

# DIMENSIONS

VOLUME 29

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

FALL 2010



## **APELSCIDLA Board Members & DPOR Staff Members**

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**Front Row:** Cameron Stiles (Interior Designer), Lorri Finn (Interior Designer),  
Kate Nobsch (Executive Director APELSCIDLA Board), Vaughn Rinner  
(Landscape Architect & Board Vice-Chair), Nancy McIntyre (Land Surveyor)

**Middle Row:** Nice D Leon (Professional Engineer), John McAden (Land Sur-  
veyor), W.R. Stephenson, Jr. (Land Surveyor), J. Everette (Ebo) Fauber III  
(Architect & Board Chair), Stanley Harris (Professional Engineer), Gordon  
Dixon (DPOR Director), Jim Boyd (Architect)

**Back Row:** Mike LeMay (Architect), Andy Scherzer (Landscape Architect),  
Wiley (Bif) Johnson (Professional Engineer)

Welcome!



The APELSCIDLA Board would like to welcome Gordon N. Dixon, the recently appointed Director of DPOR.

Gordon has over 15 years working with regulatory, public policy and community engagement issues affecting various businesses. He has held numerous leadership positions in corporate and non-profit organizations.

Most recently, Gordon held a management position in Corporate Affairs at Altria Client Services where he successfully developed and enhanced community engagement and corporate social responsibility initiatives, as well as assisting to develop measurement benchmarks.

Prior to his work at Altria Client Services, Gordon led the Virginia chapter of the National Federation of Independent Business (NFIB) with over 9,000 independent business owners. He oversaw public policy and regulatory issues affecting business owners on the state and federal levels to ensure a fair and prosperous business climate. Other organizations Gordon has worked with include the Home Builders Association and the Greater Richmond Chamber of Commerce, where he helped lead government, business and manufacturing issues.

Gordon, is a graduate of Mary Washington College (now the University of Mary Washington), is married to the former Valeta Vander Linden, and has two boys. He enjoys mountain and road biking.



The APELSCIDLA Board would also like to welcome, Justin Garofalo, as a new Board Administrator. Justin comes to us from the Board for Asbestos, Lead, and Home Inspectors and the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals, where he was Board Administrator for two years. Prior to that, Justin worked as a licensing specialist for the Board of Contractors.

Justin is originally from Waldo, Wisconsin; after moving to Virginia he attended Virginia Commonwealth University where he graduated Magna Cum Laude with a BA in International Studies, with a concentration in International Relations and a minor in Spanish. Mr. Garofalo also served in the 82nd Airborne Division as a paratrooper and was stationed at Camp Greaves, South Korea.

Visit the Town Hall website for up-to-date information on regulatory actions, meeting information and much, much more.

<https://www.townhall.state.va.us/intro.cfm>



# LANDSCAPE ARCHITECT LICENSURE

Congratulations to our Landscape Architects! On March 27, 2009, former Governor Tim Kaine signed SB 940, requiring licensure for Landscape Architects in the Commonwealth of Virginia. The licensure law was effective July 1, 2009, with a 12-month delayed enactment clause. This signified that any certified landscape architect in good standing on June 30, 2010, was licensed on July 1, 2010. Please note that with the change from certification to licensure, you will need to have a seal/stamp with "Lic." to replace the certified stamp.

The statutory change also means landscape architects must attest to the required 16 hours Continuing Education upon license renewal. The Board will use a random audit process to ensure that licensees are meeting the requirement. You do not have to submit CE documentation to the Board, but need to keep a file of all relevant documentation for CE coursework. If you are selected for an audit, you then must produce documentation for CE hours obtained in the preceding two years.

For further information, refer to 18VAC10-20-683 and 18VAC10-20-687 of the APELSCIDLA Board regulations (effective July 1, 2010).



## Understanding the ARE Rolling Clock

The following is an excerpt from the NCARB 2010-2011 *Handbook for Interns and Architects*, Chapter 5. Please contact [NCARB](#) with any further questions.

"For applicants who have passed one or more but not all divisions of the ARE by January 1, 2006, such applicants 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."

### Key Points:

- If a division was passed prior to January 1, 2006, the candidate's five-year period will begin on the date when the first passed division was administered after January 1, 2006.
- A passing grade for any division taken after January 1, 2006 will remain valid for five years. This five-year period begins on the date the division was taken.
- If a candidate's Rolling Clock end date is reached, only the passing score for the division establishing the Rolling Clock end date will expire.
- Once a candidate's Rolling Clock end date is reached, a new Rolling Clock end date will be established from the date of the next oldest passed division.
- Any division passed prior to January 1, 2006 will no longer be valid, if a candidate has not passed all divisions of the ARE by July 1, 2014.

If a division becomes invalid, a candidate must contact their jurisdiction to have a new eligibility opened in order to retake the division. If you are a Direct Registration candidate, please contact NCARB to have a new eligibility opened. Not sure if you are a [Direct Registration](#) candidate? [\[Ask NCARB\]](#)

If you have any questions regarding NCARB's Rolling Clock, please contact NCARB at [are@ncarb.org](mailto:are@ncarb.org).



## 2010 General Assembly Report

### Legislative Proposals Affecting the APELSCIDLA Board

During the 2010 General Assembly Session, DPOR's legislative team tracked more than 65 bills affecting a variety of agency programs. Brief descriptions of legislation affecting the APELSCIDLA Board and its regulants are provided below.

To view the full text of the bills and their current status, visit the Virginia Legislative Information System at <http://leg1.state.va.us> and search by bill number.

**SB 596** is a bill brought by DPOR to establish an "emeritus" status for retired architects, professional engineers, land surveyors, and landscape architects. Because of the unique statutory provisions allowing such licenses to be "valid during the life of the holder," the APELSCIDLA Board voted to request legislation to clarify the use of title-protected designations by retired, non-practicing license holders. "Emeritus" status will allow the use of the license designation without meeting continuing education and license renewal requirements.

**HB 1265** is a bill brought by DPOR to add Certified Interior Designers to the list of APELSCIDLA Board regulants in the State Corporation Commission (SCC) statute governing professional corporations (PCs). The bill corrects an oversight from 2000 in which the legislature inadvertently omitted Certified Interior Designers from the board of director section for PCs.

**HB 797** and **SB 104** are companion bills brought by the joint legislative committee of the Virginia Society of Professional Engineers (VSPE), the Virginia Society of the American Institute of Architects (VSAIA) and the Virginia chapter of the American Council of Engineering Companies (ACEC/VA). The bills will allow APELSCIDLA Board regulants – individuals and firms – to limit their liability through contract provisions. Current law allows APELSCIDLA Board regulants to form corporate entities, but prevents such entities from limiting the liability of individual regulants and registered firms for damages.

Finally, one bill resulted from an ongoing dispute concerning design of certain alternative onsite sewage systems. Despite DPOR's efforts during 2009 to facilitate agreement between the PE community and the manufacturers of prepackaged pump systems, the affected stakeholders failed to achieve consensus on an acceptable solution. As a result, a manufacturer

sought a bill, **HB 634**, proposing a new exemption to the licensure requirements for PEs for designers of such prepackaged systems. After the House of Delegates approved HB 634, the bill failed to be reported out of the Senate General Laws Committee. HB 634 will not become law this year, but the issue is likely to generate additional legislation in future sessions.



## Did You Know . . .

- If your company offers professional services in Virginia through a website, it must be maintained with up-to-date, accurate information. Additionally, if you advertise multiple professional services on the website (i.e., engineering and land surveying), you must ensure that the firm is properly registered with the Board to offer those services. Further, if the company offers multiple services in another state, but only one in Virginia (for example, an architectural and engineering firm based in Maryland that only offers/provides professional engineering in Virginia), the website must clearly notate which professional service(s) the company is authorized to offer and/or provide in Virginia. Using the previous example, the firm must not have any appearance of offering or providing architectural services in Virginia if they are only authorized to offer/provide professional engineering services in Virginia.
- Changes to the professions rendered through your company or changes in individuals in responsible charge can easily be made using the appropriate business application and checking the space notated "Change of Status." There is no charge for processing this form; however, the Board must be notified of the change within 30 days. The form may be accessed on the Department's website at <http://www.dpor.virginia.gov/dporweb/forms/ape/04busreg.pdf>.



## Compliance & Investigations Division

The Compliance & Investigations Division of the Department of Professional and Occupational Regulation ("the Department") is divided into the following sections:

### Complaint Analysis and Resolution

The Complaint Analysis and Resolution section is responsible for the receipt, processing, and analysis of all complaints coming into the Department. Upon review, the Complaint Analysis and Resolution Section may close the file, investigate the complaint, resolve the matter by a consent order, or refer the case to Alternative Dispute Resolution or Investigations for further action.

### Investigations

Investigators are responsible for obtaining the evidence regarding complaints and determining whether the evidence supports a probable violation of the Board's regulations and/or laws. Investigators prepare a Report of Findings, which outlines the facts in support of probable violation(s) of the Board's regulations and/or laws.

Investigators also enforce the criminal laws under the Agency's jurisdiction, including practicing without a license and filing a false or fraudulent application for licensure or registration.

Investigators are also responsible for other special investigations involving potential public harm and are the Agency's liaison and networking arm providing assistance and support to other law enforcement and government agencies.

This section is active in the identification and apprehension of itinerant home improvement scam artists and provides information to the public on protection from fraudulent or illegal activity. For more information, contact the Department of Professional and Occupational Regulation, (804)367-2195.

### Adjudication

The Adjudication section reviews files referred from Complaint Analysis and Resolution or Field Investigations that there is probable cause of a violation of the Board's regulations and/or laws. The Adjudication section is responsible for conducting Informal Fact-Finding Conferences ("IFF"), which includes scheduling the IFF, sending the Notice, presenting the IFF, and providing support to the Presiding Officer or Board member at the IFF in preparing the Summary.



## Branch Office Registration

The Board would like to reiterate the importance of having your business entity properly registered, especially branch offices. A company that has more than one office offering or performing professional services in Virginia must obtain a branch office registration for each additional office.

Registrations for professional corporations, PLLCs and business entities expire on December 31 of each odd-number year. Branch office registrations expire the last day of February of each even-numbered year. Branch offices may not renew until the main office registration is properly renewed. Although renewal notices are mailed out, it is the regulant's responsibility to ensure that the firm holds a current registration.

## RESOURCE CORNER

NATIONAL COUNCIL OF  
EXAMINERS FOR ENGINEERING AND  
SURVEYING  
[WWW.NCEES.ORG](http://WWW.NCEES.ORG)

NATIONAL COUNCIL OF  
ARCHITECTURAL REGISTRATION  
BOARDS  
[WWW.NCARB.ORG](http://WWW.NCARB.ORG)

NATIONAL COUNCIL OF INTERIOR  
DESIGNERS QUALIFICATION  
[WWW.NCIDQ.ORG](http://WWW.NCIDQ.ORG)

COUNCIL OF LANDSCAPE  
ARCHITECTS REGISTRATION BOARDS  
[WWW.CLARB.ORG](http://WWW.CLARB.ORG)

FOLLOW THESE  
ORGANIZATIONS ON  
FACEBOOK AND  
TWITTER





## NCIDQ Begins Five-Year Requirement for Exam Completion

The National Council for Interior Design Qualification, Inc. (NCIDQ) has announced a policy effective in 2010 that requires candidates taking the NCIDQ Examination to earn the NCIDQ Certificate to pass all sections of the examination within a five-year period or retest.

This five-year “rolling” window of time describes the way in which the timing accrues. Rather than one five-year fixed period of time, a candidate’s time “rolls” forward in five-year increments depending on when he or she passes an exam section.

The practice of interior design evolves, and it is critical that individuals who hold the NCIDQ credential have been tested on the practice as it is relevant today. “Most major licensure or certification programs that deal with public protection have similar requirements,” explains Jeffrey F. Kenney, NCIDQ Executive Director. “Certification and licensure examinations represent to the public that the individuals who hold their credential have been determined to be at least minimally competent at the time the credential was issued. When candidates are allowed to take individual test sections over many years or decades, it is harder to claim that at one point in time these individuals possessed all of the knowledge, skills and abilities required for minimum entry-level competence.”

### **Candidates who have taken at least one section of the exam**

Candidates who have taken at least one section of the NCIDQ Examination must pass all three sections by December 31, 2014. After that date, NCIDQ will void any sections passed more than five years earlier, and candidates must retake those sections and complete the exam within a new five-year window.

### **Candidates who will begin testing in 2010**

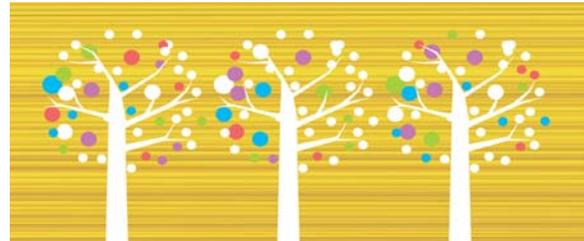
Candidates who begin testing for the first time starting in 2010 must complete all sections of the exam within a five-year window. After five years, NCIDQ will void any sections passed more than five years earlier and the candidate must retake those sections and complete the exam within a new five-year window.

“There will be very few people affected by these changes,” says Kenney. “We know most of our candidates begin testing and earn their credential within the first year or two of their eligibility. However, we remain committed to our mission of public protection, and so for that small part of our candidate population that doesn’t pass the exam in five years, we will now mandate the five-year requirement.”

Candidates who do not take any sections of the examination within five years of being made eligible by NCIDQ will lose their eligibility status. Candidates who lose their eligibility status due to non-testing must reapply, meet the requirements in effect at that time and pay any application fees.

Please visit NCIDQ’s Web site for complete information and instructions on applying for the examination.

*Reprinted from NCIDQ news Release October 2009*



## **NCARB's 2010 Survey of Registered Architects**

The 2010 survey of state architectural registration boards by the National Council of Architectural Registration Boards (NCARB) indicates that there are currently 105,312 registered architects in the United States. Data was collected in August 2010 and reflects July 2009 through July 2010.

The 2010 survey also reveals that there are 116,340 reciprocal (out-of state) architects, for a total of 221,652 registrations. This means, on average, an architect is registered in at least two different jurisdictions. California has the highest number of resident architects (17,156) and the highest number of total registrations (21,276).

NCARB collects data for the survey from its 54 Member Boards, which includes all 50 states, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands. NCARB makes this information available annually as a service to the profession. For more information about the 2010 Survey of Registered Architects, contact NCARB at 202/783-6500.

*([www.ncarb.org](http://www.ncarb.org))*



## Six month rule— are you ready?

The Six-Month Rule went into effect for **all interns at 12:01 a.m. EDT on 1 July 2010**. The Six-Month Rule was already in effect for interns that established an NCARB Record on or after 1 July 2009.

If you established your Record prior to 30 June 2009, you must submit all previous experience earned prior to 12:01 a.m. EDT on 1 July 2010. Experience reported on or after 1 July 2010 that falls outside of the requirements of the Six-Month Rule will not be accepted if it has not been submitted to your supervisor. Your supervisor does not need to approve it by this date.

The Six-Month Rule requires interns to submit their training hours in reporting periods of no longer than six months and within two months of completion of each reporting period. Once interns have submitted their training hours to their supervisor through the electronic Experience Verification Reporting (e-EVR) system in My NCARB Record, those hours are protected while under review. To be protected, you must have a "submitted" status on the upper right of the report. A report that has a "saved" status is not protected. Interns will not be affected by any delay caused by their supervisor or NCARB. However, submitted training hours can be lost if they are deemed invalid by their supervisor, or if they are not earned in accordance with the rules of the IDP.

Extensions are available for the birth or adoption of a child, military service, or serious medical condition. An [extension form](#) with supporting documentation must be submitted to NCARB. Extensions apply only to the experience-filing period. There are no exceptions or extensions granted for missing the deadline to establish an NCARB

The Six-Month Rule is designed to encourage better supervision, encourage interns to target the needed experience sooner, and encourage better reporting habits. Six months is the maximum amount of time in which to report. NCARB encourages interns to report more frequently.

### **IDP 2.0: Phase Three Set for January 2011**

The third phase of IDP 2.0 will go into effect in January 2011 and will usher in changes to the Intern Development Program (IDP) work settings and experience areas

. While the overall experience requirement will remain the same in terms of actual work hours (5,600), the distribution of the core minimums will be slightly different. For those in the midst of completing the program, previously entered training hours will be automatically re-assigned to the appropriate area, and no experience will be lost.

The new experience areas are based on the results of the *2007 Practice Analysis of Architecture*. As the most in depth study of its kind, the *Practice Analysis* provided up-to-date, empirically derived data that defines the comprehensive experience essential for competent practice of architecture upon initial licensure. The study identified 88 tasks and 100 knowledge/skills that are important for competent performance by recently licensed architects practicing independently. Each of the IDP 2.0 experience areas will be defined by the tasks an intern should be able to perform upon completion of their internship.

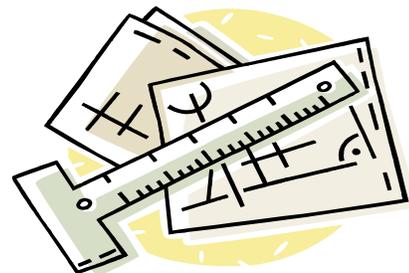
The development of IDP 2.0 also presented an opportunity to clarify and simplify the acceptable settings for earning IDP credit. The current seven work settings will be combined into three acceptable experience settings in IDP 2.0. They are:

- A: Architectural Practice
- O: Other Work Settings
- S: Supplemental Experience

Experience earned under the direct supervision of an architect while working at an architecture firm (work setting A) will be considered experience area "A: Architectural Practice." Experience earned under the direct supervision of a licensed engineer, currently (work setting D) will continue to be acceptable experience under "O: Other Work Settings." All experience earned in the current work settings will be moved to their related experience setting in IDP 2.0. No experience will be lost.

For more information on the third phase of IDP 2.0, read the Spring 2010 *Direct Connection*, which includes the all the new experience areas and how they compare to the current areas.

*(Reprinted from: NCARB IDP E-News,  
March 2010)*



## *FE, FS Exams to Begin Gradual Move to Computer-Based Format*

The state licensing boards that compose NCEES, the organization that develops and administers the exams used for engineering and surveying licensure throughout the United States, have voted to begin converting the Fundamentals of Engineering (FE) and Fundamentals of Surveying (FS) exams to a computer-based format.

The decision was made during the NCEES Annual Meeting in Denver. It followed a prolonged study by a special task force convened to consider the issue and share its findings with the organization.

### **Transition expected to take at least two years**

The move from paper-and-pencil exams to computer-based exam delivery will not take place overnight, said NCEES Executive Director Jerry Carter.

"The language approved by the Council includes the phrase 'at the earliest feasible date,' which means that NCEES exam writers and staff will be involved in a process that includes adapting exam item banks, selecting vendors, and communicating with licensing boards and examinees before we can begin offering the exams via computer," said Carter. "We anticipate it will be at least two years before FE and FS candidates begin taking the exams at computer-testing centers."

### **Flexibility and security key factors in decision**

Among the reasons given by the NCEES Computer-Based Testing Task Force for its recommendation to convert the exams to a computer-based format include greater scheduling flexibility for candidates, more uniformity in testing conditions, and enhanced security for exam content. The vote to move toward computer-based testing for the FE and FS exams was unanimous.

The FE exam is designed for college engineering seniors who intend to pursue a P.E. license. Nearly 50,000 examinees took the FE exam during the 2009-10 academic year, which included October and April administrations. The FS exam is a similar exam designed for those beginning the process toward professional surveying licensure.

The PE and PS exams, which engineering and surveying candidates are also required to take after completing work experience requirements, will continue to be paper-and-pencil exams for the foreseeable future.

Full details on this vote and other actions taken at the NCEES Annual Meeting can be found in the published minutes, which will be available in November on the My NCEES webpage.

*(Reprinted from NCEES News Release August 2010)*



## **ANSI Recognizes Model Law Surveyor Standard**

The American National Standards Institute approved the Model Law Surveyor (MLS) standard developed by NCEES.

This standard outlines the requirements for attaining licensure as a professional surveyor. Its criteria are divided into education, professional experience, and examinations. The standard is used by NCEES as a guideline for its member licensing boards, which grant licensure to engineers and surveyors in all 50 states and several U.S. territories.

Prior to being approved by the ANSI Board of Standards Review, the MLS standard was published on the NCEES home page and in ANSI's Standards Review and open to public comment.

"We're looking forward to promoting this standard to encourage uniform licensing standards and, ultimately, better protect the public," said Jerry Carter, NCEES executive director.

NCEES has been a standards development organization of ANSI, the U.S. representative to the International Organization for Standardization (ISO), since 2007. Its standard for Model Law Engineer was approved by ANSI earlier this year. Its standard for Model Law Structural Engineer is currently under public review.



## **NCEES UNVEILS NEW AGRICULTURAL PE EXAM SPECIFICATIONS**

NCEES has introduced new specifications for its Agricultural PE exam, effective with the October 2010 exam administration.

Exam specifications indicate knowledge areas to be tested and their relative weights of emphasis. As the developer of the exams used for engineering licensure in the United States, NCEES periodically conducts surveys of licensed engineers working in industry, government, private practice, and academia to gather information about the knowledge and skills required of professionals in a particular discipline. NCEES uses the results to update its exam specifications.

"Our licensing exams need to reflect current professional practice, and these surveys help us determine what an engineer intern with four years of experience should be expected to know to protect the public," said Tim Miller, P.E, the director of exam services at NCEES.

The [new specifications](#) are available on the NCEES website. The American Society of Agricultural and Biological Engineers, which partners with NCEES in developing the exam, has exam study materials on their website: [www.asabe.org](http://www.asabe.org).  
*(Reprinted from NCEES News Release October 2009)*

# Disciplinary Actions



The following is a summary of actions taken against regulants by the APEL-SCIDLA Board. Although every effort is made to ensure that the information is correct, before making any specific decisions based upon this information, you should check with the Board office to ensure accuracy.

## PROFESSIONAL ENGINEERS

### FILE NUMBER 2009-04078, Walter J. Fitzgerald

**VIOLATION**—Mr. Fitzgerald failed to notify the Board within 30 days that he had been reprimanded by the Florida Board of Professional Engineers.

**BOARD ACTION**—Consent Order imposing \$150.00 in Board costs and 18 months of probation of license  
**REGULATIONS VIOLATED**—18 VAC10-20-750.A and 18VAC10-20-750.C **EFFECTIVE DATE**—September 15, 2009.

### FILE NUMBER 2009-03763, W. Gray Hodge

**VIOLATION**—Mr. Hodge was reprimanded by the Florida Board of Professional Engineers by “engaging in negligence in the practice of engineering.”

**BOARD ACTION**—Consent Order imposing \$150 in board costs as well as probation of license to coincide with the Florida Board agreement. Mr. Hodge must also provide proof of compliance of the Florida agreement.  
**REGULATION VIOLATED**—18VAC10-20-750.B  
**EFFECTIVE DATE**—September 15, 2009.

### FILE NUMBER 2009-04076, Thomas R. Price

**VIOLATION**—Mr. Price failed to notify the Board within 30 days that he received a reprimand and a monetary penalty in another jurisdiction.

**BOARD ACTION**—Consent Order imposing \$250 in fines as well as \$150 in Board costs.  
**REGULATIONS VIOLATED**—18VAC10-20-750.B and 18VAC10-20-750.C  
**EFFECTIVE DATE**—September 15, 2009.

### FILE NUMBER 2009-01623, George Charles Stephenson

**VIOLATION**—Mr. Stephenson signed and sealed drawings that were within the practice of architecture and submitted designs from his own company to the city for which he was a city official (Conflict of Interest).

**BOARD ACTION**—Consent Order imposing \$5000 in fines, as well as \$150 in board costs, 6 month suspension of license, probation for 2 years. Mr. Stephenson must also complete 3 hours of coursework in ethics.  
**REGULATIONS VIOLATED**—18VAC10-20-730.C; 18VAC10-20-710.B; and 18VAC10-20-760.B.  
**EFFECTIVE DATE**—September 15, 2009.

### FILE NUMBER 2010-01540, David Eugene McFarren

**VIOLATION**—Mr. McFarren was reprimanded by the Alabama Board of Licensure for Professional Engineers and Land Surveyors for failing to obtain a certificate of authorization for his firm. Mr. McFarren failed to notify the Board within 30 days that he had been reprimanded by the Alabama Board.

**BOARD ACTION**—Consent Order imposing \$150 in fines and \$150.00 in Board costs and 1 year probation of license.  
**REGULATIONS VIOLATED**—18 VAC10-20-750.B  
**EFFECTIVE DATE**—March 23, 2010.

### FILE NUMBER 2010-01680, George E. Young III

**VIOLATION**—Mr. Young utilized design/drawings of another engineer to complete his own design/drawings or work related to the revisions of site plans without the knowledge and written consent of the other engineer.

**BOARD ACTION**—Consent Order imposing \$350.00 in fines as well as \$150 in Board costs  
**REGULATION VIOLATED**—18VAC10-20-740.D  
**EFFECTIVE DATE**—June 17, 2010.

### FILE NUMBER 2010-03739, Stephen Phillip Maslan

**VIOLATION**—Mr. Maslan was reprimanded by the Missouri Board for practicing architecture that was not incidental to the engineering work. Mr. Maslan failed to notify the Board within 30 days that he received disciplinary action and probation in another state.

**BOARD ACTION**—Consent Order imposing \$200.00 and \$150 in Board costs, as well as probation to run concurrently with Missouri.  
**REGULATIONS VIOLATED**—18VAC10-20-750.A and 18VAC10-20-750.C  
**EFFECTIVE DATE**—June 17, 2010.

### FILE NUMBER 2009-04265, Francis J. Keith

**VIOLATION**—Mr. Keith’s engineering firm developed plans for a commercial building, Fountain Square Plaza, in Chester, VA. There was an incident during construction where a portion of the building collapsed. Investigation showed that there were design errors. Keith’s actions in the matter of *Fountain Square Plaza, Chester, Virginia*, constituted professional incompetence or negligence. In addition, Keith failed to be truthful in all professional matters; performed architectural work outside the scope of his license; failed to renew his firm’s registration; and failed to cooperate in an investigation.

**BOARD ACTION**—Final Opinion and Order imposing \$6,000 in fines and revocation of license.  
**REGULATIONS VIOLATED**—18VAC10-20-740.A; 18VAC10-20-790.A.6; 18VAC10-20-790.A.3 (2 counts); 18VAC10-20-700.A; and 18VAC10-20-740.C.  
**EFFECTIVE DATE**—June 17, 2010.

*Disciplinary Actions Cont.*

**FILE NUMBER 2010-01459, Robert William Nelson**  
**VIOLATION**—Mr. Nelson signed and sealed a survey, with his engineer seal, that was not incidental to the engineering work that he was performing. Additionally, Mr. Nelson failed to utilize minimum field procedures failed to correctly identify the title of the survey; include the district and the county in which the subject property was located in the title of the Surveys; identify the owner of the Western adjoining property; correctly indicate who the owner of the subject property was at the time the Surveys were performed; and include the distance to the nearest street intersection on the Surveys. The metes and bounds description of the Surveys used adjoining property designations that were not included on the land surveys; followed the centerline of an easement rather than a boundary line; and failed to include pertinent monumentation or names of record owners. Upon sealing the Survey, Nelson misrepresented that certain items were included in the survey when, in fact, the items were not included.

**BOARD ACTION**—Final Opinion and Order imposing \$2,600 in fines. **REGULATIONS VIOLATED**—18VAC10-20-790.A.6; 18VAAC10-20-370.C.4; 18VAC10-20-370.D.2; 18VAC10-20-370.D.3; and 18VAC10-20-700.A.

**EFFECTIVE DATE**—September 15, 2010.

**FILE NUMBER 2010-04033, J.W. Warwick**  
**VIOLATION**—Mr. Warwick plead guilty and was convicted of conspiracy to violate the Foreign Corrupt Practices Act. **BOARD ACTION**—Consent Order imposing \$150 in Board costs and revocation of license. **REGULATION VIOLATED**—18VAC10-20-790.A.2

**EFFECTIVE DATE**—September 15, 2010.

**ENGINEER-IN-TRAINING**

**FILE NUMBER 2010-00137, Christopher James Beard**

**VIOLATION**—Mr. Beard admitted that he had not been truthful after signing Section Three of the civil engineering exam, stating "that the answers contained herein are solely of my knowledge." **BOARD ACTION**—Consent Order imposing \$150 in Board costs, in addition Mr. Lawrence cannot retake the FE exam until at least October 25, 2010. **REGULATION VIOLATED**—18VAC10-20-20.G **EFFECTIVE DATE**—December 16, 2009.

**LAND SURVEYORS**

**FILE NUMBER 2009-04270, George W. Robertson**  
**VIOLATION**—Mr. Robertson prepared a plat that failed to show the name of the owner of record and deed reference; width of the road; bearings of all property lines; source of meridian used; area to the square foot or thousandth of an acre; tax map or geographic parcel numbers; statement that the land boundary survey shown was based on a current field survey; a statement as to whether or not a current title report was furnished; and a statement as to whether any or all easements were shown. **BOARD ACTION**—Consent Order imposing \$900 in fines as well as \$150 in Board costs, for a total of \$1,050; in addition, Mr. Robertson must complete 8 hours of continuing education pertaining to boundary surveying within 12 months of the effective date of the order. **REGULATIONS VIOLATED**—18VAC10-20-370.D.2 and 18VAC10-20-750.C **EFFECTIVE DATE**—December 16, 2009

**FILE NUMBER 2009-02762, Frederick Allen Gibson**  
**VIOLATION**—Mr. Gibson prepared a plat that failed to show the width of the road; bearings of all property lines; area to the square foot or thousandth of an acre; statement that the land boundary survey shown was based on a current field survey; a statement as to whether or not a current title report was furnished; and a statement as to whether any or all easements were shown. **BOARD ACTION**—Consent Order imposing \$600 in fines as well as \$150 in Board costs, for a total of \$750; in addition, Mr. Robertson must complete 8 hours of continuing education pertaining to boundary surveying within 12 months of the effective date of the order. **REGULATIONS VIOLATED**—18VAC10-20-370.D.2 and 18VAC10-20-750.C **EFFECTIVE DATE**—December 16, 2009

**FILE NUMBER 10-00970, Michael Scott Estes**  
**VIOLATION**—Mr. Estes prepared a plat improperly using a creek from an old survey as the boundary line. He also failed to clearly identify on the plat, the inconsistency found in researching the common boundary between property line and the adjoining property. Mr. Estes also submitted a survey that was not sealed, signed and dated or identified as advance, preliminary, or incomplete. **BOARD ACTION**—Consent Order imposing \$1,000 in fines as well as \$500 in Board costs, for a total of \$1,500. **REGULATIONS VIOLATED**—18VAC10-20-370.B; 18VAC10-20-370.D.2.; and 18VAC10-20-760.B **EFFECTIVE DATE**—September 15, 2010.

**ARCHITECTS**

**FILE NUMBER 2009-01550, Dennis Troy Mitchell**

**VIOLATION**—Mr. Mitchell was reprimanded by the Kansas State Board of Technical Professions in 2005 for improperly stamping and sealing plans that he did not have direct supervision of. Mr. Mitchell did not notify the Board for almost two years of the disciplinary action. In addition, the Kansas order indicates that he practiced engineering without a license. **BOARD**

**ACTION**—Final Opinion and Order imposing \$2,500.00 in fines and 3 years probation of license **REGULATION VIOLATED**—18VAC10-20-750 (effective March 1, 2002); 18VAC10-20-740.B; 18VAC10-20-740.C (effective February 1, 2007); 18VAC10-20-740.B and 18VAC10-20-740.C. **EFFEC-TIVE DATE**—September 15, 2009

**FILE NUMBER 2009-04270, Dennis Troy Mitchell**

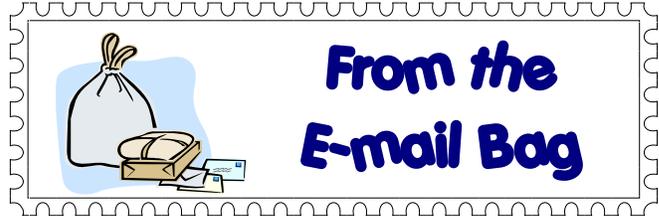
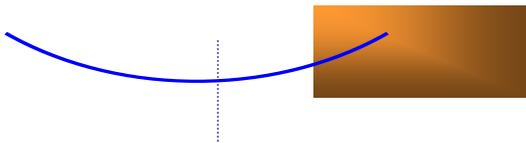
**VIOLATION**—Mr. Mitchell was reprimanded by the Nevada State Board of Architecture, interior Design and Residential Design in 2007 for improperly stamping and sealing plans that he did not have direct supervision of; and aided and abetted the unlicensed practice of architecture. Mr. Mitchell did not notify the Board of the Nevada action within 30 days **BOARD**

**ACTION**—Final Opinion and Order Order imposing \$2,500.00 in fines and 3 years probation of license **REGULATION VIOLATED**—18VAC10-20-750 (effective March 1, 2002); 18VAC10-20-740.B; 18VAC10-20-740.C (effective February 1, 2007); 18VAC10-20-740.B and 18VAC10-20-740.C. **EFFEC-TIVE DATE**—September 15, 2009.



**APELSCIDLA  
Regulant Counts as of  
October 1, 2010**

Architects	6,945
Professional Engineers	26,040
Land Surveyors	1,656
Interior Designers	489
Landscape Architects	837
APELSCIDLA Businesses	3,222



***Where do I send my Continuing Education documen-tation?***

Licensees do not submit CE documentation to the Board. When renewing a license, you are attesting to the required 16 hours of CE. The Board will use a ran-dom audit process to ensure that licensees are meeting the requirement. If selected for an audit, the licensee must produce documentation of the 16 hours, obtained in the preceding two years. Licensees should keep a file of all relevant documentation for CE coursework.

***Do you have a list of approved Continuing Education classes?***

The Board does not pre-approve any Continuing Edu-cation courses or seminars. The licensee must deter-mine if the course or seminar meets the criteria con-tained in Board regulation 18VAC10-20-683.



# Examination Statistics

The following statistics are a compilation of the Virginia candidates who sat for the April 2010, Engineering and Land Surveying examinations.

## April 2010 Engineer Exam Results

	# Candidates	# Passing	% Passing
Fundamentals	948	670	71
Principles and Practice	421	197	47

## April 2010 Land Surveyor Exam Results

	# Candidates	# Passing	% Passing
Fundamentals	17	9	53
Principles and Practice	24	11	46
Virginia Portion	58	27	47

The following statistics are a compilation of the Virginia candidates who sat for the Architect Registration Examination (4.0) from January to June 2010.

## January—June 2010 ARE Results (4.0) Architecture Registration Examination Results

	# Candidates	# Passing	% Passing
Building Design & Construction Systems	38	30	79
Building Systems	45	32	71
Construction Documents	56	37	66
Programming, Planning & Practice	55	37	67
Schematic Design	52	42	81
Site Planning & Design	46	40	87
Structural Systems	59	39	66

Following are the statistics for the Virginia candidates who took the Landscape Architect Registration Examination (LARE) in March and June 2010

## March 2010 LARE Results

	# Candidates	# Passing	% Passing
Legal & Administrative Aspects of Practice (Section A)	12	9	75
Analytical Aspects of Practice (Section B)	9	6	67
Structural Cons. & Methods & Materials of Const. (Section D)	13	9	69

## June 2010 LARE Results

	# Candidates	# Passing	% Passing
Planning & Design (Section C)	11	9	82
Grading, Drainage & Storm Water Management (Section E)	23	10	43



## NCEES Exam Candidates

As of July 6, 2010, all candidates applying for an NCEES exam are required to obtain an NCEES Identification Number. The ID number may be obtained from the NCEES website, [www.ncees.org](http://www.ncees.org). Candidates must provide the ID number to register with EES for an examination.

### FE Exam

The PM exam book for the FE exam will be split into 7 individual books. Examinees taking this exam must choose their PM module when registering. On exam day, FE examinees will receive only the PM module they registered for.

# EXAMINATION SCHEDULE

## PROFESSIONAL ENGINEER & LAND SURVEYOR EXAM DATES

<u>Exam Date</u>	<u>Application Due Date</u>	<u>Exam Fee Due Date</u>
10/29/10	6/22/10	9/17/10
4/8/11	11/29/10	3/1/11

## ENGINEER-IN-TRAINING & SURVEYOR-IN-TRAINING EXAM DATES

<u>Exam Date</u>	<u>Application Due Date</u>	<u>Exam Fee Due Date</u>
10/30/10	6/22/10	9/17/10
4/9/11	11/30/10	3/1/11

## LANDSCAPE ARCHITECT EXAM DATES

<u>Exam Dates</u>	<u>Application Due Date</u>	<u>Exam Fee Due Date</u>
<b>For Sections C &amp; E Only</b>		
12/6/10 AND 12/7/10	8/9/10	9/20/10
6/13/11 AND 6/14/11	2/4/11	3/31/11
<b>For Sections A, B, &amp; D Only</b>		
Contact CLARB	Contact CLARB	Contact CLARB
Contact CLARB	Contact CLARB	Contact CLARB

Notes:

- **ARCHITECTS:** The Architectural Registration Examination is given year-round; therefore, there are no deadlines. The architect applications are reviewed on a continuous basis.
- **INTERIOR DESIGNERS:** The interior designers examination is administered by NCIDQ. You may reach them by dialing (202) 721-0220.

**MOVING? PLEASE NOTIFY THE BOARD OFFICE OF YOUR NEW ADDRESS.**

Name: \_\_\_\_\_

Profession: \_\_\_\_\_

License Number: \_\_\_\_\_

Old Address: \_\_\_\_\_

New Address: \_\_\_\_\_

(P.O. Box must be accompanied by your physical address)

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Mail to:**

APELSCIDLA Board, Department of Professional & Occupational Regulation,  
9960 Mayland Drive, Suite 400, Richmond, VA 23233

## CALENDAR OF MEETINGS

Nov 9	Landscape Architect Section	June 16	APELSCIDLA Board Meeting
16	Land Surveyor Section	July 27	Architect Section
17	Professional Engineers Section	Aug 3	Interior Designers Section
Dec 16	APELSCIDLA Board Meeting	4	Landscape Architect Section
Jan 25	Architect Section	9	Professional Engineers Section
Feb 8	Professional Engineers Section	10	Land Surveyor Section
9	Land Surveyor Section	Sept 28	APELSCIDLA Board Meeting
22	Landscape Architect Section	Oct 26	Landscape Architect Section
23	Interior Designers Section	27	Architect Section
Mar 22	APELSCIDLA Board Meeting	Nov 8	Professional Engineers Section
May 4	Landscape Architect Section	9	Land Surveyor Section
5	Interior Designers section	16	Interior Designers Section
11	Professional Engineers Section	Dec 15	APELSCIDLA Board Meeting
12	Land Surveyor Section		
17	Architect Section		

## APELSCIDLA BOARD MEMBERS

<u>Architects</u> James R. Boyd J. Everette Fauber, III * Michael F. LeMay	<u>Prof. Engineers</u> Stanley C. Harris Nico De León Wiley V. "Bif" Johnson, III	<u>Land Surveyors</u> John R. McAden Nancy McIntyre W. R. Stephenson, Jr.	<u>Landscape Arch.</u> Vaughn B. Rinner ** Andrew M. Scherzer	<u>Interior Designers</u> Lorri B. Finn Cameron C. Stiles
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\* Board Chair, \*\* Board Vice-Chair

## IMPORTANT TELEPHONE NUMBERS

Licensing or Applications	(804) 367-8512 or -8506	Examination Questions	(804) 367-8569
Board Administration	(804) 367-8514	Complaints	(804) 367-8504

## IMPORTANT WEB SITE AND E-MAIL ADDRESSES

APELSCIDLA Web Site: <http://www.dpor.virginia.gov> E-mail: [APELSCIDLA@dpor.virginia.gov](mailto:APELSCIDLA@dpor.virginia.gov)

NCARB:	<a href="http://www.ncarb.org">http://www.ncarb.org</a>	CLARB:	<a href="http://www.clarb.org">http://www.clarb.org</a>
NCEES:	<a href="http://www.ncees.org">http://www.ncees.org</a>	NCIDQ:	<a href="http://www.ncidq.org">http://www.ncidq.org</a>

## BOARD STAFF

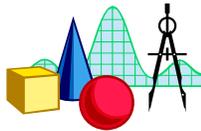
Kate Nobsch—Executive Director	Marian Brooks—Board Administrator
Justin Garofalo—Board Administrator	Amy Goobic—Administrative Assistant
Ramona Norris—Licensing Specialist	Joan Leonard—Licensing Specialist
Tonia Burrell—Licensing Specialist	Toni Spencer—Licensing Specialist
Patty Cordero—Licensing Specialist	



All Regulators ●



Architects ●



Professional Engineers ●



Land Surveyors ●



Landscape Architects ●



Interior Designers



9960 Mayland Drive  
 Suite 400  
 Richmond, VA 23233