



Ohio Architects Board

Fall 2009

In This Issue

- New Board Members
- License Renewal
- NCARB Resolutions
- Firm Certificate of Authorization
- In Memoriam: Gerald Hammond, FAIA
- New Registrants
- CE Self Report Explained
- Continuing Education Exemptions
- New rules
- AG offers help for small businesses
- Enforcement Actions

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Fluker Named to Board; Fleischman Reappointed

Since the Board's newsletter was last published, Governor Ted Strickland has named August L. Fluker Jr., AIA, LEED AP to serve on the Ohio Architects Board and Richard Fleischman, FAIA, Cleveland, has been reappointed.



Mr. Fluker's five year term is through October 2013. Fluker is an Architect and Principal with City Architecture, Inc., Cleveland. He has previously worked at Burriss & Behne Architects, Robert P. Madison International, and the City of Cleveland's Division of Architecture.

Fluker is a member of The American Institute of Architects, Cleveland Chapter and the Board of Trustees for the Greater Cleveland Habitat for Humanity. Previously, Mr. Fluker served on the Board of the Partnership for a Safer Cleveland.

Fluker is a 1985 graduate of Miami University, Oxford, Ohio, and resides in Cleveland with his wife, Jennifer Coleman, who is also an architect, and their son.



Richard Fleischman, FAIA, of Bratenahl, Ohio, President of Richard Fleischman + Partners, Architect, Inc. Cleveland, has been reappointed to the Ohio Architects Board by Governor Ted Strickland. Originally appointed in 2005 by Governor Bob Taft, Mr. Fleischman will serve a five year term ending in October 2014.

Fleischman is a Fellow in the American Institute of Architects, and has been the recipient of many honors and awards, both for his civic involvement and innovative architectural designs.

Two awards of particular significance are the American Institute of Architects Ohio Society (AIA Ohio) Ohio Gold Medal Firm Award and the individual AIA Ohio Gold Medal Award for his personal achievement.

Fleischman holds a Master of Architecture from Columbia University and a Bachelor of Architecture from Carnegie Institute of Technology. He is also a past president of the Cleveland Chapter of the American Institute of Architects.

License Renewal Deadline December 31

It is almost time to renew your architects' license. Biennial renewal notices will be mailed in early November and must be returned by December 31, 2009, in order to avoid a penalty. The cost to renew remains \$125.00. Late renewals must pay a penalty of \$31.25. Due to the high cost of processing credit cards, online renewal will not be available this year. Instead, checks will be mailed to a secure bank-operated lockbox.

If you don't receive your renewal form, that means your address is not up-to-date with the Board. Please notify the Board at once!

Board Members

President
Stephen Sharp,
AIA
Springfield, Ohio

Vice-President
Richard Bowen,
AIA
Cleveland, Ohio

Secretary
Jeffrey Skapin
Stow, Ohio

Members:
Richard
Fleischman, FAIA
Cleveland, Ohio

August Fluker,
AIA
Cleveland, Ohio

Staff:
Click on a name
to send a
message.

Amy Kobe, CAE
Executive
Director

Chad Holland
Investigator

Cheryl Thaxton
Administrative
Assistant

Jodi Ross
Executive
Secretary

Important Board
Website Links:

Change of

In order to renew, the architect must sign a statement affirming completion of the Continuing Education requirement. Architects who have yet to meet the requirement may not submit the renewal application until the requirement is completed.

While audits of Continuing Education are done on a random basis, the Board's Investigator, Chad Holland reports that "This year, nearly every one of the individuals audited in connection with an enforcement investigation has been found to be deficient in meeting the CE requirement, which has resulted in additional fines and penalties."

In addition to monetary fines, such action becomes a part of the licensee's permanent record. All discipline appears permanently on the public license verification portion of the Board's website.

The requirement calls for 24 contact hours of CE, all completed between January 1, 2008 and December 31, 2009. Sixteen of the 24 hours must be Health, Safety and Welfare (HSW) hours. A list of acceptable HSW topics can be found on the Board's website.

Unemployed? Thrifty? You don't need to pay hundreds of dollars for Continuing Education! There is a list of providers offering free internet-based CE programs on the Board's website at <http://www.arc.ohio.gov/conted.stm> Please note: there is no exemption from the CE requirements based upon economic hardship.

NCARB Resolutions Affect ARE & IDP

At the NCARB Annual Meeting in Chicago in June, four significant resolutions were passed by NCARB's Member Boards, including Ohio. The passage of these resolutions will affect Ohio interns and exam candidates.

Delegates voted to apply the five-year rolling clock to ARE divisions passed prior to January 1, 2006 (including all paper-based exams passed prior to 1997). These divisions will remain valid until July 1, 2014. As of that date, paper and pencil candidates may have to retake divisions they had previously passed.

Also, effective July 1, 2011, exam candidates must take a division of the ARE (regardless of whether you pass or fail) once every five years to keep the authorization to test valid. Candidates whose authorizations become invalid will need to establish a new eligibility under the then current procedures of the Board. This change will particularly affect Ohio's pre-2000 candidates with four year degrees, as they will have to reapply *and* have a professional degree to qualify. This problem can be avoided by becoming licensed prior to the deadline.

Delegates approved a resolution that began the phase-in of IDP 2.0 effective July 1, 2009. The initial phase of IDP 2.0 allows interns to complete activities in the Emerging Professionals Companion (EPC), which will count toward minimum required training units.

Training *units* will become training *hours* in January 2010. Training *areas* will become experience *areas* based upon the 2007 Practice Analysis of Architecture. Work settings will be simplified, by changing from seven work settings to three in January 2011. More information on the IDP 2.0 experience areas will be available later this year.

Also, portions of the *NCARB Education Standard* have been 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.

Address

Complaints/
Enforcement

Continuing
Education

Forms

Frequently Asked
Questions

License Look-up

Upcoming Board
Meeting Dates:

Thursday,
November 12

9 AM

Board Room, 31st
Fl.

Riffe Center

77 S. High St.

Columbus, Ohio

Other Useful
Links:

CLARB

International Code
Council

NCARB

Ohio Board of
Building Appeals

Ohio Board of
Building
Standards

Ohio Board of
Landscape
Architect
Examiners

Ohio Building
Officials
Association
(OBOA)

Ohio Engineers
and Professional
Surveyors Board
State Architects

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.

The text for all four resolutions approved at the meeting can be reviewed on the NCARB web site at: http://www.ncarb.org/newsclips/2009/jun09_4.html.

For assistance in understanding how these changes may affect your eligibility, please contact Amy Kobe at (614) 466-2316 or amy.kobe@arla.state.oh.us

All Firms Must Have a Certificate of Authorization

The Board is frequently asked if a firm is required to have a Certificate of Authorization. The answer, with limited exceptions, is “yes”. The Board can issue monetary fines, up to \$1,000, to firms who operate without a Certificate. In addition, disciplinary action can be taken against individual architects for failure to obtain a Certificate for their firm. The rules for firm certificates of authorization can be downloaded from the Board’s website.

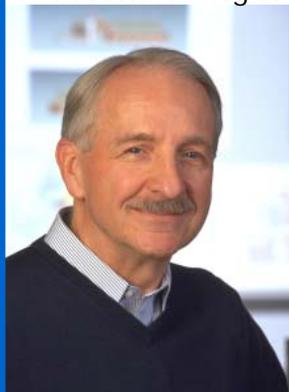
Only three types of firms are exempt from the requirement:

- An *unincorporated* sole proprietor. A sole proprietor who is registered with the Ohio Secretary of State as a corporation or LLC *is required* to have a Certificate.
- Corporations which were granted a charter in Ohio prior to August 7, 1943 or were otherwise lawfully providing architectural services in Ohio prior to November 15, 1982 are exempt from the requirements of these rules. Professional associations complying with the requirements of Ohio Revised Code Chapter 1785 of the Revised Code and organized in Ohio prior to November 15, 1982 are also exempt.
- Design/Build firms, as defined in Ohio Revised Code section 4703.182 and Ohio Administrative Code section 4703-3-12.

Should you have additional questions about the Firm Certificate of Authorization, please contact Chad Holland at (614) 466-1476 or chad.holland@arla.state.oh.us.

In Memoriam: Gerald Hammond, FAIA

Gerald “Gerry” Hammond, FAIA, LEED AP, passed away July 28, 2009 in Hamilton, Ohio after a long illness. He served as a member of the Ohio Architects Board for ten years, twice serving as President. In 2008, he was presented the National Council of Architectural Registration Boards (NCARB), Presidents Medal by the in recognition of his many years of distinguished service to the Council and its mission to provide health, safety and welfare to the public.



Gerry was a 1960 Summa Cum Laude graduate of Princeton University with a Bachelor of Arts + Architecture degree. He was a 1964 graduate of the Massachusetts Institute of Technology with a Bachelor of Science degree in Architecture. An associate of the Steed-Hammond-Paul architecture firm for more than 42 years, he retired as President and CEO in 2009. His leadership helped the firm grow from a small 6-person office to a nationally recognized force specializing in total learning environments, sustainable design, civic and public architecture, arts venues, health and wellness facilities and commercial offices.

Hammond was an active member of many professional and community organizations, including the Architects Society of Ohio (AIA Ohio), serving as president; the American Institute of Architects, serving as national vice-president. His wit and wisdom is greatly

missed by staff and board members alike.

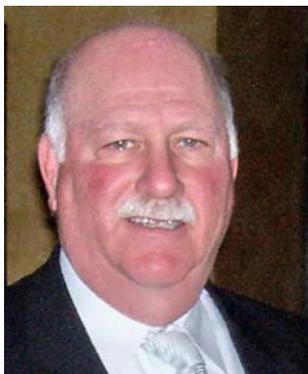
Change of Address?

Please make sure that we have your most current mailing address, e-mail and telephone number so we may send renewal notices and other important information to you in a timely fashion. You can look up your address on the License Verification portion of Board's website at <https://license.ohio.gov/lookup/default.asp?division=89> When searching, enter *only* your first and last name. (Too much information does not work!)

You may update your contact information with the Board online at <http://www.arc.ohio.gov/address.stm>, by emailing Jodi Ross at jodi.ross@arla.state.oh.us, via telephone at (614) 466-2316, or by fax at (614) 644-9048.

Guest Column: Not Losing What We've Gained...Building the Next Generation of Architects

By Judson A. Kline, AIA, LEED AP
Sr. Vice President
Herschman Architects, Inc.
Cleveland, Ohio



The great recession has had a devastating affect on the architectural profession. Unfortunately, many firms have reduced significant numbers of staff and put many talented people on the street. The collateral damage arising from a shrinking job market is the inability for those recent graduates of our educational system to gain entry into the practice arena beginning their careers and fulfilling their ambitions. We cannot afford to forget about this cohort. They are the future architects needed to meet the demands we will see arising from a world where sustainable design will be the way forward and aging structures will need to be restored and renovated to meet the requirements of our communities.

Even though there may not be jobs for these newly minted architectural graduates, those of us in practice need to find ways to provide support so we do not lose this group from the ranks of our profession. Here are some suggestions:

1. Begin identifying the graduates by linking into Ohio's colleges of architecture and become familiar with the students in their programs.
2. With the encouragement and support of the local AIA Chapters and the Architects Board, the colleges need to encourage their students to enroll in the IDP (the application fee of \$100 is reimbursed by the State Board).
3. Become a mentor for a graduate. As long as the interns have a supervising mentor, some of the IDP work they need to complete IDP can be completed without being employed by a firm.
4. The AIA chapters, the Architects Board, and the schools need to work together to serve as a connective link between the practitioners and these students in developing opportunities to create mentors.
5. As practitioners, attend career fairs at the schools (we may not have jobs now, but we will in the future).
6. Suggest developing a buddy system within our offices to connect interns who are employed to connect and stay connected to students and unemployed interns.
7. Students need to prepare for the future by pursuing LEED Accreditation, which counts towards IDP and surely will be a requirement for future architectural

- graduates.
8. If the graduates are already a LEED AP, then pursue a specialization.
 9. Through its members, the AIA Chapters need to reach out and invite graduates to attend events. They will get to know future employers and colleagues to be included in the professional community.
 10. The schools should provide contacts for community organizations such as Habitat for Humanity. These groups can provide opportunities to build skills and credentials valuable later in the work environment.

The future, we are soon to find, will place great value on the skills, knowledge, and technology of our profession. We need to make sure there are sufficient numbers of well educated, trained and passionate architects and architectural interns to meet the demands this future will impose. While jobs may not be found, dreams should not be lost. Let's not lose track of those we have gained.

Do you know Ohio's Architects Laws and Rules?

When was the last time you read the laws and rules regulating the practice of architecture in Ohio? When you were in your professional practice class? When you first became licensed? The Board constantly reviews and updates its rules. It is your responsibility to be aware of changes to the rules.

The latest versions of Ohio's laws and rules affecting the practice of architecture can be found on the "Laws and Rules" page of the Board's website at <http://arc.ohio.gov/laws.stm>.

Continuing Education Exemption

Individuals seeking an exemption from the Mandatory Continuing Education requirement should be aware of the strict guidelines which must be met. Qualified individuals must submit an application for exemption from the Continuing Education requirement. The application is available on the Forms page of the Board's website at <http://www.arc.ohio.gov/forms.stm>

There are five types of exemptions:

- Newly licensed by examination. Individuals licensed in Ohio by examination since January 1, 2008 are entitled to a one-time automatic exemption. No application is necessary.
- Medical exemption. Individuals with a medical condition (illness or disability) which precludes participation in continuing education activities. A doctor's signature, on the CE Exemption application, is required.
- Military service. Individuals who are on full-time duty or temporarily called up for duty in the United States military service, and where such activity restrict participation in continuing education activities. The commanding officer's signature is required on the CE Exemption application.
- Unforeseen emergency, extreme hardship or other similar circumstances. Please note that the inability to afford the cost of continuing education (due to unemployment, etc.) is not considered a hardship due to the widespread availability of free continuing education on the internet, which may also be accessed for free at public libraries.
- Emeritus architects. Eligible individuals must apply for Emeritus status with the Board and continue to pay the biennial renewal fee of \$125. Guidelines for eligibility and the Emeritus application can be downloaded from the Forms page of the Board's website.

Should you have questions about an exemption, please contact Chad Holland or Amy Kobe at the Board office.

What CE Activities Can Be Self-Reported?

All Continuing Education activities must be conducted by providers recognized by the Board, and only activities for which a transcript or certificate of completion can be supplied. For example, in order to receive credit for a building tour, the tour must be have been conducted by a Board accepted provider and be documented by a certificate of completion or a transcript.

All self-reported activities must be on topics directly related to the profession of architecture.

The only activities that may be self-reported are the following:

- Teaching a graduate or undergraduate course at an accredited institution of higher learning. Acceptable documentation includes a letter from the instructor's supervisor. Twelve hours of credit is allowed for each one hour of academic credit, except that after the first year, the maximum credit allowed for the same course may not exceed a total of six hours of credit.
- Teaching a course or seminar, delivering a lecture, presenting a paper, or a program, workshop or monograph at an educational event. A letter from the sponsoring entity, or a course program showing the name of the licensee and number of hours offered. Credit: One hour of credit for each hour of presentation plus one hour of credit for each hour of preparation, except that this may be taken only once for the same program and may not exceed fifty per cent of the total required credits of the renewal period
- Publishing a book or an article in a professional journal, for which a one time credit is allowed.
- Professional service to the public boards or commissions, which draws upon the architect's professional expertise, such as zoning and planning boards. No credit is permitted for service to professional associations, such as the AIA, or for service on school/church building committees.

All self-reported activities must be reported using the Board's self-report form, which can be downloaded from the CE page of the Board's website.

Does your Firm have an Auxiliary IDP Coordinator?

Is there someone at your firm who is the "go-to" person for IDP? Then they should register as an IDP Auxiliary Coordinator! Coordinators work at architecture firms, non-accredited schools of architecture, or represent local AIA chapters, state boards or AIAS chapters. It is not necessary to be a registered architect.

Auxiliary Coordinators are informed about IDP by the AIA; communicate with other Coordinators, AIA, and NCARB; and are invited to attend the annual IDP Coordinators Conference. Auxiliary Coordinators are not funded by the AIA nor are they monitored by the AIA. Their contact information is not posted publicly.

For more information about the role of the IDP Auxiliary Coordinator, visit the IDP pages of the AIA National website at <http://www.aia.org/professionals/idp/index.htm>

Recent Rule Changes Affecting Architects

Recently, the Board has made several important changes to the Ohio Administrative Code and adopted several important new definitions. Architects and interns should become familiar with the following changes, which go into November 1 :

- A preamble has been added to the Code of Conduct. The Preamble reads as follows:

“In order to safeguard the health, safety and welfare of the public and the state of Ohio, to maintain integrity and high standards of skills and practice in the profession of architecture, the following rules of professional conduct, promulgated in accordance with Chapter 4703. of the Revised Code, shall be binding upon every person holding a certificate of qualification as a registered architect.

The registered architect, who holds a certificate of qualification from the architects board, is charged with having knowledge of the existence of the reasonable rules and regulations hereinafter provided for his or her professional conduct as a registered architect, and also shall be deemed to be familiar with their several provisions and to understand them.

Such knowledge shall encompass the understanding that the practice of architecture, is a privilege, as opposed to a right, and the registrant shall be forthright and candid in statements or written responses to the board or its representatives on matters pertaining to professional conduct.”

- A new definition of the “Practice of architecture”: providing or offering to provide those services, hereinafter described, in connection with the design and construction, enlargement, or alteration of a building or group of buildings and the space within and the site surrounding such buildings, which have as their principal purpose human occupancy or habitation, except where otherwise exempted by sections 3781.06 to 3781.18 and 3791.04 of the Revised Code. The services referred to include pre-design, programming, planning, providing designs, drawings, specifications and other technical submissions, the administration of construction contracts, and the coordination of any elements of technical submission prepared by others, including, as appropriate and without limitation, consulting engineers and landscape architects; provided that the practice of architecture shall not include the practice of engineering as defined in Chapter 4733. of the Revised Code, but a registered architect may perform such engineering work as is incidental to the practice of architecture.
- A new definition of “Direct Supervision”: means that degree of supervision by a person currently licensed in this jurisdiction, overseeing the work of another, where personal contact is routine, and whereby the supervisor has both control over and detailed professional knowledge of the work prepared under his/her supervision.
- A new definition of “Responsible Control”: means that amount of control and detailed professional knowledge of the content of technical submissions during their preparation as is ordinarily exercised by registered architect applying the required professional standard of care, including but not limited to an architect’s integration of information from manufacturers, suppliers, installers, the architect’s consultants, owners, contractors, or other sources the architect reasonably trust that is incidental to and intended to be incorporated into the architect’s technical submissions when the architect has coordinated and reviewed such information. Other review, or reviewing and correction, of technical submissions after they have been prepared by others does not constitute the exercise of responsible control because the reviewer has neither control nor detailed professional knowledge of the content of submissions throughout their preparation.
- Changes to the “Five year rolling clock”: Applicants who have passed all divisions

of the Architect Registration Exam (ARE) by January 1, 2006, regardless of the time taken, will have passed the examination. Applicants who have passed one or more but not all divisions of the "Architect Registration Exam" by January 1, 2006, will have five years to pass all remaining divisions. A passing grade for any remaining division shall be valid for five years, after which time the division must be retaken if the remaining divisions have not been passed.

The five-year period shall commence after January 1, 2006, on the date when the first remaining division is passed. Any division passed prior to January 1, 2006 shall no longer remain valid if all remaining divisions have not been passed by July 1, 2014.

Effective January 1, 2011 and thereafter, the authorization to test of any applicant shall terminate unless the applicant has passed or failed a division of the ARE within a period of five years. This includes the five-year period prior to January 1, 2011. Any applicant whose authorization is so terminated must establish a new eligibility under the current eligibility requirements of the board.

- The 45 day grace period for late firm Certificate of Authorization renewals has been eliminated.
- Each architect designated as being in responsible charge shall be a full time employee, working a minimum 30 hours a week, of the firm applying for the certificate of authorization.
- An architect or architectural firm maintaining more than one place of business for the practice of architecture shall have a resident registered architect in responsible charge of the architectural activities of each office in this state. "Resident," as used in this rule, shall mean one who spends a majority of his normal working time in said office. A "majority of normal working time" means at least 30 hours per week. The firm shall inform the board of the name of the resident architect in charge of the professional architectural activities of each separate place of business in this state.
- If a registered architect is found guilty of a felony in any jurisdiction or has been disciplined by another jurisdiction, the registered architect shall notify the board in writing within sixty days.

Disciplinary action includes, but is not limited to, reprimands, fines, probation, suspension, supervised practice, revocation, surrender, cease and desist or consent orders, settlement agreements or stipulations.

- If a registered architect is registered with the Ohio Civil Child Sexual Abuse Registry under section 4799.0 of the Revised Code, the registered architect shall notify the board in writing within sixty days.
- Each registered architect shall cooperate with the board in its investigation of complaints or possible violations of Chapter 4703 of the Revised Code. This cooperation shall include responding to written communications from the board, providing information or documents requested within thirty days of the date on which the communication was mailed, and appearing before the board or its designee upon request.
- Each architect shall keep a true and correct record of all business transactions including but not limited to contracts, invoices for architectural services, employment records, and tax records relevant to enforcement of Chapter 4703 of the Revised Code. Such records shall be available at all reasonable hours for inspection and copying or upon written request by the Board.

Board Welcomes New Registrants

The Board is pleased to announce that 123 individuals have been licensed by examination since September 2008:

Alley, Heather	Manocchio, Anthony
Bania, Bhakti	Maxwell, Georgana
Baniszewski, Marc P.	Melching, Scott H.
Baste, Bharat	Meng, Brian P.
Bauman, John	Meyers, Jeffrey G.
Beer, Allison	Miller, Mark C.
Blake, John A.	Miller, Russell R.
Bodart, Aaron	Molinski, Michael J.
Bofinger, Scott A.	Moncol, Milan
Brendle, Michael	Moss, Joseph A.
Brockway, Loren M.	Mudry, Paul Y.
Brown, Kevin M.	Nelson, Lee D.
Brunner, Marc	Niese, Brent E.
Brunt, Rebecca	Novak, Jonathan
Cernosek, Joseph J.	O'Brien, Adam P.
Cheshire, Edward	O'Guinn, Stacey
Cole, Elizabeth	Palumbo, Brian P.
Colon, Jason	Parish, Jamee
Costanzo, Ellen	Parkinson, Michael B
Cottrell, Jason T.	Pawlowski, Brian
Couch, Michael	Pessell, Joseph
Craun, David W.	Pesta, Alex
Deisler, Scott	Peter, Pavan
Denker, Ryan	Potts, David L.
Deshpande, Aseem	Radcliff, Alicia M.
Dickey, Jared A.	Rajkovich, Nicholas Bly
DiFrango, Kevin M.	Reger, Heidi
Dorfman, David A.	Reinhart, Irvin
Drake, Richard R.	Reljin, Tomislav
Eusuf, Nayeema	Roether, Heather J.
Fannon, Leah S.	Rome, John
Finney, Timothy	Rosato, Leland M.
Fliegel, Melissa A.	Sanders, Christopher
Foley, Brent	Santos, Julie B. Delos
Gardinsky, Daniel	Sarno, Anthony D.
Goodman, Steven E.	Serantes, Joaquin
Gosztyla, Henry	Setty, Jason R.
Hanes, Danial	Shanks, Melissa J.
Hardy, Zoe A.	Shea, Michael C.
Hejduk, Jason T.	Shook, James C.
Hennie, Allison	Sirk, Daniel J.
Hill, Aaron G.	Sliwinski, Alexandra
Hilmey, Tamara L.	Smith, Jeffrey R.
Hochstetler, Jennifer I.	Sofranko, Thomas A.
Hutchins, Justin D.	Solomon, Matthew L.
Hyland, Jr., Patrick J.	Spencer, William
Igel, Andrew	Stollfuss, Jacob
Ivanov, Ivan Konstantinou	Sutton, Angela
Janardhanan, Anup	Thompson, David
Janiak, Matthew	Thompson, Nicole L.
Jennings, Steven M.	Torowski, Andrew D.

Johnson, David Robert
Kassay, James
Kraft, Lucas W.
Kumbkarni, Saloni
Landon, Beatrice L.
Lanese, Timothy
Lang, Robert J.
Lanning, David W.
LeMasters, Jennifer
Lucius, Carl R.
Manack, Marc A.

Tyler, David E.
Volpe, Joseph S.
Ware, Ryan
Webster, John M.
Westgate, Bryan E.
Whitley, Scott W.
Wildman, Nikki
Williams, Bridget A.
Yovichin, Dean M.
Zane, Evan C.

Has your Small Business been victimized?

By Richard Cordray
Ohio Attorney General

The Attorney General's Office has long worked to stop scams that affect individual consumers. But businesses and non-profits often operate in the marketplace just like individual consumers. They purchase goods and services from other businesses, and they too are targeted by scams. In the past, this office has read Ohio's consumer protection laws narrowly and has made no efforts to protect such entities against predatory conduct or other abuses.

I am happy to announce that the Attorney General's Office has now decided that we will accept and process complaints from small businesses and non-profits that have been treated unfairly or deceptively in the marketplace. They too need recourse if they are taken advantage of by scammers who engage in fraudulent or unfair business practices.



Small businesses are the backbone of our economy, but most Ohio businesses have five employees or fewer. As such, many do not have resources to take action against those that may act unfairly or deceptively towards them. If you have ordered a product that has not been delivered, received shoddy services from another business, or otherwise been ripped off, you may now file a complaint with the Attorney General's Office. We offer an informal dispute resolution service through which we may be able to resolve your complaint and help you get your money back. Your complaint may also give us evidence we need to take legal action against scammers.

To file a complaint, please call our Help Center at (800) 282-0515. Soon you will also be able to file a complaint online at www.OhioAttorneyGeneral.gov/business. That Web site also will be regularly updated with news affecting businesses. Should you have any other concerns or further questions about what the Attorney General can do to assist businesses, please contact our point person on small business assistance, Tara Brown, at (614) 644-8376 or Tara.Brown@OhioAttorneyGeneral.gov.

Enforcement Actions

The following cases are final results of investigative matters resolved between September 2008 and September 2009. Every effort is made to ensure that the following information is correct.

Prior to making any decision based on this information, 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 #2008-2
Thomas L. Croce, Cert. No. 9333
Thomas L. Croce Architects, Inc.
Lebanon, Ohio

After an administrative hearing, Mr. Croce entered into a *settlement agreement* whereby he admitted to a violation of Ohio Revised Code section 4703.15 (A) (2) and accepted a three (3) year period of probation for his actions as a result of his 2006 guilty plea to felony charges of attempted unlawful sexual conduct with a minor in Warren County, Ohio. This matter was closed January 2009.

File #2008-19
David B. Jatich, Cert. No. 7691
Stow, Ohio

After an investigation, this Ohio architect allegedly violated Ohio Revised Code sections 4703.15 (A) (3) and 4703.15 (A) (5) for his alleged involvement in aiding and abetting non-architect, Gordon H. Costlow in the performance of activities that constituted the practice of architecture involving the provision of design services for a Subway restaurant in Cuyahoga Falls , Ohio in 2007.

This matter was resolved informally whereby Mr. Jatich entered into a *settlement agreement* with the Board and accepted a \$1,000 fine for his alleged actions. Mr. Jatich has now properly formed the architect and engineering firm, Green Line Design, LLC with partners James Titmas, PE and Gordon H. Costlow. This matter was closed March 2009.

File #2008-19
Gordon H. Costlow
Hudson, Ohio

This non-architect allegedly violated Ohio Revised Code sections 4703.06 (A) and 4703.18 (A) which prohibit non-architects from advertising, offering or providing architectural services. Mr. Costlow entered into a written contract with a client to provide construction documents for a Subway Restaurant in Cuyahoga Falls, Ohio in 2007.

This matter was resolved whereby a *warning letter* was issued to Mr. Costlow advising him to not independently enter into contracts with clients for commercial design services. Mr. Costlow is now a partner in the architect and engineering firm, Green Line Design, LLC with partners James Titmas, PE and Gordon H. Costlow. This matter was closed March 2009.

File #2008-20
Allen R. Moore, Cert. 13715
Joplin, Missouri

The Board *revoked* Mr. Moore's license as a result of a felony conviction. Moore, who did not request an administrative hearing, is currently serving a 15 year prison sentence in Missouri for pleading guilty in July 2007 to felony charges of statutory sodomy in the first degree. The state of Missouri also revoked Moore's licenses to practice architecture and engineering. Due to the felony conviction, Moore violated Ohio Revised Code sections 4703.15 (A) (2) and Ohio Administrative Code sections 4703-1-01 (F), 4703-3-07 (D) (3) and 4703-3-07 (E) (4). This matter was closed January 2009.

File #2008-21
Dale Steltzner
Huntington, West Virginia

This non-architect allegedly violated Ohio Revised Code sections 4703.06 (A) and 4703.18 (A) which prohibit non-architects from advertising, offering or providing architectural services. Mr. Steltzner represented himself as an "Architectural Consultant" and entered into a written contract with a client to provide construction documents for a new church in Chesapeake, Ohio in 2008. This matter was resolved whereby a *warning*

letter was issued to Mr. Steltzner advising him to revise his job title and to not enter into contracts with clients for commercial design services. This matter was closed January 2009.

File #2008-21

Chester R. Stempien, Cert. No. 9319
Southfield, Michigan

After an investigation, this Ohio architect allegedly violated Ohio Administrative Code sections 4703-1-11 (B) and 4703-3-07 (E) (2) for his alleged involvement in not completing the mandatory continuing education requirements and for not maintaining a higher lever of direct supervisory control over draftsman, Dale Steltzner in a 2008 church project in Chesapeake, Ohio. This matter was resolved whereby a *warning letter* was issued to Mr. Stempien reminding him to be more cognizant of the laws & rules regarding the practice of architecture and to complete the continuing education requirements. This matter was closed January 2009.

File #2008-22

David R. Baumann, Cert. No. 10920
Fargo, North Dakota

This Ohio architect was found to have allegedly violated the laws and rules of another state in which he was licensed to practice architecture in, which is a violation of O.A.C. 4703-3-07 (D) (3). This matter was resolved whereby a *warning letter* was issued to the architect reminding him to be more cognizant of the laws & rules in any jurisdiction where he practices. This matter was closed October 2008.

File #2008-23

Roger K. Djagli
RD Design Group
Columbus, Ohio

This non-architect and firm allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. Mr. Djagli allegedly was representing himself as an "Architectural Designer" and offering the provision of "Architectural Design & Drafting" via business cards and marketing material. This matter was amicably resolved whereby Mr. Djagli agreed to revise his business cards and marketing material. This matter was closed October 2008.

File #2008-24

Frederick J. Sambor, PE (E-49839)
Gahanna, Ohio

This non-architect allegedly violated Ohio Revised Code sections 4703.06 and 4703.18 (A) which prohibit non-architects from being known as an architect and from advertising, offering or providing architectural services. Mr. Sambor, who is an Ohio professional engineer, represented himself as an "Architectural Project Engineer" via correspondence to a local building dept. This matter was amicably resolved whereby he agreed to delete any reference to being "Architectural Project Engineer". This matter was closed October 2008.

File #2009-2

William M. Welch, Cert. No. 9323
William M. Welch Designers
Louisville, Kentucky

After an investigation, this Ohio architect allegedly violated Ohio Revised Code sections 4703.15 (A) (3) and 4703.18 (A) for his alleged involvement in entering into a written contract to offer and provide architectural services for renovations to the Stock Yard Bank in Cincinnati, Ohio in 2007-2008 while his license to practice architecture in Ohio lapsed on December 31, 1997. This matter was informally resolved whereby Mr. Welch entered into a *settlement agreement* and accepted a \$1,000 fine for his alleged actions. This matter was closed March 2009.

File #2009-4

Ed Slusarski
CADD Creations
Brunswick, Ohio

After an investigation, Mr. Slusarski allegedly violated Ohio Revised Code sections 4703.06 (A), 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. Mr. Slusarski, via his company website, advertised the provision of "Architectural Drafting Services" for commercial projects. During the investigation, it was learned that CADD Creations is a legitimate design-build firm which can legally advertise, offer and provide architectural services. However, in an effort to avoid any confusion, Slusarski revised his website to make it clear his firm offers design-build services through Ohio registered architects. This matter was closed January 2009.

File #2009-6
Robert E. Taylor-Weber
Cuyahoga Heights, Ohio

This non-architect allegedly violated Ohio Revised Code sections 4703.06 (A) and 4703.18 (A) which prohibit non-architects from advertising, offering or providing architectural services. Per his professional resume, Mr. Taylor allegedly held himself out as a "project architect" while working at Ohio architectural firms. It should be noted that Mr. Weber is an architect licensed in California. This matter was amicably resolved whereby Mr. Taylor admitted the mistake and was requested to discontinue use of any resume indicating he is an architect in Ohio. This matter was closed January 2009.

File #2009-7
John A. Feick, Cert. No. 6088
Feick Design Group, Inc.
Sandusky, Ohio

This Ohio architect and architectural firm 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. This firm allegedly represented a non-licensed employee as a "Senior Architect" on the staff section of the firm website. This matter was amicably resolved whereby the firm agreed to revise the employee's job title. This matter was closed January 2009.

File #2009-8
Douglas G. Fuller, Cert. No. 6298
Fuller Design Group
Kent, Ohio

After an investigation, this Ohio architect allegedly violated Ohio Revised Code sections 4703.15 (A) (3) and 4703.18 (A) and Ohio Administrative Code section 4703-1-11 (B) for his alleged involvement in submitting sealed construction documents to the City of Kent building department while his license to practice architecture lapsed on December 31, 2007.

In addition, Mr. Fuller had not completed the mandatory continuing education requirement. This matter was informally resolved whereby Mr. Fuller entered into a *settlement agreement*, accepted a \$1,000 fine for his alleged actions and successfully completed the continuing education requirements. This matter was closed May 2009.

File #2009-9
José A. Garcia
Cincinnati, Ohio

This non-Ohio architect allegedly violated Ohio Revised Code sections 4703.06 (A) and 4703.18 (A) which prohibit non-architects from advertising, offering or providing architectural services. It should be noted that Mr. Garcia is an architect licensed in Argentina and other Mercosur trade agreement countries.

However, the verbiage on Mr. Garcia's firm website could be construed that he is also licensed in Ohio and offering to provide architectural services for Ohio commercial projects. This matter has been amicably resolved whereby Mr. Garcia agreed to revise

his website and make it clearer of his actual credentials and that he only provides consulting services to architects for Ohio projects. This matter was closed March 2009.

File #2009-10

Jim Bauman
Jim Bauman Design, LLC
Englewood, Ohio

This non-architect and firm allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. Mr. Bauman, per his firm's website, allegedly offered the provision of "full architectural services" and claimed to have a team of "architects". This matter was amicably resolved whereby Mr. Bauman agreed to revise the verbiage of his website. This matter was closed September 2009.

File #2009-11

Wayne Rose
Crown Detailing & Design, Inc.
Medina, Ohio

This non-architect and firm allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from offering or providing architectural services.

Mr. Rose, who specializes in commercial and industrial shop, detail and erection drawings, allegedly prepared a set of construction drawings as a favor to his church for their proposed outdoor church picnic pavilion in Medina County, Ohio. The drawings were submitted for permit and required the seal of an Ohio registered design professional. This matter was amicably resolved whereby Mr. Rose agreed to cease and desist from providing any type of design services that may require the seal of an Ohio design professional. This matter was closed May 2009.

File #2009-13

John H. Xia
Roundhill Architects, LLC
Columbus, Ohio

This non-architect and firm allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. Mr. Xia allegedly registered the firm name, Roundhill Architects, LLC with the Ohio Secretary of State. This matter was amicably resolved whereby Mr. Xia agreed to change the name of his firm to RHA Design Group, LLC. This matter was closed May 2009.

File #2009-14

Michael G. Hasara, Cert. No. 10424
Columbus, Ohio

This former Ohio architect allegedly violated Ohio Revised Code sections 4703.06 (A) and 4703.18 (A) which prohibits non-architects from assuming title, abbreviation or words to imply that he is an architect or registered architect. Mr. Hasara's license lapsed December 31, 2001, yet he continued to hold himself out as an architect via his company website where he specialized in residential design. This matter was amicably resolved whereby Mr. Hasara agreed to revise the language of his company website to reflect that he is no longer an architect duly licensed in Ohio. This matter was closed July 2009.

File #2009-15

Bo Bauer
Bottega, Inc.
Wilmington, Ohio

This non-architect allegedly violated Ohio Revised Code sections 4703.06 and 4703.18 (A) which prohibit non-architects from assuming title, abbreviation or words to imply that he is an architect or registered architect. Mr. Bauer, via his company website, represented himself as an "Architectural Designer". This matter was amicably resolved

whereby Mr. Bauer agreed to delete any reference to being "Architectural Designer". This matter was closed July 2009.

File #2009-16

Greig J. Rutherford, Cert. No. 10848

Greig J. Rutherford Architect, Inc.

Oxford, Ohio

After conducting an audit of continuing education , it was discovered that this Ohio architect allegedly violated Ohio Administrative Code section 4703-1-11 (B) for failing to successfully complete the mandatory continuing education requirements for licensure for the years 2008-2009. This matter was informally resolved whereby Mr. Rutherford entered into a *settlement agreement*, accepted a \$500 fine and completed the NCARB Professional Conduct Monograph. This matter was closed September 2009.

File #2009-18

Michael W. Vasbinder, Cert. No. 7366

Integrated Design Services

Columbus, Ohio

After conducting an audit of continuing education , it was discovered that this Ohio architect allegedly violated Ohio Administrative Code section 4703-1-11 (B) for failing to successfully complete the mandatory continuing education requirements for licensure for the years 2008-2009. This matter was informally resolved whereby Mr. Vasbinder entered into a *settlement agreement*, accepted a \$500 fine and completed the NCARB Professional Conduct Monograph. This matter was closed September 2009.

File #2009-20

Alma R. Cochran

Green Architecture & Design, LLC

Amelia, Ohio

This non-architect and firm allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. Ms. Cochran allegedly registered the firm name, Green Architecture & Design, LLC with the Ohio Secretary of State. This matter was amicably resolved whereby Ms. Cochran agreed to change the name of her firm. This matter was closed September 2009.

File #2009-21

Daryl A. McConnaughey

Mack Architectural Designs

Springfield, Ohio

This non-architect and firm allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. Mr. McConnaughey was allegedly using the firm name of "Mack Architectural Designs" for his residential firm. This matter was amicably resolved whereby Mr. McConnaughey agreed to revise the name of his firm to "Mack Residential Designs". This matter was closed September 2009.

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

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