



# FOCUS

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## Calendar

**October 3-4, 2008**  
Fall NCIDQ Examination

**October 14-15, 2008**  
NSBAIDRD Board Meeting  
*Las Vegas*

**October 15, 2008**  
Legislative Issues  
Town Hall Meeting  
*Las Vegas*

**October 29, 2008**  
Legislative Issues  
Town Hall Meeting  
*Reno*

**November 14-16, 2008**  
NCIDQ Annual Meeting  
*Kansas City, Mo.*

**January 21, 2008**  
NSBAIDRD Board Meeting  
*Las Vegas*

## Moving? New Job?

[Download a change of address form](#), or send the following information to the board office:

- Full name
- Registration number
- Old address, phone and

## Public Hearing and Workshop Scheduled for Proposed Continuing Education Requirement

The board has scheduled a public workshop and hearing to discuss the proposed regulation to mandate continuing education as a requirement for license renewal. The workshop will be held at 9:00am on October 14, 2008 at the board office (2080 E. Flamingo Road, Suite 120, Las Vegas). The hearing will be held at 10:00am on October 15 at the board office.

The proposed regulation requires all registrants earn eight continuing education units (CEUs) in the areas of health, safety and welfare each year, prior to renewal of their certificate of registration. A minimum of four units must be earned in a structured setting, and a maximum of four units may be earned in a self-directed setting. Additionally, two of the eight units must be obtained in code-related research or learning. Registrants may carryover four units to the next year.

The effective date for the proposed regulation is January 1, 2010. This means that registrants must earn the required CEUs prior to December 31, 2010, when their 2010 certificates of registration expire.

The proposed regulation provides exemptions for registrants called to active duty in the armed forces. Registrants with medical issues or physical disabilities that prevent them from earning the CEUs may request an exemption from the board. Board members plan to add an exemption for registrants who have taken Emeritus status once the required statutory change implementing that status is made.

Full text of the proposed regulation can be [downloaded from the board's website](#).

## Board to Hold Town Hall Meetings Prior to Legislative Session

The board will be holding town hall meetings in northern and southern Nevada to discuss proposed bill drafts prior to the 2009 Session of the Nevada Legislature. The town hall meeting in Las Vegas is scheduled for October 14, 2008 at 5:30pm, and will be held in the board office (2080 E. Flamingo Road, Suite 120). The northern Nevada meeting is scheduled for October 29 at 6:00pm, and will be

- fax numbers
- New address, phone and fax numbers
- Email address
- Effective date of change
- Is this a change to business or home address

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## Board Members

George F. Garlock,  
*Chairman*  
William E. Snyder,  
*Secretary/Treasurer*  
Greg L. Erny  
Judith H. Fermoile  
Larry A. Henry  
John R. Klai II  
JoAnn Oppenheimer Gore  
Derrell Parker  
Larry D. Tindall

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## Board Staff

Gina Spaulding  
*Executive Director*  
Betty J. Ruark  
*Chief Investigator*  
Laura Bach  
*Investigator*  
Tammy L. Bond  
*Administrative Secretary*  
Rebecca Ann Gaul  
*Investigator*  
Monica Harrison  
*Executive Assistant*  
Stacey D. Hatfield  
*Public Information Officer*  
Borka Samardzija  
*Financial Office Specialist*

### Newsletter Editor

Stacey D. Hatfield  
[shatfield@nsbaidrd.nv.gov](mailto:shatfield@nsbaidrd.nv.gov)

held in the Cessna Room of the Best Western Airport Plaza Hotel (1981 Terminal Way, Reno).

Topics to be discussed include proposals to implement an "Emeritus" status for retiring registrants, require written contracts between registrants and clients, and various housekeeping changes to current statute.

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## Newly Licensed? What They Didn't Teach You in School

Getting your professional license is a capstone to years (and years and years) of hard work, long nights, endless paperwork and more hard work. Along the way you learned much of the necessary knowledge and skill to practice your profession, and you will learn more as you practice every day. What often isn't taught are some of the responsibilities that come with that license.

### Remember the law

When being sworn-in by the board, licensees take an oath to "not intentionally violate any law or regulation" related to their profession, as well as to uphold the profession's Rules of Conduct. While this may seem pretty obvious, it doesn't hurt to refresh your knowledge of the laws and rules of your profession. This simple act could have helped a number of registrants who found themselves the subject of disciplinary action.

### Report unlicensed practice

If you are aware of someone practicing without a license, it is your professional responsibility to report the violation to the board. The unlicensed practice could be endangering the health, safety and welfare of the public. Both the architect and residential designer Rules of Conduct require registrants to report unlicensed practice (ROC 3.6).

Reports of unlicensed practice can be made anonymously. For more information about filing a complaint or reporting unlicensed practice, see [File a Complaint](#) on the board's website.

### Practice what you know, not what you hope to know

Being granted a professional license means that you have met a minimum threshold for registration. It means you are qualified to enter into the profession and have the basic knowledge and skills necessary to protect the public in your chosen field.

Once you are registered you are able, by law, to perform any service allowed by your scope of practice. However, that doesn't mean you necessarily should. Part of being a professional is recognizing your limitations and practicing within them. There may be a skill that you cursorily learned in school, but if you haven't practiced that skill effectively, you may be better off hiring another competent professional to handle that part of the project.

Practicing beyond your expertise is dangerous for the client, dangerous for the public and ultimately, can be dangerous for you.

Practicing beyond your knowledge and abilities, even though it may be "within your scope of practice," is incompetent practice. You can be charged with that violation, sanctioned by the board and possibly even lose your license.

### **Don't be a shill**

*Merriam-Webster* defines shill as "a: one who acts as a decoy; b: one who makes a sales pitch or serves as a promoter."

If you've been practicing in Nevada for even a short length of time, you know that there are a lot of "big names" out there whose names are attached to high-profile projects. With a little research you would find out that some of these people are not licensed to practice in Nevada. How did they get these jobs? Some simply practiced without a license (and were likely disciplined by the board later), some practiced under the responsible control of a Nevada registrant, and others had a "shill."

While it is legal to work with unlicensed designers, you need to make sure you do it properly and that you, the registrant, are in responsible control. The board issued a notice on this subject in 2005 and it can be [downloaded from the website](#).

Some registrants, eager to make a buck, will partner with an unlicensed designer and essentially act as that designer's "seal and signature" so the project can move forward. Beware: if it is your seal and signature on the project, you are the one who will be held responsible if something goes wrong. Additionally, if it is later found that you were not in responsible control, and were actually aiding and abetting unlicensed practice, you will be disciplined by the board.

Finally, always remember that if you have any profession-related questions about something you've seen, something you are considering doing, or something you aren't quite sure about, pick up the phone and call the board office. Board staff is available to help answer questions.

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## **Enforcement Actions**

**(June 5 - August 13, 2008)**

Inquiries are routinely sent to both registrants and non-registrants for alleged violations of the Nevada Revised Statutes (NRS) and Nevada Administrative Codes (NAC). There were six cases this period that resulted in disciplinary action. Additionally, 14 cases were closed because there was no basis for the allegations or the complaint did not fall within the board's jurisdiction.

The following cases were closed by means of settlement agreement. As part of the agreement, respondents agreed to assure compliance with Chapter 623. Should the respondent be involved in a subsequent case and found to have again violated a NRS or NAC, the case may be used as an aggravating factor.

Every effort is made to ensure that the following information is correct. Before making any decision based on this information, you

should contact the NSBAIDRD.

**Deviation from Standard of Professional Care by Not Taking Responsibility for Plans He Prepared: NRS 623.185.2, NRS 623.270.1(c)(f) and Rule of Conduct 5.5**

**Case No. 08-014R**

The allegations against **Dale A. Heinrich (Reg. No. 4667)** were that he was negligent in applying the technical knowledge and skill ordinarily applied by architects in good standing by not taking responsibility for plans he prepared and did not seal. Additionally, it was alleged that he made misleading, deceptive and/or false statements. The matter was resolved through a settlement agreement incorporating restitution to the client in the amount of \$1,000, passing the Registration Quiz at 100 percent and investigative costs of \$2,000.

**Holding Oneself Out: NRS 623.360.1(a)**

**Case No. 08-005R**

The allegations against **Phillip Warde (Reg. No. 5953)** were that he held himself out as being qualified to provide architectural services prior to receiving his certificate of registration. The matter was resolved through a settlement agreement incorporating restitution to the client in the amount of \$570, an administrative penalty of \$1,000 and investigative costs of \$1,800.

**Holding Oneself Out: NRS 623.360.1(a)(b)**

**Case No. 08-007N**

The allegations against **Henry Onochie and HCO Incorporated** were that they held themselves out as being qualified to provide architectural services without having a certificate of registration issued by the board. The matter was resolved through a settlement agreement incorporating an administrative penalty of \$3,000 and investigative costs of \$2,000.

**Case No. 08-019N**

The allegations against **Rodney Friedman and Fisher Friedman Associates** were that they held themselves out as being qualified to provide architectural services without having a certificate of registration issued by the board. The matter was resolved through a settlement agreement incorporating an administrative penalty of \$3,000 and investigative costs of \$2,000.

**Holding Oneself Out and Unlicensed Practice: NRS 623.360.1(a)(b)(c)**

**Case No. 08-017N**

The allegations against **Steven Gunderson and Interiors by Steve Gunderson** were that they held themselves out as being qualified to provide services that fall under the practice of registered interior design, and practiced as registered interior designers, without having a certificate of registration issued by the board. The matter was resolved through a settlement agreement incorporating an administrative penalty of \$3,500 and investigative costs of \$1,200.

**Case No. 07-038N**

The allegations against **William Poss** and **Poss Architecture** were that they held themselves out as being qualified to provide architectural services, and practiced as architects, without having a certificate of registration issued by the board. The matter was resolved through a settlement agreement incorporating an administrative penalty of \$5,000 and investigative costs of \$1,500.

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## **New Registrants By Examination**

The board extends congratulations to the following individuals who were sworn-in as new Nevada registrants at the August 2008 meeting:

### **Architects**

- 6238 Stuart Feldman (Reno)
- 6239 Joleen Pesquira (Las Vegas)
- 6240 Kim Jensen (Las Vegas)
- 6241 Alain Rivard (Las Vegas)
- 6242 Joshua Chesnik (Las Vegas)

### **Registered Interior Designers**

- 149-ID Teresa Golden (Sparks)
- 150-ID Roxann O'Rourke-Sherrodd (La Habra, Calif.)
- 151-ID Vivian Doctora (Henderson)
- 152-ID Kimberly Hopkins (Reno)
- 153-ID James Lowe (Las Vegas)
- 154-ID Karen Buttrum (Henderson)



*New architects registered at the August 2008 meeting: Stuart Feldman, Joshua Chesnik, Kim Jensen, Alain Rivard and Joleen Pesquira.*

*New registered interior designers at the August 2008 meeting: James Lowe, Vivian Doctora, Roxann O'Rourke-Sherrodd, Karen Buttrum, Kimberly Hopkins and Teresa Golden.*



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## **UNLV's Klai Juba Lecture Series**

## Underway

The UNLV School of Architecture's Fall 2008 Klai Juba Lecture Series began on September 3 with documentary filmmaker Michael Miner. All lectures are held at the UNLV Downtown Design Center in the auditorium of the newly renovated Fifth Street School, 401 S. 4th Street, Las Vegas. Lectures begin at 7:00pm, with pre-event receptions at 6:30pm.

The remaining lectures are:

- Sept. 17, Robert Dorgan (Director, UNLV Downtown Design Center)
- Oct. 1, Steve Van Gorp (Deputy Directory, Las Vegas Redevelopment Agency)
- Oct. 15, Kennedy Lawson Smith (Community Land Use and Economics Group, Arlington, Va.)
- Oct. 29, Ronald H.L.M. Ramsay (Architectural Historian, North Dakota State University)
- Nov. 12, John Norquist (President and CEO, Congress for New Urbanism, Chicago, Ill.)

Three additional lectures are being held in conjunction with, and co-sponsored by, the Vegas Valley Book Festival. Those lectures are:

- Nov. 6, 1:00pm, Matthew Coolidge (Center for Land Use Interpretation, Culver City, Calif.)
- Nov. 6, 2:45pm, John Chase (Urban Designer, City of West Hollywood, Calif.) and Greg Hise (Professor, UNLV History Department)
- Nov. 7, 10:00am, Chris Wilson (JB Jackson Professor of Cultural Landscape, University of New Mexico)

More information about the lecture series can be found at [architecture.unlv.edu](http://architecture.unlv.edu), or by calling (702) 895-3031.

Nevada State Board of Architecture, Interior Design & Residential Design | 2080 E. Flamingo Rd., Suite 120 | Las Vegas, NV 89119  
Phone: (702) 486-7300 | Las Vegas: (702) 486-7300 | Reno: (775) 688-2544 | <http://nsbaidrd.state.nv.us>

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2080 E. Flamingo Road, Suite 120, Las Vegas, NV 89119