



FALL 2012

# architects

a publication of the california architects board ■ public protection through examination, licensure, and regulation

CAB Recognizes Volunteers

## 2011 Octavius Morgan Distinguished Service Awards

Named after the first president of the California Architects Board, the Octavius Morgan Distinguished Service Award recognizes individuals who have significantly contributed to the Board's mission through their volunteerism over a period of time.

The California Architects Board (CAB) relies on volunteers to assist in developing the California Supplemental Examination and to serve on many of its committees. Named after the first Board president, the Octavius Morgan Distinguished Service Award recognizes individuals who have significantly contributed to the Board's mission through their volunteerism over a period of time. To show its appreciation, the Board selects award recipients annually. Nominations are accepted from Board members and staff. Here are the 2011 honorees:

**Denis Henmi, FAIA, NCARB**  
Kwan Henmi Architecture  
Planning Inc., San Francisco

Denis Henmi was on a path toward dentistry before a defining moment changed his course.

Henmi's first taste of architecture and urban design was as a high school student, where he took notice of the completion of one of San Francisco's first contemporary high rises, the Crown Zellerbach building, by renowned architectural firm Skidmore, Owings and Merrill LLP. "I actually took time to find out more about the building and interviewed two of the firm's key people, Design Principal Charles Bassett and founding partner John Merrill." The visit included a tour, introductions to other firm members, and tidbits on other projects. Despite the exposure and interest in architecture, Henmi thought that he would pursue dentistry. However, it didn't take too long to realize that a career in architecture might be more rewarding than peering into people's mouths. He changed his education path from dentistry and



Denis Henmi



Phyllis A. Newton



Richard R. Tannahill

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## President's Message

By Marilyn Lyon, Board President 2012

# Release of CSE Results at Test Sites

In this economy, time is money. As professionals, we must be more effective and efficient to keep pace with the growing demands. To this end, the Board has embraced several initiatives the last few years that are meant to streamline the licensure process in California.

First, we repackaged and reimagined the California Supplemental Examination (CSE) as a computer-delivered examination that now permits candidates to test at their convenience. This change was a monumental effort.

Secondly, we decommissioned the Comprehensive Intern Development Program (CIDP). When it was created, CIDP was an important tool to augment the quantitative aspects of the National Council of Architectural Registration Boards' (NCARB) Intern Development Program (IDP) with a more qualitative evidence-based element. In doing so, we created a positive catalyst for mentoring via a framework of training and documenting evidence. Fortunately, the evolution of IDP, culminating in its most recent iteration, IDP 2.0, has been very positive. It gave the Board the sufficient confidence to repeal the additional requirement of CIDP.

The Board is one of the many organizations within the purview of the Department of Consumer Affairs (DCA), which as its main role provides administrative and support services. In fulfilling its responsibility, DCA is currently in the process of implementing an integrated enterprise-wide licensing and enforcement system. BreEZe, the name by which new system is known, will utilize available technologies to facilitate increased efficiencies and will, for example, allow individuals the ability to apply for testing eligibility or check the status of an examination result, apply for or renew a license online, and even check on the status of an application.

The future will also bring other opportunities for change. NCARB is doing some very interesting work regarding the IDP, the Architect Registration Examination, and even the National Architectural Accrediting Board accreditation standards. As NCARB culminates the Practice Analysis Survey, the data may drive new innovations in our national programs, which in turn can translate to new efficiencies and opportunities the Board can leverage.

Beginning June 2012, California Supplemental Examination (CSE) results are provided to candidates at test sites upon completion of their exam. Previously, results were mailed to candidates approximately 30 days after the date of their exam.

Candidates who pass the exam are provided with a congratulatory letter and an Application for Licensure. Those who fail the exam are provided with their score report and a CSE application.

This change improves efficiencies and streamlines the examination and licensure process providing candidates with all necessary information and forms at the time of completing their exam.

More information regarding the CSE is available on the Board's website at [www.cab.ca.gov](http://www.cab.ca.gov) under Candidates.

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graduated from the University of California, Berkeley, College of Environmental Design.

As a young intern at an architectural and engineering firm, Henmi was fortunate to have a strong mentor and role model who stressed the importance of community and professional involvement and leadership. As a result, he has given back similarly and generously during his career, which spans more than 37 years. He has personally mentored more than 100 interns in his office, served the Board in multiple capacities, including President, Vice President and Master Commissioner, and has worked to represent the interests of historically underrepresented groups. While serving for the Board, he also opened a productive line of communication between the Board and the National Council of Architectural Registration Boards (NCARB) and was instrumental in California's adoption of the Intern Development Program (IDP). In addition, he led the production of NCARB's IDP 2.0, "IDP Supervisor Guidelines," and recent changes to the "Emerging Professional's Companion (EPC)," programs that formally enriched and standardized the internship process for the benefit of interns, students, educators, and the profession.

"It is important to have a voice in the development of regulatory policy," Henmi says. "The Board forum allows one to express their ideas as well as listen to a different perspective. One realizes that decisions that are made may have significant impacts to the profession as well as the general public." It's that philosophy that guides the work of his firm. "For all of our projects we try to design healthy environments that also minimize impacts on the environment," he says. "Almost all of our projects are located close to public transportation and involve site reuse."

Henmi says it is his work with the Board, NCARB, and the National Architectural Accrediting Board that has been most rewarding. "This effort will result in a long-term benefit to the future of the profession. With the ever-changing climate of architectural practice, the way we communicate, and changing technology, it has been great to be part of a process to recognize these changes and to be able to effect change. It has been very rewarding to be able to collaborate with so many dedicated people from around the country."

Henmi is a Fellow of The American Institute of Architects, other profession related memberships include the Urban Land Institute, San Francisco Planning + Urban Research Association, and Lambda Alpha International.

### **Phyllis A. Newton** The Law Offices of Phyllis A. Newton, Sacramento

In practice since 1989, Phyllis Newton is an attorney who specializes in the representation of architects. She has been a member of the Board's Regulatory and Enforcement Committee since 2006, and has spent more than two decades and many volunteer hours educating architects on liability, risk management, and other practice-related issues.

"I have taught seminars to architects throughout California on issues ranging from how to reduce their liability exposure, how to draft a fair and reasonable owner/architect agreement, the dangers often lurking in owner-drafted agreements, mechanic's liens, how to get paid, the Americans with Disabilities Act, and others," says Newton.

Newton says she's always been drawn to the beauty of architecture, which is

why she has devoted her practice to representing architects. She also served as the Executive Director of the American Institute of Architects Central Valley for nearly six years. She also serves as Vice Chair of the Sacramento Design Commission and as a member of several other city advisory bodies.

She is an important contributor to the Board. "As an attorney well-versed in issues related to architectural malpractice and the standard of care applicable to architects, I am able to bring my experience and knowledge to the regulatory and enforcement functions of the Board," Newton says.

Newton was educated at the University of California Hastings College of the Law in San Francisco.

She counts among her great accomplishments successes in both career and family. "In addition to having been married 23 years and raising two beautiful daughters, I am very proud of my service to the architectural profession."

### **Richard R. Tannahill** Hammel, Green and Abrahamson Inc., Roseville

After serving in the U.S. Air Force, Richard Tannahill was led by a strong interest in architecture to a Palo Alto firm where he started as a runner and drafter while attending night school. He's now Associate Vice President for Hammel, Green and Abrahamson Inc., and based in the firm's Roseville office.

Tannahill became a Commissioner for the Board more than 14 years ago. At the time his primary responsibility was to administer the oral California Supplemental Examination (CSE). He

## 2011 Octavius Morgan Awards

**Richard Tannahill** Continued from page 3

has been a Master Commissioner since 2000. The added responsibility of this role includes training the other Commissioners prior to administering the exams. He has also assisted the Board with exam content writing, content review, and standards setting. Most recently, he participated as a content expert and assisted in writing questions for the written format.

“Volunteering for the Board has provided an interesting and rewarding way to contribute to my profession,” he says. “The licensing process is very important in ensuring the health, safety, and welfare of the public. The CSE has provided me with a way to connect with my colleagues and contribute to the measure of expertise to practice architecture.”

Tannahill earned a bachelor of science in business management information systems from the University of Phoenix. With more than 22 years of experience, he excels in project and staff management, design, construction contract documents, and construction administration. He’s most widely recognized for his work on healthcare projects.

He’s currently working on Clovis Community Medical Center’s new hospital expansion and renovation. This 350,000 square-foot project has allowed him to work with a forward-thinking client on a multiphased design to improve an existing hospital, which must remain open throughout construction. Another key feature – it’s a test project for the Office of Statewide Health

Planning and Development’s Phased Plan Review process. The goals of phased review include facilitating the opportunity to design, review, approve and build a hospital project as efficiently and in as timely a manner as possible while achieving code compliance. This collaborative effort has resulted in minimal review time for a project of this size.

“With the project well under construction, it’s satisfying to see the benefits that are already being provided for the Clovis community,” he says.

He is also a member of The American Institute of Architects.





## The Advantages of Being a Licensed Architect

**A**rchitects play a vital role in our society. They are given the responsibility of designing buildings that meet people's needs and are safe to occupy. Because of the importance of this work, to practice architecture in California, an individual must be licensed and meet the education, experience, and examination requirements established by the California Architects Board. In California, individuals are prohibited by law from referring to themselves as architects or practicing architecture unless they are licensed.

Some architectural firms employ unlicensed, but highly skilled individuals to perform drafting, code research, and other tasks that are part of the design process. These individuals work under the responsible control of a licensed architect. Since it is possible to work on design projects in architectural firms without a license, it is important to understand the advantages of obtaining a license.

Becoming a licensed architect will give you a variety of professional opportunities and personal advantages. Perhaps most significant for many young people, being a licensed architect will enable you to use your education and expertise to improve your community and the world.

### **Making a Lasting Impact on the Environment**

You may have been drawn to the field of architecture because it will enable you to use your creative abilities to have a positive impact on society. In order to have this impact, you must become a licensed architect. Without a license, you will not be qualified to take on these important responsibilities.

As you know, in recent years, there has been an increased awareness of the impact of buildings on the environment. Buildings contribute to a large percentage of greenhouse gas emissions and are a key source of our nation's

energy consumption. Architects have a unique opportunity to make positive contributions to society by applying sustainable or "green" design practices to the creation of the built environment. They contribute to healthier communities that provide a better future for all of us. Architects are the only individuals with the professional authority to do this important work. The combination of education and training that you obtain are the path to receiving the license that will enable you to be involved in projects that will protect the environmental balance of communities and the world.

### **Enhancing Communities/ Responding to Disasters**

Many other opportunities to impact the world are only available to architects. Architects can address social injustice by enhancing livability in underserved communities. In some instances, small changes can make an enormous

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difference in the quality of life for underprivileged individuals. Architects also have the opportunity to respond to humanitarian crises around the world by bringing basic design services to communities in need.

Architects are also the only professionals who can take on certain responsibilities following a natural disaster such as an earthquake or flood. They are often called upon to assess damage and provide planning and design assistance for temporary housing. Later in a recovery process, architects take the lead in planning the rebuilding of homes, businesses, communities — and people's lives.

### **Reaching a Goal**

In addition to the contributions you can make to society as an architect, there are personal reasons for completing the licensure process. Obtaining a license is an official validation that you have the required education and experience and have demonstrated your competence via examinations. Once you are licensed, you belong to a select circle of professionals who have a unique responsibility and ability to shape people's lives.

### **Increasing Your Career Opportunities**

Being licensed will give you several career advantages. First, many positions in architectural firms and government agencies require a license, and you will

not be qualified for such positions without one. Additionally, during robust economic times, California experiences shortages of architects. Once you obtain a license, you will be a professional who is qualified to fill many positions. As a licensed individual, you will also have greater job security. In today's global economy, the activities performed by unlicensed employees are more likely to be outsourced.

A related advantage to being licensed is that you will have more career options and the opportunity to take on diverse responsibilities. As a licensed architect, you can be principal of your own firm or a firm owned by others. You can also take on other responsibilities, such as managing staff, handling legal and business issues, and planning the direction of the firm. You can enjoy the satisfaction of being the lead designer on building projects and receiving professional recognition for the buildings you design.

While the path to licensure may seem long and the amount of study required may sometimes seem overwhelming, keep in mind the reason for this process: Architects have an enormous responsibility to protect the health and safety of individuals. The education and experience you acquire will enable you to obtain the license that will allow you to make a difference.



# ARCHITECT REGISTRATION EXAMINATION (ARE)

ARE statistics for divisions taken between January 1, 2012, and June 30, 2012, are displayed below. These statistics are only for California candidates.

Division	Number of Candidates	Total Passed		Total Failed	
		# CAND	PASSED	# CAND	FAILED
Programming, Planning and Practice	458	255	56%	203	44%
Site Planning and Design	395	257	65%	138	35%
Building Design and Construction Systems	355	192	54%	163	46%
Structural Systems	320	227	71%	93	29%
Building Systems	331	194	59%	137	41%
Construction Documents and Services	474	264	56%	210	44%
Schematic Design	349	238	68%	111	32%

# CALIFORNIA SUPPLEMENTAL EXAMINATION (CSE)

February 2011 the Board launched the CSE in its new computer-delivered format. Since then, almost 1,600 candidates have taken the exam. Overall results for exams taken between January 1, 2012, and June 30, 2012, are shown below.

Number of Exams Administered	Total Passed		Total Failed	
	# CAND	PASSED	# CAND	FAILED
451	283	63%	168	37%

# ARE ROLLING CLOCK 2014

The National Council of Architectural Registration Boards' (NCARB) Architect Registration Examination (ARE) Rolling Clock provision when initially implemented pertained solely to those divisions of the ARE passed on or after January 1, 2006. The Rolling Clock specifies that each division of the ARE a candidate passes is valid for no more than five years unless all divisions of the ARE have been successfully completed prior to the current Rolling Clock expiration date.

Divisions of the ARE passed prior to January 1, 2006, were originally exempt from the Rolling Clock. However, it was expanded in 2009 to encompass the previously exempt divisions. Effective July 1, 2014, any ARE 3.1 (or earlier version) divisions passed prior to January 1, 2006, will become invalid and must be retaken under ARE 4.0 (or its successor) unless all remaining divisions are completed on or before June 30, 2014. Candidates who pass (or have passed) all divisions of the ARE by

the deadline are not affected by the Rolling Clock.

It is important that candidates who passed divisions prior to January 1, 2006, be made aware of the 2014 deadline should they wish to pursue licensure and not lose credit for those divisions. The Board urges candidates to finish the ARE.

Complete information about NCARB's Rolling Clock can be found on their website ([ncarb.org](http://ncarb.org)).

## 2012 NCARB Practice Analysis

**T**he National Council of Architectural Registration Boards (NCARB) distributed its 2012 Practice Analysis of Architecture Survey to more than 80,000 architects, interns, and educators across the country this past April. The survey content addressed specific tasks and knowledge/skills related to the predesign, design, project management, and practice management aspects of the profession, as well as general knowledge and skills. The data will be used to drive future updates and

modifications to the Architect Registration Examination (ARE), inform the Intern Development Program (IDP), and guide NCARB's response to the 2013 National Architectural Accrediting Board Accreditation Review Conference. The results will also be used to inform NCARB's continuing education policies.

The survey was developed through the collaborative effort of NCARB and its collateral organizations: The American Institute of Architects, the American Institute of Architecture Students, the Association of Collegiate Schools of Architecture, and the National Architectural Accrediting Board. The Practice Analysis Steering Committee, comprised of volunteer architects and representatives from each collateral organization plus NCARB staff, with the expert guidance of consultant Psychological Services, LLC (PSI), spent nearly two years carefully conceiving and designing a survey that would maximize potential results, provide valuable insights into the profession, and lay the strongest foundation for education, experience, examination, and continuing education.

The Board assisted NCARB in its efforts to establish a prospective survey pool by providing the relevant contact information for its approximately 20,000 licensees and posting a notice regarding the Practice Analysis on its website. The Board also promoted participation in the survey through other means, including an article in the spring 2012 newsletter and other information on its website.

The survey concluded in early-May and PSI conducted its analysis of the data. A report with their recommendations based on the data collected will be submitted to the NCARB Board of Directors in the fall for acceptance. The findings will be posted on the NCARB website when finalized. PSI will conduct a comparison of the data with the current test specification during the latter part of 2012. The final step of the process will involve NCARB committees and task forces determining how best to incorporate the findings and recommendations, which will shape the future of the ARE and IDP and other NCARB policies and programs. NCARB plans to "refresh" the test specification for the ARE by June 2013.





# Enforcement Actions

The California Architects Board is responsible for receiving and investigating complaints against licensees and unlicensed persons. The Board also retains the authority to make final decisions on all enforcement actions taken against its licensees.

Included below is a brief description of recent enforcement actions taken by the Board against individuals who were found to be in violation of the Architects Practice Act.

Every effort is made to ensure the following information is correct. Before making any decision based upon this information, you should contact the Board. Further information on specific violations may also be obtained by contacting the Board's Enforcement Unit at 916.575.7208.

## CITATIONS

### EDWARD V. GULIAN

(Long Beach) The Board issued a one-count citation that included a \$2,500 civil penalty to Edward V. Gulian, an unlicensed individual, for an alleged violation of Business and Professions Code section 5536(a) (Practice Without License or Holding Self Out as Architect). The action alleged that during the investigation, a search of the Internet revealed Gulian's company website offered "Architectural" as one of the services they provide. The citation became final on May 15, 2012.

### CHARLES DAVID HEFNER

(Studio City) The Board issued a two-count citation that included a \$2,500 civil penalty to Charles David Hefner, architect license number C-23963, for alleged violations of Business and Professions Code sections 5558 (Business Entity Report) and 5584 (Willful Misconduct). The action alleged that Hefner was paid \$3,100 as a retainer to begin Preliminary Design Work on the proposed residential addition. Hefner failed to provide schematic or preliminary design documents for the clients. This breach of contract constitutes willful misconduct in the practice of architecture. The citation became final on April 5, 2012.

### DAVID PIERCE HOHMANN

(Costa Mesa) The Board issued a one-count citation that included a \$500 civil penalty to David Pierce Hohmann, architect license number C-20379, for an alleged violation of Business and Professions Code section 5536.22(a) (Written Contract). The action

alleged that Hohmann provided clients with a written contract for architectural services for an addition and remodel of their existing two-story single-family residence. Hohmann failed to have the clients execute a written contract, prior to commencing work, as required by Business and Professions Code section 5536.22(a). The citation became final on May 21, 2012.

### RICARDO ALBERTO MAGANA

(Hayward) The Board issued a three-count citation that included a \$2,000 civil penalty to Ricardo Alberto Magana, architect license number C-23788, for alleged violations of California Code of Regulations sections 104 (Filing of Addresses), 160(b)(2) (Rules of Professional Conduct) and Business and Professions Code section 5536.22(a)(3) and (5). The action alleged that Magana failed to notify the Board of his proper and current business name and of a change of address in a timely manner, he failed to respond to the Board's request for additional information, and his proposal for professional services failed to include the name and the license number of the architect, and a description of the procedure to be used by either party to terminate the contract. Magana paid the civil penalty, satisfying the citation. The citation became final on May 31, 2012.

### CHRISTOPHER WILLIAM RAKER

(Mill Valley) The Board issued a three-count citation that included a \$1,500 civil penalty to Christopher William Raker, architect license number C-9590, for alleged violations of section 5536.22(a) (Written



Contract). The action alleged that Raker failed to obtain executed written contracts when providing professional services to a client for one commercial and two residential projects. The citation became effective on June 27, 2012.

### MARK THENE

(Long Beach) The Board issued a one-count citation that included a \$2,000 civil penalty to Mark Thene, an unlicensed individual, for an alleged violation of Business and Professions Code section 5536(a) (Practice Without License or Holding Self Out as Architect). The action alleged that during the investigation, a search of the Internet revealed Thene's company website advertised/offered "Architectural" services. The citation became final on April 30, 2012.

# architects

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