

DIMENSIONS

VOLUME 28

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

FALL 2009



Message from the Chair

- Nancy McIntyre, LS



Has this ever happened to you?

You find yourself spending hours of valuable time at the court house or on-line researching property descriptions and plats only to discover that the recorded documents are illegible, missing critical information or downright wrong! You swear (under your breath of course!) that old documents and survey practices coupled with newer document imaging technologies and boundary regulations make for a tough mix when it comes to determining boundaries and performing proper mathematical closures and area computations. But maybe the plats you are reviewing aren't all that old and maybe they are perfectly legible, but you still find the information is incomplete or erroneous, and doesn't match the field conditions. The regulant who performs this type of work could face thousands of dollars in fines, be required to attend classes, be placed on probation or even lose his or her license.

Inside this issue:

New Board Members	2
Continuing Education	3
Regulant Counts	6
Landscape Architect Licensure	9
Disciplinary Actions	10
Resource Corner	12
Exam Statistics	13
Exam Schedule	14
Calendar of Meetings	15

Did you know?

Over the years, Virginia has adopted and amended numerous pieces of Administrative Code related to the practice of Land Surveying pertaining to boundary and other types of surveys as well as the Library of Virginia's Standards for Plats. These regulations serve to protect the citizens and their property in part by requiring accurate and retraceable information. And we, the regulants, are bound to follow them. So why doesn't everyone comply with these regulations? Though it seems

inconceivable that a professional could perform his or her job without the knowledge of these regulations, it appears that they are sometimes forgotten or overlooked. How about your practice? You perform quality checks to make sure that your work is "right." ***But do you perform checks to ensure the work also meets regulations?*** If not, now is a great time to start. If you do, now is a great time to review the regulations and revise your checklists if necessary.

Did you know?

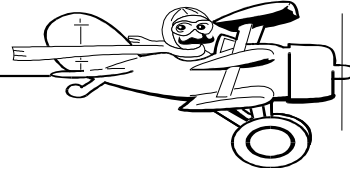
Over the years, Virginia has adopted and amended numerous pieces of Administrative Code related to the practice of Land Surveying pertaining to boundary and other types of surveys as well as the Library of Virginia's Standards for Plats. These regulations serve to protect the citizens and their property in part by requiring accurate and retraceable information. And we, the regulants, are bound to follow them. So why doesn't everyone comply with these regulations? Though it seems inconceivable that a professional could perform his or her job without the knowledge of these regulations, it appears that they are sometimes forgotten or overlooked. How about your practice? You perform quality checks to make sure that your work is "right." ***But do you perform checks to ensure the work also meets regulations?*** If not, now is a great time to start. If you do, now is a great time to review the regulations and revise your checklists if necessary.

Continued on page 10





Welcome!



APELSCIDLA New Board Members



Michael F. LeMay

Mr. LeMay is a native of Northern Virginia and a registered architect and planner, designing projects in California, Virginia, West Virginia, Maryland and Delaware. He received his Bachelor of Architecture in 1961 and his Master of Planning and Architecture degree in 1963. Mr. LeMay is a former instructor in the Design Studios at the School of Architecture and Engineering of Catholic University in Washington D.C.

Mr. Lemay founded his own architecture and planning firm in 1975, which ultimately became LeMay Erickson and Willcox Architects. The firm has received numerous design awards, including the 2005 Virginia Society AIA T. David Fitz-Gibbons Firm of the Year Award and the 2003 Northern Virginia AIA Award of Honor. Mr. LeMay now works as a sole practitioner.

Mr. LeMay is a past president of the Northern Virginia chapter of the AIA and a past director of the Virginia Society of the AIA.



Andrew M. Scherzer

Mr. Scherzer, Executive Vice President for Balzer & Associates, Inc., is head of the Landscape Architecture department and office manager for the Chesterfield office. He is a 1982 graduate of Virginia Tech, with a B.A. in Landscape Architecture, *cum laude*. He became a registered Landscape Architect in 1985. His experience includes site planning and engineering designs of shopping centers, commercial properties, medical, residential and office developments throughout Virginia and neighboring states. Mr. Scherzer has also been involved in land use issues, assisting clients in rezoning efforts.

Mr. Scherzer is a member of the American Society of Landscape Architects, Urban Land Institute, and numerous other professional organizations. He served on the Virginia Landscape Architects' Committee to establish licensure and has been instrumental in successfully establishing licensure of Landscape Architects in Virginia.



Continuing Education regulations and more....

The Virginia General Assembly passed a bill during the 2006 legislative session which mandated the APELSCIDLA Board implement a mandatory continuing education program (16 hours of continuing education activities) for architects, professional engineers, and land surveyors. The law became effective on July 1, 2006, and the Board initiated the process to promulgate the necessary regulations for the program on September 7, 2006. The new regulations became effective April 1, 2009, with a one year delayed enactment clause.

The regulations are drafted broadly to allow licensees the flexibility to meet the requirements through a variety of methods as long as the coursework falls within the regulation. The course must be related to the practice of the license being renewed and have a clear purpose and objective that will maintain, improve or expand the skills and knowledge relevant to practice.

Fifty contact minutes shall equal one CE credit hour. For segments less than 50 minutes, the sum of the segments may be totaled for computation of CE credit hours for that one CE course or activity. One semester credit hour of approved college credit equals 15 CE credit hours and one quarter credit hour of approved college credit equals 10 CE credit hours.

For further information, please review

Regulations
18VAC10-20-683 and
687 of the new APEL-
SCIDLA Board regula-
tions (effective April 1,
2009).



Points to Ponder

- The Board does not have a "retired" or "inactive" status for licensees.
- Section 54.1-405 of the *Code of Virginia* provides regulants with the ability to use their professional title while retired.
- You cannot *practice* with an expired license.
- A license is valid during the life of the holder unless revoked or suspended by the Board.
- A license holder must register with the Board to practice in the Commonwealth.
- The new continuing education regulations for Architects, Professional Engineers and Land Surveyors became effective April 1, 2009.
- There is a 12 month delayed enactment clause for attesting to CE. Beginning April 1, 2010, licensees must attest to meeting CE requirements at renewal.
- If you hold more than one license, you need 16 hours of CE per license.
- If you hold more than one license and find a CE activity that would meet the requirements for both licenses, you could count it for both. However, be mindful the CE activity has to have occurred within the two year window for each license.
- CE requirements vary from state to state.
- The Board has no control over what CE activities may be accepted by other states.
- The Board is not pre-approving or providing CE activities due to the different professions and specialties within the professions.
- Development, administration, and updating coursework, as well as providing training opportunities, would require a significant increase in fees as the Board is self-funded.
- There is no CE exemption for licensees living outside of Virginia.
- There is no CE exemption for "expert witnesses."
- There is no CE exemption for advanced degrees.
- There is no CE exemption for small firms with nominal number of licensed individuals.
- There is no CE exemption for age or years of practice.
- There is no CE exemption specifically for active military service.
- The licensee may request Board consideration of an exemption from the CE requirements under "undue hardship" or "certified illness."



ARE Exam Content Disclosure

The Architect Registration Examination® (ARE) is designed to protect the health, safety, and welfare of the public by providing a psychometrically justifiable and legally defensible process that measures the level of competence necessary to practice independently. The exam has multiple divisions that test a candidate's ability to perform many of the tasks an architect encounters in practice. To become licensed, a candidate must fulfill education and experience requirements, and pass all divisions of the ARE.

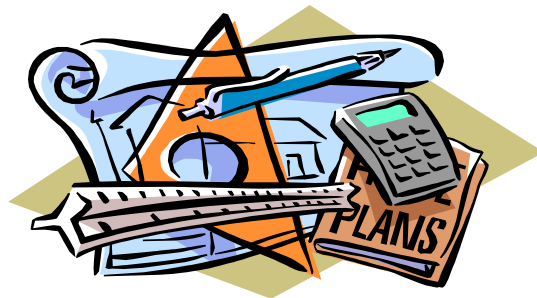
NCARB takes upholding the integrity of the ARE very seriously—for the benefit of the profession and in order to safeguard the health, safety, and welfare of the public. Candidates who sit for the ARE agree to the rules by which it is administered. These rules, clearly spelled out in the *ARE Guidelines*, include: test center regulations, grounds for dismissal, the Confidentiality Agreement, and the NCARB Board of Directors' Policy on Disclosure and Cheating. The consequences of violating the rules are clearly stated in the Confidentiality Agreement that candidates must accept prior to taking every ARE division.

Recently, eight ARE candidates had their testing privileges suspended and scores cancelled for posting exam content and/or questions on the internet. The disclosure of the ARE content diminishes the reliability and defensibility of the exam and ultimately undermines the integrity of the process. Disciplinary actions against the candidates included cancelled exam scores and suspension of testing privileges. All disciplinary actions become a part of each individual's permanent NCARB Record.

When candidates disclose exam content, NCARB works with the Council's test development consultant to determine the impact on the exam. If NCARB finds that it is necessary to turn off substantial amounts of content, their ability to continuously deliver the ARE is jeopardized. The Council also faces significant financial ramifications because of the need to replace the exposed content and retain attorneys to defend the exam's copyright and integrity.

Due to the actions of several of the candidates noted above, NCARB has turned off selected content in one division of the ARE. Should additional content be disclosed, we will need to evaluate the impact and will consider extending the mandatory six-month waiting period between failed divisions until such time the content can be replaced.

*(Reprinted from: NCARB News Clips,
29 April, 2009)*



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 note 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/apc/04busreg.pdf>.



NCARB Announces ARE Security and Development Fee

The National Council of Architectural Registration Boards (NCARB) will increase the fees for the Architect Registration Examination® (ARE®) by \$40 per division effective 1 October 2009. The increase, which was announced at the NCARB Annual Meeting and Conference in Chicago, is due to recent incidents of exam content disclosure by ARE candidates. The cost to develop and replace the exposed content and handle the administrative and legal costs related to these incidents totals an estimated \$1.1 million.

“The decision to raise the exam fees now—especially in the current economic climate—was not made lightly,” said Gordon E. Mills, FAIA, President. “However, NCARB’s responsibility to uphold the integrity of the ARE is our first and foremost concern.”

The ARE is designed to protect the health, safety, and welfare of the public by providing a psychometrically justifiable and legally defensible process that measures the level of competence necessary to practice architecture independently. In recent months, NCARB has had to turn off substantial amounts of content after several candidates posted detailed exam content on the internet. These candidates have had their exam scores canceled and testing privileges suspended for up to five years. To ensure the integrity of the exam, NCARB has been forced to add two full-time staff members to monitor and investigate exam disclosures and copyright violations.

Replacing exam content is expensive and time consuming because each vignette or multiple-choice item must be written, reviewed, edited, and thoroughly pre-tested before it is added to the exam. The process of developing replacement content will take two years and the involvement of many volunteer professionals. The current six-month waiting period between failed divisions is in effect to ensure that a candidate does not see the same question twice. If ARE candidates continue to breach the Confidentiality Agreement they accept to prior to taking each division and additional exam content is exposed, NCARB may be forced to extend the mandatory waiting period in order to prevent overexposure of content.

Since NCARB produced the first national exam for architects in 1965, the cost of delivering the test has been heavily subsidized by other NCARB programs. Since the ARE was computerized in 1997, NCARB has subsidized more than \$15 million in exam-related expenses. While the new fee structure will help offset the costs incurred as a result of exam disclosure, it still falls short of the actual cost of developing and administering the exam and monitoring its security.

(Reprinted from: NCARB News Clips, 9 June, 2009)



NCIDQ UPDATES EXAM

The National Council for Interior Design Qualification announced that the NCIDQ Examination will be modified in 2010. These modifications are necessary to ensure that the examination continues to test the knowledge and skills interior designers use in the course of their daily practice.

The structure of the NCIDQ Examination will not change. The exam will continue to include two half-day multiple-choice sections and a full-day drawing practicum. The multiple-choice sections are Section 1, which tests codes, building systems, construction standards and contract administration; and Section 2, which tests design application, project coordination and professional practice. We took our existing questions and re-categorized and reorganized them. NCIDQ is still testing the same health, safety and welfare concepts it always has. Section 1 and 2 will each be 3 ½ hours long and contain 150 questions.

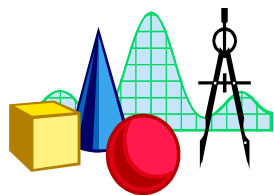
Section 3, the Interior Design Practicum, will now be an eight-hour exam consisting of seven independent exercises. Beginning in 2010, the practicum exam will be a series of unique exercises rather than a scenario that threads through the entire section. For example, the space planning exercise will not be based on the same scenario as the millwork exercise. Each exercise will be independent of the others.

NCIDQ is preparing new preparatory materials for the 2010 exam, which will be available this fall. The NCIDQ Examination is given twice a year in more than 60 locations in the United States and Canada.

The examination dates for 2010 are April 9-10 and October 1-2. Complete applications and supporting materials are due to NCIDQ by December 1, 2009 for the April administration and by June 1, 2010 for the October 2010 administration.

(Reprinted from NCIDQ Newsletter, July 2009)





Puerto Rican court awards damages to NCEES in exam theft case

The U.S. District Court in Puerto Rico has ruled in favor of NCEES in a civil suit involving damages exceeding \$1 million. The judgment resulted from the case of a civil engineering licensure candidate who was found with recording and transmitting equipment during the October 2006 administration of the Principles and Practice of Engineering exam in the city of Mayaguez.

The candidate, Bethzaida Cameron Ortiz, was discovered during the afternoon session of the administration after a proctor noticed her unusual behavior. The chief proctor at the exam site confronted Cameron, 44, and discovered that the defendant was concealing a host of recording and transmitting devices within her jacket and handbag, including a wireless audio/video transmitter, a small video camera, a receiver, a pocket video recorder, a device used to connect video cameras to a television or computer, and battery packs.

Working with materials provided by law enforcement, NCEES determined that Cameron had recorded the Civil PE exam and established that Cameron had performed a similar operation with the FE exam, which records show she attempted in October 2005 at the same location. As a result of these exam breaches, NCEES had to remove all compromised material from its exam item banks, resulting in the damages awarded in the civil suit. In estimating damages, NCEES takes into account the time, travel, and work hours required of NCEES staff, psychometric consultants, and subject-matter experts who are involved with the development and review of exam content.

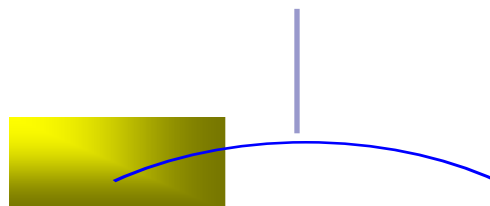
"Like any organization that develops standardized tests, NCEES's most valuable asset is its intellectual property. When someone steals exam content, the effects are the same for us as they would be for a retail store that has its assets stolen," said NCEES Executive Director Jerry Carter.

NCEES develops and enforces stringent policies to protect exam content, including limiting the materials candidates are allowed to bring to the exam site. Before attempting an NCEES exam, each candidate is required to sign a statement affirming that he or she will not copy or reveal any exam material.

Prior to the judgment in the civil suit, Cameron had been convicted of fraud in criminal court as a result of the incident. She is prohibited from attempting any NCEES exam in the future.

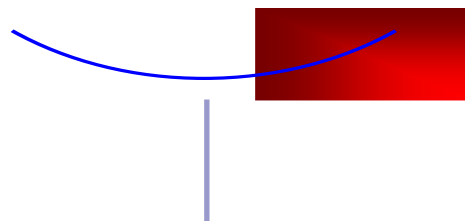
"The fact that we are a nonprofit that assists licensing boards means that this event in some way has affected everyone in the engineering and surveying professions and, ultimately, the public," said Carter. "We are pleased that this judgment was reached and we are confident this will serve as a deterrent for anyone who might consider stealing exam content in the future."

(Reprinted from: NCEES News Release, 9 July, 2009)



APELSCIDLA Regulant Counts as of September 1, 2009

Architects	6,957
Professional Engineers	25,925
Land Surveyors	1,520
Interior Designers	472
Landscape Architects	847





IDP 2.0 & Six Month Rule

NCARB has updated the Intern Development Program, to more closely align with the current practice of architecture. The new program which will be rolled out as “IDP 2.0,” will help ensure that interns acquire the comprehensive training that is essential for competent practice and will make reporting experience fundamentally easier. The changes to the IDP have been developed in response to the *2007 Practice Analysis of Architecture*. In April 2007, NCARB invited more than 50,000 architects from across the United States and Canada to participate in this study. A record 9,835 practicing architects responded by completing an extensive electronic survey to identify the tasks, knowledge, and skills that recently licensed architects, practicing independently, need to protect the health, safety, and welfare of the public. The results of this study were used as a basis for IDP 2.0, the most significant update to the IDP since its inception over 30 years ago.

Phase One began July 1, 2009 and allows interns whether employed or not—to earn training units by completing LEED accreditation and by completing specified architecture-related certificate programs offered by the Construction Specifications Institute. They will also be able to earn training units by reading the NCARB *Professional Conduct* monograph and passing the related quiz.

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

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

July 1 was also the effective date for the new “Six-Month Rule.” As of that date, all interns starting an

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

(Reprinted from: NCARB News Clips, 28 April, 2009)



NCARB Rolling Clock

NCARB introduced the five-year “rolling clock” in 2006. This provided that applicants had five years, from the date of the first passed ARE exam, to pass all remaining divisions. If all divisions were not passed in the five-year period, the candidate would have to retake the divisions for which the scores were invalid.

When first passed in 2004, the rolling clock provision only applied to divisions of the ARE that were passed after January 1, 2006. At the 2009 NCARB Annual Meeting, the rolling clock provision was broadened to include all sections of the exam, including those passed prior to 2006. With this amendment, divisions passed prior to January 1, 2006 will no longer remain valid if the remaining divisions are not passed by July 1, 2014.

Additionally, effective July 1, 2011, exam candidates must take a division of the ARE, by pass or fail, once every five years to keep their authorization to test valid. Candidates whose authorizations have become invalid will need to establish new eligibility under the then current procedures of the applicable state licensing board.

(Information obtained from www.ncarb.org)



CLARB Exam Security

The Council of Landscape Architectural Registration Boards (CLARB) has developed strict policies to protect the Landscape Architecture Registration Examination (L.A.R.E.) content. CLARB has three primary methods of communicating this information to exam candidates:

- Free online resources including the **Multiple-Choice Orientation Guide**, the **Step-by-Step Guide** and the **Pre-Exam Orientation Booklet**: these free resources are available on the CLARB website and review what is and what is not allowed at the exam site, acceptable forms of identification, exam structure, testing schedule, frequently asked questions and the L.A.R.E. Rules of Conduct for taking the exam.

- A series of emails sent to exam candidates multiple times prior to each exam administration: exam candidates receive a minimum of three emails outlining when to arrive at the test center, acceptable forms of ID and what to bring (includes links to the free online resources mentioned above), and what to do if exam candidates encounter any difficulties or suspicious individuals during the examination.

- Exam candidates also receive the L.A.R.E. Connection, a newsletter that contains information relevant to those individuals in the process of completing the L.A.R.E. This newsletter always includes links to the CLARB website and the free online resources mentioned above.

- Upon check-in at the exam location, candidates are again reminded of what they may and may not take in/use during the exam. A reminder about the rules of conduct is verbally shared, and in addition, a form must be signed by all graphic exam candidates prior to the exam commencing that states the candidates understand the security policies.

Exam candidates never see which of the Multiple-Choice questions they answered correctly or incorrectly; scores are only reported as Pass/Fail. For those candidates who take the graphic portions of the L.A.R.E., they are not allowed to take out of the test center any scrap paper used during the examination. If they do not pass the graphic portions, they may opt for a Redline Review, which provides a marked-up copy of the candidate's vignette problems, but only if it is allowed by law in the candidate's jurisdiction and if facilities and proctors can be secured in those jurisdictions according to CLARB standards, schedules and security regulations. A candidate participating in a

Redline Review may not take notes for future reference.

Further, CLARB utilizes the same testing company, Prometric, to proctor all of the Multiple-Choice administrations and the Graphic administrations at CLARB Test Centers. Having the same company that trains its proctors according to CLARB security standards administer these examinations helps to ensure that the L.A.R.E. content is safe and secure.

Created in 1970, CLARB is a non-profit, international association whose members are the 49 U.S. states, one territory and two Canadian provinces that license landscape architects. As an organization of member boards, CLARB's mission is to foster the public health, safety and welfare related to the use and protection of the natural and built environment affected by the practice of landscape architecture.

(Reprinted from CLARB News Release, 3 August, 2009)

2010

National Engineers Week
February 14-20

National Surveying Week
March 21-27

National Architecture Week
April 12-18

Landscape Architecture Month
April

Message from the Chair cont.

So where do you find these regulations?

The specific regulations pertaining to boundary surveys, physical improvements surveys and topographic surveys are found in the Virginia Administrative Code (18VAC10-20-370, 18VAC10-20-380, and 18VAC10-20-382, respectively). These regulations are available on line at the DPOR APELSCIDLA website (http://www.dpor.virginia.gov/dporweb/ape_reg.pdf). Another very important paragraph is found in 18VAC10-20-395 "Standard of Care" which was added last year. The Standards for Plats can be found in 17VAC15-60-10 et.seq. (<http://leg1.state.va.us/cgi-bin/legp504.exe?ses=000&typ=lnk&val=10>). While you are on the web, be sure to also read and understand Part XII "Standards of Practice and Conduct" (18VAC10-20-690, et.seq.). And ask your co-workers to do the same. The regulations mentioned here are only a small portion of the many regulations and laws we must follow, but they are a driving force behind many complaints filed against APELSCIDLA regulants. A little precautionary time spent reading today may help prevent negative impacts to your profession tomorrow.



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.

LANDSCAPE ARCHITECT LICENSURE

On March 27, 2009, Governor Tim Kaine signed SB 940, requiring licensure for Landscape Architects in the state of Virginia. The licensure law was effective July 1, 2009, with a 12-month delayed enactment clause. This signifies that any certified landscape architect in good standing on June 30, 2010, will become licensed on July 1, 2010. The month/year your current certification expires will be the month/year your license will expire.

In addition to the licensure change, the new law includes a requirement for Continuing Education. Beginning with July 31, 2010, license expirations, landscape architects will have to attest to meeting the CE requirement. For example, any licensed landscape architect with an expiration of July 31, 2010, will have to attest to 16 hours of continuing education obtained from August 1, 2008 - July 31, 2010, and so forth.

For further information, refer to 18VAC10-20-683 18VAC10-20-687 of the new APELSCIDLA Board regulations (effective April 1, 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 2009-00978, Robert P. Chi

VIOLATION—Mr. Chi failed to notify the Board within 30 days that his Wisconsin's professional Engineer's license was revoked by the Wisconsin Board.

BOARD ACTION—Consent Order imposing \$150.00 in Board costs and revocation of license **REGULATIONS VIOLATED**—18 VAC10-20-750.A and 18VAC10-20-750.C **EFFECTIVE DATE**—March 31, 2009

FILE NUMBER 2009-00527, Harkirat Singh

VIOLATION—Mr. Singh signed and sealed a COU certifying an electrical system was in full compliance. The system was inspected and contained 14 violations. He the signed and sealed another COU that resulted in another 15 violations. Mr. Singh failed to include all relevant and pertinent information on documents he certified to be true. **BOARD ACTION**—Final Opinion and Order imposing \$500 in fines as well as the probation of Singh's license for one year **REGULATION VIOLATED**—18VAC10-20-700.A **EFFECTIVE DATE**—June 25, 2009

FILE NUMBER 2009-02653, Travis John Keys

VIOLATION—Mr. Keys 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**—June 25, 2009

ENGINEER-IN-TRAINING

FILE NUMBER 2009-02293, Brendan Thomas Lawrence

VIOLATION—Mr. Lawrence 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 VIO-**

LATED—18VAC10-20-20.A **EFFECTIVE DATE**—June 25, 2009

ARCHITECTS

FILE NUMBER 2008-03198, David Wolfe Kent

VIOLATION—Mr. Kent was hired as an architect for a project. He submitted an SSI to which he affixed his seal and signed. Another SSI was submitted by another consultant on the project. Mr. Kent then made changes to the 2nd SSI without the review of the 2nd preparer. Mr. Kent then submitted a 3rd SSI. Signatures, seals were replaced and dates changed without consent. **BOARD ACTION**—Consent Order imposing \$100.00 in fines as well as \$150 in Board costs **REGULATION VIOLATED**—18VAC10-22-740.D **EFFECTIVE DATE**—September 17, 2008

FILE NUMBER 2008-03470, Robert Rudolph Hollendonner

VIOLATION—Mr. Hollendonner charged clients for time spent obtaining a bid from a contractor who was not properly licensed to perform the proposed construction. **BOARD ACTION**—Final Opinion and Order imposing \$1,000 in fines. **REGULATION VIOLATED**—18VAC 10-20-790.A.3. **EFFECTIVE DATE**—June 25, 2009

FILE NUMBER 2008-02975, Augusto Ignacio Tono

VIOLATION—Mr. Tono presented calculations to Fairfax County that he did not have permission to submit and was not truthful when he presented them knowing that he did not have permission to use them. **BOARD ACTION**—Consent Order imposing \$1000 in fines as well as \$150 in Board costs **REGULATIONS VIOLATED**—18VAC10-20-740.D and 18 VAC10-20-700.A **EFFECTIVE DATE**—September 17, 200

LAND SURVEYORS

FILE NUMBER 2008-02330, C. Phil Wagoner

VIOLATION—Mr. Wagoner failed to notify the Board that his Certificate of Licensure for Land Surveying was revoked by the North Carolina board. **BOARD ACTION**—Consent Order imposing \$150 in Board costs and suspension of license. **REGULATIONS VIOLATED**—18 VAC10-20-750.A and 18VAC10-20-750.C **EFFECTIVE DATE**—September17, 2008

FILE NUMBER 2009-00385, Stephen L. Barcena

VIOLATION—Mr. Barcena prepared a plat and failed to show the names of all adjoining owners of record with deed book references or subdivision lot designations. **BOARD ACTION**—Consent Order imposing \$250 in fines and \$150 in Board costs **REGULATIONS**

VIOLATED—18VAC10-20-370.D.2.c and 18VAC10-20-370.D.2.k **EFFECTIVE DATE**—March 31, 2009

FILE NUMBER 2008-02678, Benjamin Russell Gardner.

VIOLATION—Mr. Gardner failed to conduct a proper search of land records or utilize available data from other known sources to aid in the establishment of correct boundaries of land being surveyed. Additionally, Mr. Gardner failed to monument a new corner; failed to identify inconsistencies found in the research of the common boundaries between the land surveyed and the adjoining land; failed to establish or recover existing corners of the property lines; the plat did not indicate the bearings and distances from the new corners to existing corners on each end of property line; Mr. Gardner acknowledged that he did not provide a distance to the nearest road, but rather a distance to the “end state maintenance road” sign; and failed to perform the computations to show that the standards for a land boundary survey located in a rural area were met in the survey. **BOARD ACTION**—Final Opinion and Order imposing \$2,450 in fines and probation of license. Mr. Gardner is also required to attend coursework on boundary surveying or Virginia APELSCIDLA regulations **REGULATIONS VIOLATED**—18VAC10-20-370.B; 18VAC10-20-370.C.4; 18VAC10-20-370.D.2.d; 18VAC10-20-370.C.5; 18VAC10-20-370.D.2.k; 18VAC10-20-370.D.2.f and 18VAC10-20-370.D.1 **EFFECTIVE DATE**—June 25, 2009

FILE NUMBER 2007-02205, Stephen Charles Letchford

VIOLATION—Mr. Letchford was paid for independent survey services. Mr. Letchford then directed another survey team to complete the survey work that he had agreed to perform. Mr. Letchford did not fully disclose in writing that he had not, in fact, performed the survey work. **BOARD ACTION**—Consent Order imposing \$500 in Board costs. **REGULATIONS VIOLATED**—18 VAC10-20-710.B **EFFECTIVE DATE**—December 10, 2008

In Memoriam

The APLESCIDLA Board would like to express its deepest sympathies and condolences to the family of William H. Spell, Landscape Architect, who passed away April 17, 2009. Mr. Spell served on the APELSCIDLA Board from 2003 until his passing.



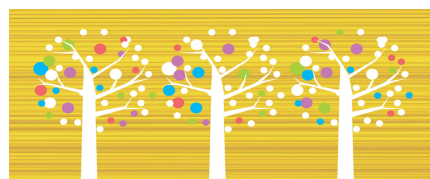
**DPOR is
GOING
GREEN (er)**

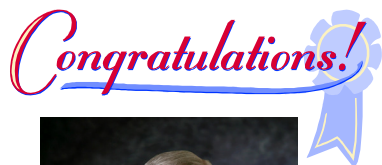
The Department of Professional and Occupational Regulation, in accordance with Governor Kaine’s Executive Order 82, is ‘going green,’ or ‘greener’ as the case may be. DPOR has been recycling aluminum cans for approximately 10 years, and paper shredding and recycling has been in place since moving to the Perimeter Center two years ago. The agency now has plastic bottle, general paper (non-shredding) and cardboard recycling receptacles in place, and individual water bottles will no longer be provided at agency meetings. In addition, the Perimeter Center building management is in the process of becoming LEED certified.

There have already been steps taken to reduce the state government’s effect on the environment. Executive Order 48 focuses on the energy use in state buildings and facilities and Executive Order 35 addresses telecommuting by state employees.

Governor Kaine has also issued a “Green Commonwealth Challenge” to all state agencies. Agencies participating in the challenge must submit proof of the actions that they are taking to reduce their environmental impact. Examples of ‘green efforts’ for state agencies are: using teleconferencing or videoconferencing in lieu of face-to-face meetings, encouraging carpooling, increasing recycling programs and reducing electricity bills by shutting off lights and computers. State employees may also submit suggestions regarding ways for their agency to make reductions in their environmental impact.

For more information on Executive Order 82, please visit: http://www.governor.virginia.gov/Initiatives/ExecutiveOrders/2009/EO_82.cfm





The APELSCIDLA Board would like to congratulate J. Everette "Ebo" Fauber III on his recent installation as the director for the Middle-Atlantic Conference (Region 2) of the NCARB Board of Directors. Mr. Fauber is now serving his second term of four years on the APELSCIDLA Board and has recently been elected Vice-Chair of the Board, as well as Chair of the Architects Section. He was also on the APELSCIDLA Board from 1989– 1997.

In 2008, Mr. Fauber was elected to the Board of Directors. His service to NCARB includes chairing the Committee on Professional Conduct for four years. He also served as a member and coordinator of the ARE Division B—Graphics Subcommittee, and as a member of the Task Analysis Conversion Task Force.

Mr. Fauber began his professional career in the Washington, DC area in 1963, and founded Fauber Architects in 2003. His work has included restoration, education, ecclesiastical, custom residential, and local government projects, as well as veterinary hospitals and animal shelters. A graduate of the University of Virginia, he holds the NCARB Certificate for national reciprocity and is registered to practice in Virginia.



NCARB FY10 Board of Directors

NCEES Recognizes Virginia Tech's Land Development Design Initiative



APELSCIDLA Board member and NCEES representative Wiley "Bif" Johnson was on hand to present an NCEES award to Virginia Tech's Charles E. Via Jr. Department of Civil and Environmental Engineering Land Development Design Initiative.

There were 28 submissions judged by NCEES members and representatives from academic institutions and professional engineering organizations. Virginia Tech was one of six university programs to receive an award from NCEES. The award program recognizes engineering programs that demonstrate meaningful partnerships between professional engineers and students.

RESOURCE CORNER

NATIONAL COUNCIL OF
EXAMINERS FOR ENGINEERING AND
SURVEYING
WWW.NCEES.ORG

NATIONAL COUNCIL OF
ARCHITECTURAL REGISTRATION
BOARDS
WWW.NCARB.ORG

NATIONAL COUNCIL OF INTERIOR
DESIGNERS QUALIFICATION
WWW.NCIDQ.ORG

COUNCIL OF LANDSCAPE
ARCHITECTS REGISTRATION BOARDS
WWW.CLARB.ORG

Examination Statistics

The following statistics are a compilation of the Virginia candidates who sat for the April 2009, Engineering and Land Surveying examinations.

April 2009 Engineer Exam Results

	# Candidates	# Passing	% Passing
Fundamentals	757	730	96
Principles and Practice	427	238	56

April 2009 Land Surveyor Exam Results

	# Candidates	# Passing	% Passing
Fundamentals	29	17	59
Principles and Practice	31	14	45
Virginia Portion	69	40	58

The following statistics are a compilation of the Virginia candidates who sat for the Architect Registration Examination (ARE) from January to March 2009.

1st Quarter 2009 ARE Results

	# Candidates	# Passing	% Passing
Building Planning	22	16	73
Building Technology	10	5	50
Construction Documents	8	7	87
General Structures	5	5	100
Lateral Forces	6	5	83
Materials & Methods	7	7	100
Mechanical & Electrical Systems	13	7	54
Pre-Design	8	8	100
Site Planning	17	13	76

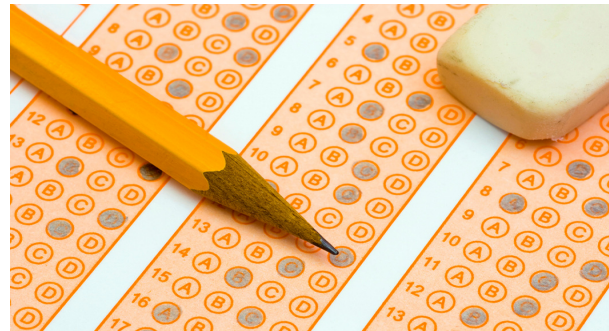
Following are the statistics for the Virginia candidates who took the Landscape Architect Registration Examination (LARE) in March & June 2008:

March 2009 LARE Results

	# Candidates	# Passing	% Passing
Legal & Administrative Aspects of Practice (Section A)	16	12	75
Analytical Aspects of Practice (Section B)	13	10	77
Structural Cons. & Methods & Materials of Const. (Section D)	13	10	77

June 2009 LARE Results

	# Candidates	# Passing	% Passing
Planning & Design (Section C)	14	7	50
Grading, Drainage & Storm Water Management (Section E)	21	10	48



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>

The Virginia Regulatory
Town Hall

EXAMINATION SCHEDULE

PROFESSIONAL ENGINEER & LAND SURVEYOR EXAM DATES

<u>Exam Date</u>	<u>Application Due Date</u>	<u>Exam Fee Due Date</u>
10/23/09	6/26/09	9/18/09
4/16/10	12/18/09	3/17/10

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

<u>Exam Date</u>	<u>Application Due Date</u>	<u>Exam Fee Due Date</u>
10/24/09	6/26/09	9/18/09
4/17/10	12/18/09	3/17/10

LANDSCAPE ARCHITECT EXAM DATES

<u>Exam Dates</u>	<u>Application Due Date</u>	<u>Exam Fee Due Date</u>
For Sections C & E Only		
12/7/09 AND 12/8/09	8/10/09	11/9/09
6/7/10 AND 6/8/10	2/5/10	3/8/10
For Sections A, B, & D Only		
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 CIDA. 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

Sept 15	APELSCIDLA Board	June 17	APELSCIDLA Board
Oct 28	Architects Section	July 26	Interior Designers Section
Nov 29	Interior Designers Section	July 27	Architects Section
Nov 5	Professional Engineers Section	Aug 4	Professional Engineers Section
12	Landscape Architects Section	5	Landscape Architects Section
17	Land Surveyors Section	11	Land Surveyors Section
Dec 16	APELSCIDLA Board	Sept 15	APELSCIDLA Board
Feb 3	Architects Section	Oct 27	Architects Section
9	Professional Engineers Section	28	Interior Designers Section
11	Landscape Architects Section	Nov 3	Professional Engineers Section
17	Land Surveyors Section	9	Landscape Architects Section
18	Interior Designers Section	16	Land Surveyors Section
May 6	Interior Designers Section	Dec 16	APELSCIDLA Section
11	Professional Engineers Section		
13	Landscape Architects Section		
18	Architects Section		
19	Land Surveyors 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
---	--	--	--	---

* 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			
NCARB:	http://www.ncarb.org	CLARB:	http://www.clarb.org
NCEES:	http://www.ncees.org	NCIDQ:	http://www.ncidq.org

BOARD STAFF

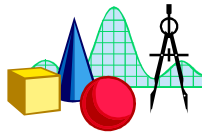
Kate Nobsch—Executive Director	Amy Goobic—Administrative Assistant
Marian Brooks—Board Administrator	Joan Leonard—Licensing Specialist
Sheree Dean—Office Manager	Toni Spencer—Licensing Specialist
Ramona Norris—Licensing Specialist	Tonia Burrell—Licensing Specialist
Bradley Verry—Licensing Specialist	



All Regulators



Architects



Professional Engineers



Land Surveyors



Landscape Architects



Interior Designers



9960 Mayland Drive
Suite 400
Richmond, VA 23233