



Vol. 18, Issue No. 4
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Calendar

August 6-7, 2009

Residential Design
Examination

August 19, 2009

NSBAIDRD Board Meeting
Las Vegas

September 17, 2009

RID Nevada Supplemental
Examination
Las Vegas

October 2-3, 2009

NCIDO Examination

October 21, 2009

NSBAIDRD Board Meeting
Reno

Moving? Change in Employment?

Per NRS 623.720, all registrants must advise the board of any change of address or place of employment within 30 days after the change. Download a [change of](#)

2009 Legislative Session Ends Board bills become law

The 2009 Nevada Legislature adjourned June 1. The three board-proposed bills all passed and became effective in May. A handful of other bills of interest to design professionals also passed this session.

Written contracts required for registrants

SB49 requires registrants have written contracts with their clients prior to providing professional services. Basic elements that must be included in the contract are outlined in the new statute. The law allows a registrant to begin providing services, if the client agrees in writing, that services may be provided prior to a contract being executed. The law also provides exemptions from the requirement, including an exemption for circumstances when the client and registrant agree, in writing, that a contract is not required.

Emeritus title created for retired registrants

SB90 gives the board the ability to grant an “emeritus” title to retired registrants who meet certain requirements. Emeritus registrants may use the title, but may not provide professional design services. The reason the new law was proposed was to provide retired registrants, who wish to continue using a professional title, an exemption from the upcoming continuing education requirement. To provide this exemption, the board must amend its regulations, which it will do later this year.

Housekeeping measure updates statute

SB91 makes various housekeeping changes to current statute.

Other legislation

AB40 revises provisions governing the review and approval of plans for the construction or alteration of school buildings.

AB174 exempts the State Public Works Board from the requirement relating to construction managers at risk.

AB483 revises the provisions governing the terms of certain contracts between public bodies and certain design professionals on public works.

Information about the legislative session, including bill language, can found on the [Nevada Legislature Web site](#).

[address form](#), or [email](#) the following information to the board office:

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

Board Members

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Chairman
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Secretary/Treasurer
Greg L. Erny
Judith H. Fermoile
Larry A. Henry
John R. Klai II
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Rebecca Ann Gaul
Investigator
Monica Harrison
Executive Assistant
Stacey D. Hatfield
Public Information Officer
Borka Samardzija
Financial Office Specialist

Newsletter Editor

Stacey D. Hatfield
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Board Hosts EP/YAF Town Hall

The evening before its June board meeting, the board hosted an Emerging Professionals/Young Architects Forum (EP/YAF) town hall meeting. The meeting served as an informal setting for new and future architects to meet board members and staff.

Board members found the discussions to be valuable and hope to hold similar events in the future.

ARE Security Challenged Violators disciplined

This spring, the NCARB Board of Directors took action against eight candidates for violating the ARE Confidentiality Agreement and disclosing exam information. While none of the violators were from Nevada, the Nevada board takes the issue very seriously and wants all Nevada candidates to be aware of the risks associated with committing such a violation.

The mission of the Nevada board, as well as the mission of NCARB, is to protect the health, safety and welfare of the public. Disclosing information on the ARE undermines that mission. The ARE is designed to measure minimum competency for the practice of architecture. If someone passed the exam because they had prior knowledge of the content, that person could become licensed even if they were not competent.

NCARB has produced a [fact sheet](#) outlining what constitutes disclosure of exam content, as well as what is considered cheating. All ARE candidates should read this information.

The prevalence of chat boards and blogs regarding the ARE has made disclosing exam content easier than in the past. Candidates who just took a division can almost immediately post information they remember from the exam. Candidates reading the boards and blogs can readily capture information from a variety of sources and virtually “recreate” some sections of the exam. The danger and risks involved in such activities are steep.

Discipline imposed on the eight candidates this spring includes suspension of testing privileges (between one and five years) as well as cancelled exam scores for some of the candidates. The disciplinary action also becomes part of their permanent NCARB record, and can be reviewed by any future jurisdiction where the candidate is seeking licensure.

Due to the actions of some of these candidates, NCARB has turned off selected content in one division of the ARE. If additional content is disclosed, NCARB will consider

extending the mandatory six-month waiting period between failed divisions until such time the content can be replaced. NCARB has already been forced to develop new exam content and is increasing the ARE fees to help recover some of the costs (see "[ARE Fees to Increase](#)").

Enforcement Actions

(March 19 – June 10, 2009)

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 were submitted for board consideration and approved. Additionally, six 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.

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

Case No. 09-046N

The allegations against *Mark Wilson, Jered Plouzek and Mark Wilson Architects* 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 \$2,500 and investigative costs of \$1,200.

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

Case No. 09-036N

The allegations against *Jill McGovern and Associated Design Consultants* were that they held themselves out as being qualified to provide architectural and residential design services, and practiced as architects and residential 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 \$1,500.

Case No. 09-045N

The allegations against *David Gieratz and David Gieratz Construction* were that they were not in compliance with

NRS 623.330(d), informally known as the Contractor's Exemption, and as a result, 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 \$5,500 and investigative costs of \$1,000.

Case No. 09-073N

The allegations against *John Kristedja* and *JK Architects* 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 \$10,000 and investigative costs of \$1,200.

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

Case No. 09-066N

The allegations against *Paul Evans* and *Evans and Associates 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 \$18,000 and investigative costs of \$1,200.

Unlicensed Practice: NRS 623.360.1(c)

Case No. 09-064N

The allegation against *Scott Turner* and *Birch Creek Design Build, LLC* is that they practiced as architects and residential designers without having a certificate of registration issued by the board. The matter was resolved through a settlement agreement incorporating an administrative penalty of \$1,000 and investigative costs of \$1,300.

NCARB Begins IDP 2.0 Roll Out Six-month rule also in effect

NCARB began rolling out its updated version of the Intern Development Program, "IDP 2.0," on July 1. NCARB says the requirements of the new program "more closely align with the current practice of architecture," as outlined in the 2007 Practice Analysis of Architecture.

IDP 2.0 will be the most significant update to the internship program since its inception over 30 years ago. The changes will be implemented over a two-year period and will happen in three phases.

Phase One began July 1, 2009 and allows interns to earn training units in new settings, including some that can apply

for interns not currently employed. New ways to earn training units include: gaining LEED accreditation, completing specified architecture-related certificate programs offered by the Construction Specifications Institute, and completing certain NCARB monographs.

Phase Two will begin January 1, 2010. This phase changes the definitions of “direct supervision” and “registered architect.” It will also change the training requirement from 700 training units to 5,600 training hours. The number of hours required remains the same; interns will no longer have to convert hours to units.

Phase Three is scheduled for implementation on January 1, 2011 and will align current IDP training areas with the new experience areas required for the competent practice of architecture as identified in the practice analysis.

July 1 was also the effective date for the new “Six-Month Rule.” As of that date, all interns starting an NCARB record must submit their training units in reporting periods of no longer than six months and within two months of completion of each reporting period. All interns, regardless of start date, will be required to comply with the new rule as of July 1, 2010. Additionally, all training unit reports must be submitted electronically through NCARB’s electronic Experience Verification Reporting (e-EVR) system.

More information regarding IDP, including webcasts and podcasts on various topics, can be found on the [NCARB Web site](#).

2009 Blue Book Published

The Nevada Construction Industry Relations Committee (NCIRC) published the 2009 edition of *The Blue Book: A Reference Guide for the Nevada Construction Industry*. Copies of the booklet were mailed to all registrants in May.

The Blue Book is a free reference manual developed for building officials, design professionals, contractors and the public. The booklet is intended to provide readers with a summary and guide to key elements of the laws, regulations and policies governing design and construction in the state of Nevada. It includes information about the role and duties of each design and construction professional, as well as information about standards for building plans. The last section in the manual covers Frequently Asked Questions.

Copies of *The Blue Book* can be obtained by calling the board office at (702) 486-7300 or [downloaded from the board’s Web site](#).

New Registrants By Examination

The board extends congratulations to the following individuals who were sworn-in as new Nevada registrants at the June 2009 meeting:

Architects

6412.....Kasey A. Baker (Las Vegas)
6413.....Do-Seong Kim (Las Vegas)
6414.....Daron J. Lynch (Reno)
6415.....Brandon Y.K. Maldonado (Henderson)
6416.....Robert Messiana (Las Vegas)
6417.....Jeremy A. Packer (Reno)
6418.....Jeff A. Wagner (Las Vegas)

Registered Interior Designers

172-ID...Chloe A. Chudina (Jackson Heights, NY)
173-ID...Jennifer A. Bahmiller (Sparks)

Residential Designers

291-P....Thomas J. McCleister (Las Vegas)
292-P....Richard Scanlan (Pahrump)
293-P....Rick E. Tester (Boulder City)



New architects registered at the June 2009 meeting: Jeff Wagner, Jeremy Packer, Do-Seong Kim, Kasey Baker, Daron Lynch, Robert Messiana and Brandon Maldonado.



New registered interior designers at the June 2009 meeting: Chloe Chudina and Jennifer Bahmiller.



New residential designers at the June 2009 meeting: Richard Scanlan, Thomas McCleister and Rick Tester.

NCIDQ Updates Entire Exam

At the end of last year, NCIDQ announced that it would be updating its two multiple-choice exams in 2010. Recently, the organization announced it would also be updating its design practicum. The changes are based on the results of the recent survey of practicing interior designers, also known as a “practice analysis.”

The structure of the three-part exam remains the same. The content of the two multiple-choice sections will be organized differently, with Section I covering codes, building systems, construction standards and contract administration and Section II covering design application, project coordination and professional practice. The design practicum (Section III) will now be an eight-hour exam consisting of seven independent, unique exercises, instead of a scenario that threads through the entire section.

The change to the multiple-choice sections will require those candidates who have not previously passed both the current Section I (Principles of Interior Design) and Section II (Construction Documents and Administration) to pass both of these sections by the end of 2009 or retake each of the new sections in order to receive the NCIDQ Certificate and/or qualify for state licensure.

The remaining 2009 exam dates are October 2-3.

More information about the exam, as well as exam registration information can be found on the [NCIDQ Web site](#).

ARE Fees to Increase

Due to the recent issues with ARE security being compromised (see "[ARE Security Challenged](#)"), NCARB has had to turn off substantial amounts of exam content. NCARB has estimated that the cost to develop and replace this content

is \$1.1 million.

In an effort to help offset some of these costs, NCARB is increasing the fee for each section of the ARE by \$40 to \$210. The new rate of \$210 per division will take effect on October 1, 2009.

NCARB Expands Rolling Clock, Limits Testing Authorization

In 2006 NCARB instituted a five-year “rolling clock” which provided that an applicant had five years, counting from the date of passage of the first exam, to pass all divisions of the ARE. If all divisions were not passed in the five-year period, the candidate would have to retake the divisions for which the scores were invalid.

When initially passed in 2004, the rolling clock provision only applied to divisions of the ARE that were passed after January 1, 2006. At the recent NCARB Annual Meeting, the rolling clock provision was expanded to include all sections of the exam, even those passed prior to 2006. Under this amendment, division passed prior to January 1, 2006 will no longer remain valid if the remaining divisions are not passed by July 1, 2014.

Additionally, NCARB is limiting the window in which testing authorization is available. Effective January 1, 2011, an applicant’s authorization to test will expire unless he has passed or failed a division of the ARE within a five-year period. Applicants whose authorization is terminated must establish new eligibility under the then current procedures of the applicable state board.

For more information on the ARE, go to the [NCARB Web site](#).

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