFA) Program and to adapt to changing National Architectural Accrediting Board (NAAB) procedures and requirements. Delegates also approved clarification to the



definition of “responsible control” in NCARB Model Law in order to address the emergence of Integrated Project Delivery (IPD) and Building Information Modeling (BIM) technology. NCARB committees and task forces will continue to review and discuss IPD and BIM in the coming years

All 4 of the proposed resolutions passed, one as an amended resolution. For a more detailed look at these resolutions, click on the link to the National Council of Architectural Boards under Related Websites at the right side of the DOPL Architecture webpage at <http://dopl.utah.gov/licensing/architecture.html>

## disciplinary actions / complaints ...

### disciplinary actions

June 2009:

**Gerald Brower** received a citation with fine for engaging in unlicensed practice.

**Asael Lopez** was issued a cease and desists for engaging in unlicensed practice.

A complete listing of all disciplinary actions and complaints can be found on the DOPL web site at <http://dopl.utah.gov/investigations/disciplinary.html>. From this page it is possible to review all citations and actions that have been taken against any licensed individual or company.

### complaints

Every day the Utah Division of Occupational and Professional Licensing (DOPL) receives complaints regarding the conduct of individuals practicing in regulated occupations and professions. Complaints are received from many sources including the general public, co-workers, licensing board members, professional associations, other state agencies, and federal disciplinary databases.

DOPL is legislatively responsible to investigate acts or practices inconsistent with generally recognized standards of conduct, unlicensed practice in regulated professions or occupations, allegations of gross negligence or incompetence, and patterns of negligence or incompetence. Complaints are confidential in nature and are not generally available to the public. However, in certain situations, the information contained in a complaint may be shared with other governmental agencies, if the other agency demonstrates a legal basis for the sharing of such information. Upon submission, all complaints are entered into an investigative database in order to analyze patterns of behavior. Each complaint is then reviewed by DOPL's chief investigator or an investigative supervisor who makes one of three initial determinations:

#### No Violation

If it is determined that the complaint does not involve a violation, the complaint is closed and no action is taken. Additionally, no public reporting of the information will occur.

#### Violation which Does Not Meet Criteria for Investigation

When a complaint involves a violation, but does not meet DOPL's criteria for opening an internal investigation, the DOPL may choose to take any or all of the following actions:

- refer the complaint to another local, state, or federal agency
- invite the involved individual(s) to participate in an informal, educational interview
- Issue a letter of concern to the involved individual(s)

#### Violation which Does Meet Criteria for Investigation

Finally, if a complaint is determined to involve a violation and is within DOPL's jurisdiction, the complaint will be prioritized and assigned to an investigator. Investigators use their experienced judgment and established procedures to determine the type of investigation to conduct. An investigation may include any of the following elements:

- interviewing complainant(s)
- interviewing witness(es)
- interviewing involved individual(s)
- obtaining appropriate records or documentation (subpoena)
- gathering other evidence
- obtaining input from applicable experts
- drafting petitions which include a statement of the allegations

At any time, the case may be reviewed by any or all of the following: the Utah Attorney Generals Office, an expert in the respective occupation or profession, DOPL's enforcement counsel, or DOPL's bureau manager responsible for the regulation of the respective occupation or profession. DOPL may also determine that a criminal complaint is warranted and will then notify the appropriate authorities of the situation.



A complaint can be submitted to DOPL by:

- **phone** - (801) 530-6630. Office hours are Monday through Thursday (except legal holidays) from 7:00 a.m. to 6:00 p.m., Mountain Standard Time
- **email** - [DOPL@utah.gov](mailto:DOPL@utah.gov)
- **online** - [http://dopl.utah.gov/investigations/complaint\\_form.html](http://dopl.utah.gov/investigations/complaint_form.html)

## new utah licenses ....

April 01, 2009 through August 12, 2009

William Ackal	Jared Humphries	Scott Pierce
Brian Andersen	Allison Johnson	Jimmy Powers
Rocky Baer	Eric Jones	Timothy Rommel
James Baird	Jun Khaysavang	Joseph Rothman
Roy Blood Jr	Jeremy King	Suzana Rutar
Stephen Booth	Margaret Kiser	Gregory Sadowski
Charles Broadbent	Michael Lawlor	Jason Sandburg
Steven Christensen	Peter Lazzara	Robert Schaeffner
Mark Cipos	Roger Lengyel	Jeffrey Schindewolf
Clifford Curtis	Christopher Lewis	Mark Schmidt
Jeffrey Damron	Lancer Livermont	Craig Schneider
Todd Drennan	James Lord II	Roger Seifter
Michael Eltrich	Daniel Mader	William Sheely
Frank Gehry	Mark McKlechnie	Ronald Sprauge
Charles Gilman	Clio Miller	Chad Turner
Kevin Gore	David Nilson	Christopher Urbanczyk
Joshua Hansen	Rong Pan	James Warner
Todd Hanson	Roy Pedro	Paul Winslow

## current licensees

DOPL provides the public the ability to look up information about any individual or entity holding a license at <https://secure.utah.gov/llv/llv>. From this web page it is possible to look up information by name, profession or license number. From this page it is possible to view summary information about a licensee which includes:

- Name
- City, State, Zip
- Profession
- License Type
- License Number
- License Status
- Original Issue Date
- Expiration Date

*Note: Street address, phone and other protected information is not available online.*

## newsletter fine print ...

This newsletter is a publication produced by the Utah Architects Licensing Board and is intended to share pertinent information with architects licensed by State of Utah, Division of Occupational and Professional Licensing. Suggestions for content for future newsletters should be sent to Jeanne Jackson, AIA, NCARB, LEED AP [jjackson@vcbo.com](mailto:jjackson@vcbo.com)