



Ohio Architects Board

FALL 2010

NEWS FOR OHIO ARCHITECTS AND INTERNS

Ohio Architects Board

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New ARE Rules Require Regular Testing

Two changes have been made to the Five-Year Rolling Clock for the Architect Registration Exam in the state of Ohio. These changes will affect all Ohio ARE candidates.

The first change to the Rolling Clock goes into effect on January 1, 2011:

- All Ohio exam candidates are now required to test at least once every five years in order to maintain their *eligibility in Ohio* to take the ARE.
- Ohio candidates whose initial ARE eligibility began prior to 1/1/2006 will have their eligibility voided on 1/1/2011, unless the candidate has taken (pass or fail) a division of the ARE since 1/1/2006.
- Ohio candidates who were authorized to test after 1/1/06 remain eligible for five years from the date of the original authorization.
- Ohio eligibility is extended by five years each time a candidate tests.
- Any Ohio candidate whose authorization is terminated for failure to test will be required to re-apply to take the ARE *and* meet the eligibility requirements in effect at the time of re-application.

The current Ohio requirements call for candidates to hold a professional degree in architecture to be admitted to the ARE and complete the Intern Development Program (IDP) prior to being licensed.

The second change is to the NCARB Rolling Clock and goes into effect on July 1, 2014:

- As of 1/1/2014, scores for any division passed prior to January 1, 2006 will no longer be valid if all remaining divisions have not been passed by July 1, 2014.

Candidates with questions about their eligibility should contact the Board office at 614-466-1327.

Continuing Education Is Required in Ohio!

At audit time, architects often express surprise that they have not met the Continuing Education requirement.

- A variety of excuses are offered: "I didn't know about the requirement." (But the same architect acknowledged completion of

Mission Statement

The Ohio Architects Board, appointed to a leadership role in the profession of architecture, is dedicated to the promotion and protection of the health, safety and welfare of the citizens of Ohio by:

- *Establishing and maintaining high standard for architectural registration, practice and professional conduct;*
- *Proactively enforcing the laws and rules governing the practice of architecture;*
- *Communicating with and educating the public and the profession concerning the practice of architecture.*

Vision:

The Ohio Architects Board will strive for the highest standards of professional quality in all aspects of its business to make the Board an effective and efficient regulatory body for the practice of architecture within the state.

the requirement by checking the appropriate box on the renewal application.)

- Or, "I'm Emeritus member of the AIA." (Which is not the same as being an Emeritus architect with the Board—a separate application is required and is available on the Board's website.)
- Or, "I thought I had completed all of my hours!" (Had the architect carefully reviewed their Certificates of Completion or AIA transcript prior to mailing the renewal application, they would have known if they had met the requirement!)

Even greater is the surprise expressed when the Board fines the architect for failing to complete the requirement!

As a reminder, architects should take care to ensure they have obtained the required 24 hours (16 HSW) prior to renewal. The current renewal period is 1/1/10 – 12/31/11. Hours must be earned in this time frame. If audited, architects will be asked to provide copies of their Certificates of Completion or an AIA transcript.

Due to the wide availability of free CE on the internet, the Board does not recognize financial hardship as an excuse for failing to complete the requirement. The Board also maintains a list of CE resources at <http://www.arc.ohio.gov/conted.stm>

Changes to Firm Registration Requirement

Senate Bill 183, 128th General Assembly, became effective on September 10, 2010. The bill was sponsored by Senator Tim Schaffer (R-Lancaster).

All grandfathered, or previously exempt firms, are now subject to the requirements of Chapter 4703 of the Revised Code and are also *required* to obtain a Firm Certificate of Authorization. *Sole proprietors operating as unincorporated businesses remain exempt.* All other corporations, LLC's, professional associations and partnerships must obtain a firm Certificate of Authorization.

The reason for this change was because of an unintentional loophole in the original firm licensing law in 1982, which exempted the grandfathered firms entirely from the laws and rules of ORC and OAC Chapter 4703, which govern the practice of architecture.

The problem was brought to the Board's attention when complaints were filed with the Board by both the client and contractor on the same project. An unlicensed individual had purchased a grandfathered architecture firm and the firm employed no licensed architects. Upon investigation, it was determined that the Board had no jurisdiction over the firm and was unable to intervene in the matter. SB 183 corrected this problem in the law.

The firm *ownership* exemption continues in effect. This means that firms chartered prior to August 7, 1943 or otherwise lawfully providing architectural services prior to November 15, 1982, *remain exempt from the ownership requirement*, which requires a majority of the firm's owners be registered design professionals. These firms must still comply with all other requirements, including obtaining a Certificate of Authorization and having an Ohio-registered Architect in responsible control.

The "New Firm Certificate of Authorization Application" can be downloaded from the Forms page of the Board's website at <http://www.arc.ohio.gov/forms.stm>.

Please contact the Board office if you have any questions about the changes.

New IDP Supervisor Rule

Following a request for consideration from the AIA Ohio Associates Committee, the Board recently voted to add a rule, OAC 4703-3-07 (E) (6), which requires Intern Development Program (IDP) supervisors to respond to a request to verify IDP experience hours reported to NCARB's electronic Experience Verification Reporting System (e-EVR).

The Board is aware of situations where former supervisors have refused to respond to verification requests by current or former employees because of personality conflicts, or because the intern has moved on to other employment. The Board's intent is to eliminate these situations. Failure to respond may be a Code of Conduct violation.

Ohioans Serve on NCARB Committees

Several Ohio board members, staff and registered architects are serving on National Council of Architectural Registration Boards committees.

Ohio Architects Board member, *August Fluker, Jr., AIA*, Cleveland, is a member of the ARE Subcommittee: Site Planning & Design.

Board member *Stephen L. Sharp, AIA* Springfield, is a member of the National Architectural Accrediting Boards Visiting Team. Sharp also serves as Vice-Chair of NCARB's Region 4.

Jeffrey Skapin, Stow, Board Vice-President, is a member of the ARE Subcommittee: Building Design and Construction Systems.

Executive Director *Amy Kobe, Hon AIA*, serves on the NCARB Member Board Executives Committee.

Terence Sullivan, AIA, of Schooley-Caldwell Associates, is a member of the ARE Subcommittee: Building Systems.

New IDP Entry Points Established

An IDP eligibility date is the date after which an intern is able to earn IDP experience. As of October 1, 2010, interns can start to earn IDP credit after successfully documenting:

1. Enrollment in a NAAB/CACB-accredited degree program.
2. Enrollment in a pre-professional architecture degree program at a school that offers a NAAB/CACB-accredited degree program.
3. Employment in IDP Work Setting A after obtaining a U.S. high school diploma or General Education Degree (GED) equivalent, or comparable foreign degree.

The earliest IDP eligibility date under the new rules is October 1. If you

establish your date on or after October 1, 2010, no experience prior to that date will be accepted. Please refer to Appendix A in the [IDP Guidelines](#) to learn how to establish an IDP eligibility date prior to October 1, 2010.

Welcome, Stephanie Happ!



The Ohio Architects Board is pleased to welcome Stephanie Happ as the Board's Certification/Licensure Examiner.

Stephanie comes to the Board from the Ohio Department of Job and Family Services, where she was an Unemployment Compensation Claims Examiner.

Just Who Can Use the Title "Architect"?

The Board regularly receives questions regarding the use of the term and title of "Architect" by the IT, technology and software industries. These issues have been brought to the Board's attention for much of the last decade. Much to the dismay of the registrants, there is nothing legally the Ohio Architects Board can do to prohibit non-architects from using these terms.

Over the years, representatives of the Ohio Attorney General's office have advised our Board that Ohio Revised Code sections 4703.06 and 4703.18 (A) can only be applied to prohibit non-licensed people from using the term "Architect" or one of its derivatives if they are directly involved in the "*design & construction*" industry or are in some manner portraying that they are actually providing some form of *designs, drafting, construction drawings, etc.* for *commercial buildings and residential dwellings*.

Another area where the title "Architect" is often used incorrectly is with unlicensed interns or employees working in architecture firms. Quite frequently, the Board sees interns using the title "Graduate Architect". Unfortunately, use of this title is in violation of the Ohio Revised Code, which only permits interns the use of two titles containing the word "Architect". Legally, *the only permitted titles are "Intern Architect" and "Architectural Intern"* and use is further restricted to persons who have applied to the Ohio Board for Registration by Examination. Any other combination of words or letters by unregistered persons is not allowed.

Is Your Contact Information Up to Date?

Do you have a new email address? Have you moved or changed jobs? It is your responsibility to notify the Board of any changes in your contact information.

If your current information is not on file, you may not receive your renewal notice or exam scores. Use this link to notify the Board of any changes: <http://www.arc.ohio.gov/address.stm>

If you have an NCARB Record or Certificate, you should also notify NCARB at www.ncarb.org

Ohio ARE 4.0 Pass Rates

| 01/01/2010 thru 09/30/2010 | Divisions Taken (Ohio) | Divisions Passed (Ohio) | % Passing | All US Boards | # Passing All Boards | % Passing All Boards |
|---|------------------------------|-------------------------------|--------------|------------------|-------------------------------|-------------------------------|
| Building Design & Construction Systems | 61 | 45 | 74% | 3,302 | 2,064 | 63% |
| Building Systems | 67 | 54 | 81% | 3,310 | 2,132 | 64% |
| Construction Documents & Services | 81 | 58 | 72% | 4,383 | 2,729 | 62% |
| Programming, Planning & Practice | 88 | 60 | 68% | 4,086 | 2,487 | 61% |
| Schematic Design | 85 | 69 | 81% | 4,008 | 2,956 | 74% |
| Site Planning & Design | 88 | 67 | 76% | 3,445 | 2,645 | 77% |
| Structural Systems | 78 | 49 | 63% | 3,586 | 2,336 | 65% |

Congratulations to Architects Newly Licensed by Examination!

The Board wishes to congratulate the following Architects who were licensed by examination between October 1, 2009 and November 23, 2010:

| | |
|--------------------|--------------------|
| Nicole Baden | Eric Newland |
| Brian Baker | Seth Oakley |
| James Bean | Kevin Oliver |
| Mack Cole-Edelsack | Bradley Parish |
| Chad Costello | Edward Parker |
| Julia Cyganski | Joseph Pasquinelli |
| Traci D'Alessio | Kai Raab |
| Michael Demarco | Jonathon Reidy |
| Jay Devore | Kara Repnow |
| Steven Evans | Jason Rieke |
| Sarah Fortkamp | Jennifer Ries |
| Paul Gierlach | Aaron Rodebaugh |
| Jaclyn Hanson | William Scantlin |
| Michael Herpy | Andrew Schneider |
| Amy Hood | Bill Schroeder |
| Martin Johannessen | Melissa Sieg |
| Hyontae Kang | Melinda Smith |
| Kalina Kath | Kevin Spring |
| Emily Kite | Eric Stear |
| Eric Klotz | Joseph Steines |
| Robert Krynzal | Matthew Strehle |
| Jonathan Kurtz | Timothy Swartz |
| Bernard Lappe | Chung Tam |
| Diana Lee | Kate Thurmer |
| Matthew Manning | Michael Vettors |
| Anna Mans | Bryan Westgate |
| Yamilet Martinez | Nikki Wildman |
| Joseph Moss | Kevin Willis |
| Hal Munger | Shana Wygonik |

Enforcement Actions

The following cases are final results of investigative matters resolved between November 2009 and November 2010. Every effort is made to ensure that the following information is correct.

If you have any questions about these cases or other enforcement matters, please contact the Board's Investigator, Chad B. Holland at (614) 466-1476 or via e-mail at chad.holland@arla.state.oh.us

File #2009-19

**Jonathan M. Van Meter, Cert. No. 9674
New Albany, Ohio**

After receiving an inquiry, it was determined that Mr. Van Meter allegedly violated Ohio Revised Code sections 4703.12 (A), 4703.15 (A) (3) and 4703.18 (A) for submitting construction documents bearing his architectural seal and signature to the City of Worthington building department in April 2009 while his license to practice architecture had been lapsed since December 31, 2007.

This matter was informally resolved whereby Mr. Van Meter entered into a settlement agreement, accepted a \$500 fine for his actions and renewed his license. This matter was closed November 2009.

File #2009-23

**L. Rider Brice, Cert. No. 7176
Columbus, Ohio**

After an administrative hearing, Mr. Brice was found to have violated Ohio Revised Code sections 4703.12 (A), 4703.15 (A) (3) and 4703.18 (A) for submitting construction documents bearing his architectural seal and signature to the City of Upper Arlington Building Department in August 2009 while his license to practice architecture had been lapsed since December 31, 2007.

The Board issued an Adjudication Order whereby they approved the findings of fact, conclusions of law and recommendation set forth by the hearing officer. Mr. Brice was ordered to pay a \$500 fine. He may apply for reinstatement of his license once he completes the mandatory continuing education requirements and has paid the \$500 fine in full. This matter was closed July 2010.

File #2010-10

**Edward P. Schmittgen, Cert. No. 10479
Cleveland State University
Cleveland, Ohio**

After receiving a complaint, it was determined that Mr. Schmittgen, the University Architect for Cleveland State University, allegedly violated Ohio Revised Code section 4703.06 (A), which prohibits non-architects from assuming title, abbreviation or words to imply that he or she is an architect or registered architect.

Two of Mr. Schmittgen's non-architect employees held the job titles of Project Architect and Architectural Designer, which is a violation. This matter was amicably resolved whereby Mr. Schmittgen and Cleveland State University agreed to revise the employees' job titles. This matter was closed March 2010.

File #2010-11

**Katie Hunter
Cincinnati, Ohio**

After receiving a complaint, it was determined that Ms. Hunter allegedly violated Ohio Revised Code sections 4703.06 and 4703.18 (A) which prohibit non-architects from advertising, offering or providing architectural services.

Hunter advertised the provision of "architectural design services" and "architecture" via several advertisements under the category of "Architects" or "Architectural Services" in several online versions of the Yellow Pages and other online mediums. This matter was amicably resolved whereby Ms. Hunter agreed to remove any illegal advertisements. This matter was closed May 2010.

**File #2010-12
Tim L. Beck, Cert. No. 6282
Bath, Ohio**

Mr. Beck indicated on his 2010-2011 renewal application that he had completed the mandatory continuing education requirements for license renewal. However, after conducting a random audit, it was determined that Mr. Beck allegedly failed to complete the mandatory continuing education requirements, which is a violation of Ohio Revised Code 4703.15 (A) (1), (2), (3) and Ohio Administrative Code 4703-1-11 (B), 4703-1-11 (G), 4703-3-07 (C) (4), 4703-3-07 (E) (3) and 4703-3-07 (E) (4).

This matter was informally resolved whereby Mr. Beck entered into a settlement agreement, accepted a \$1,000 fine for his actions and successfully completed the continuing education requirements. This matter was closed July 2010.

**File #2010-14
Michael S. Keifling, Cert. No. 12882
Cincinnati, Ohio**

Mr. Keifling indicated on his 2010-2011 renewal application that he had completed the mandatory continuing education requirements for license renewal. However, after conducting a random audit, it was determined that Mr. Keifling allegedly failed to complete the mandatory continuing education requirements, which is a violation of Ohio Revised Code 4703.15 (A) (1), (2), (3) and Ohio Administrative Code 4703-1-11 (B), 4703-1-11 (G), 4703-3-07 (C) (4), 4703-3-07 (E) (3) and 4703-3-07 (E) (4).

This matter was informally resolved whereby Mr. Keifling entered into a settlement agreement, accepted a \$1,000 fine for his actions and successfully completed the continuing education requirements. This matter was closed July 2010.

**File #2010-16
Bob Cancasci
Broadview Heights, Ohio**

After receiving a written complaint, it was determined that Mr. Cancasci allegedly violated Ohio Revised Code sections 4703.06 and 4703.18 (A) which prohibit non-architects from advertising, offering or providing architectural services.

Mr. Cancasci advertised the provision of "Architectural Design Services" on his title block for a residential addition. This matter was amicably resolved whereby Mr. Cancasci agreed to remove any illegal references to "Architectural Design Services". This matter was closed July 2010.

File #2010-17
Josue Feliciano
The Masters Hand Drafting Services
Marion, Ohio

After receiving a complaint, it was determined that Mr. Feliciano allegedly violated Ohio Revised Code sections 4703.06 and 4703.18 (A) which prohibit non-architects from advertising, offering or providing architectural services.

Mr. Feliciano designed, prepared and charged a client \$500 for construction documents for the renovation of a hair & nails beauty salon in Marion, Ohio. This matter was amicably resolved whereby Mr. Feliciano agreed to work under the direct supervision of a registered architect whenever becoming involved in a commercial project. This matter was closed July 2010.

File #2010-18
Mark A. Green, Cert. No. 11807
Cleveland, Ohio

Mr. Green indicated on his 2010-2011 renewal application that he had completed the mandatory continuing education requirements for license renewal. However, after conducting a random audit, it was determined that Mr. Green allegedly failed to complete the mandatory continuing education requirements, which is a violation of Ohio Revised Code 4703.15 (A) (1), (2), (3) and Ohio Administrative Code 4703-1-01 (C), 4703-1-11 (B), (G), 4703-3-07 (C) (4), 4703-3-07 (E) (3), (4).

This matter was informally resolved whereby Mr. Green entered into a settlement agreement, accepted a \$1,000 fine for his actions and successfully completed the continuing education requirements. This matter was closed September 2010.

File #2010-19
Jeffry A. Barber, Cert. No. 7008
North Canton, Ohio

After receiving an inquiry, it was determined that Mr. Barber allegedly violated Ohio Revised Code sections 4703.15 (A) (3) and 4703.18 (A) by holding himself out to be an architect to his clients and providing architectural services for a residence in Canton, Ohio in 2009-2010 at a time during which his license had been lapsed.

This matter was informally resolved whereby Mr. Barber entered into a settlement agreement, accepted a \$1,000 fine for his actions and reinstated his license. This matter was closed September 2010.

File #2010-20
Tim Franklin
Franklin & Associates
Akron, Ohio

After receiving a complaint, it was determined that Mr. Franklin allegedly violated Ohio Revised Code sections 4703.06 and 4703.18 (A) which prohibit non-architects from advertising, offering or providing architectural services and from holding forth as an "Architect".

Per Mr. Franklin's company website, he held himself out as an "Architect" and represented that he was a member of the AIA. This matter was amicably resolved whereby Mr. Franklin agreed to remove any references

on his website to being an Architect. He also correctly listed himself as an Associate member of the AIA. This matter was closed July 2010.

File #2010-21
Cally J. Breese
Revival Design Studio
Celina, Ohio

After receiving a complaint, it was determined that Ms. Breese allegedly violated Ohio Revised Code sections 4703.06 and 4703.18 (A) which prohibit non-architects from advertising, offering or providing architectural services.

Breese advertised the provision of "architectural design services" via her company website. This matter was amicably resolved whereby Ms. Breese agreed to remove any reference to providing architectural design services. This matter was closed July 2010.

File #2010-22
Robert P. Sitzenstock, Cert. No. 3696
Maumee, Ohio

Mr. Sitzenstock indicated on his 2010-2011 renewal application that he had completed the mandatory continuing education requirements for license renewal. However, after conducting a random audit, it was determined that Mr. Sitzenstock allegedly failed to complete the mandatory continuing education requirements, which is a violation of Ohio Revised Code 4703.15 (A) (1), (2), (3) and Ohio Administrative Code 4703-1-01 (C), 4703-1-11 (B), (G), 4703-3-07 (C) (4), 4703-3-07 (E) (3), (4).

This matter was informally resolved whereby Mr. Sitzenstock entered into a settlement agreement, accepted a \$1,000 fine for his actions and successfully completed the continuing education requirements. This matter was closed September 2010.

File #2010-25
Eric C. Puryear
Cincinnati, Ohio

After receiving a complaint, it was determined that Mr. Puryear allegedly violated Ohio Revised Code sections 4703.06 and 4703.18 (A) which prohibit non-architects from advertising, offering or providing architectural services and from holding forth as an "Architect".

Puryear held himself out as a Project Architect for Beck Architecture on his personal profile via the online professional social network, LinkedIn. This matter was amicably resolved whereby Mr. Beck agreed to remove any reference to being a Project Architect. This matter was closed July 2010.

File #2010-26
John M. Alberti, Cert. No. 11811
Indianapolis, Indiana

After receiving an inquiry, it was determined that Mr. Alberti allegedly violated Ohio Revised Code sections 4703.12 (A), 4703.15 (A) (3) and 4703.18 (A) for submitting commercial construction documents bearing his architectural seal and signature to the Summit County Building Department in May 2010 while his license to practice architecture had been lapsed since December 31, 2001.

This matter was informally resolved whereby Mr. Alberti entered into a settlement agreement, accepted a \$1,000 fine for his actions and

reinstated his license. This matter was closed September 2010.

File #2010-29
Amy Carpenter, Cert. No. 11904
Columbus, Ohio

Ms. Carpenter indicated on her 2010-2011 renewal application that she had completed the mandatory continuing education requirements for license renewal. However, after conducting a random audit, it was determined that she allegedly failed to complete the mandatory continuing education requirements, which is a violation of Ohio Revised Code 4703.15 (A) (1), (2), (3) and Ohio Administrative Code 4703-1-01 (C), 4703-1-11 (B), (G), 4703-3-07 (C) (4), 4703-3-07 (E) (3), (4).

This matter was informally resolved whereby Ms. Carpenter entered into a settlement agreement, accepted a \$1,000 fine for her actions and successfully completed the continuing education requirements. This matter was closed November 2010.

File #2010-31
Ade A. Fagbolagun
Canal Winchester Ohio

After receiving an inquiry, it was determined that Mr. Fagbolagun allegedly violated Ohio Revised Code sections 4703.06 and 4703.18 (A) which prohibit non-architects from representing themselves to be an architect.

Per Mr. Fagbolagun's job application, he represented himself as an architect. This matter was amicably resolved whereby he agreed to remove any references to being an architect. This matter was closed November 2010.

Unethical or Unlicensed Activity?

If you believe the services or conduct of an Ohio architect or firm to be unethical, illegal or below an acceptable standard, or if you are aware of unlicensed practice, please contact Chad B. Holland, Investigator, at 614-466-1476 or chad.holland@arla.state.oh.us.

Do You Know the Laws and Rules of the Board?

Have you read the Laws and Rules since you first applied for a license in the State of Ohio? If it has been more than six months, you just might want to take a few minutes and review the current Laws and Rules. A few minutes spent now could avert disciplinary action in the future!

PDF versions of the Laws and Rules can be downloaded from the Board's website at <http://www.arc.ohio.gov/laws.stm>.

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