



SUMMER 2013

architects

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

CAB Recognizes Volunteers

2012 Octavius Morgan Distinguished Service Awards

Named after the first president of the California Architects Board (CAB), the Octavius Morgan Distinguished Service Award recognizes individuals who have significantly contributed to the Board's mission through volunteerism over a period of time. The Board selects award recipients annually. Nominations are accepted from Board members and staff.

The Board relies on volunteers to assist in developing the California Supplemental Examination and to serve on many of its committees. Here are the 2012 honorees:

Victor Newlove Santa Monica

Victor Newlove always liked to draw buildings, bridges, and landscapes as a child. And rather than copy something, his drawings came from his own imagination. "I always enjoyed art and architecture and never wanted to be anything but an architect," he recalls.

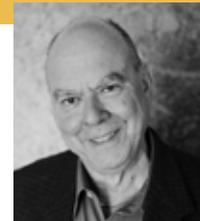
He went on to earn a bachelor's degree in architecture from the University of Notre Dame, receiving the Henry Adams certificate of merit from The American Institute of Architects for graduating second in his class.

Victor joined Armet Davis Architects in Santa Monica in 1963 and became a

partner in 1972. Licensed in 15 states, Victor has been the architect of record on more than 2,000 public and private sector architectural projects.

Victor has been a volunteer for the California Architects Board for more than 30 years. He started with grading the design and site plan portions of the national architectural exams. He also helped write exam questions on a number of occasions, worked on validating the exam for the State, and was a long-time Master Commissioner for the oral exams. "We all have an obligation to give our time back to the profession for the sake of future generations of architects and to foster high standards for our field," Victor says. His volunteer work doesn't stop there, as he is also President of the Santa Monica YMCA.

He ranks among his accomplishments making sure that his firm continues to



Victor Newlove



Roger North



Roger Wilcox

Continued on page 3



President's Message

By Sheran Voigt, Board President 2013

The Board is a consumer protection agency. Our statute stipulates that it is the mandate of the Board “to regulate the practice of architecture in the interest and for the protection of the public health, safety, and welfare.”

Because of the high-stakes nature of the built environment, the Board invests heavily in preventative strategies designed to avoid problems rather than address them after the fact. The nature of the design profession—collaborating with other design professionals and consultants, construction by licensed contractors, and plan review and inspections from the local building department—generally helps avoid imminent threats to the public due to building failures. But there are wide ranges of other consumer issues that we can help prevent.

For instance, the written contract requirement, when providing architectural services, is a seemingly simple mandate that is almost administrative in nature. Having a document that details the specifics of a project can help avoid the expensive consequence of misunderstandings, and can help reduce the potential for legal disputes. The contract protects both the consumer and the architect.

The Board also works diligently to partner with local building departments, as they can be our “eyes and ears” in the marketplace. There is only one Board with a limited enforcement staff, but there are over 400 local building departments. The Board participates heavily in California Building Officials events, sharing critical information about stamping requirements, unlicensed practice, etc. In addition, the Board has developed a simple “consumer tips” card for building departments. The better informed consumers are about the design process, the better the odds are that they will not have misunderstandings that cause problems for a project.

The Board also works diligently to resolve complaints and enforcement cases in a timely manner. We still conduct very thorough investigations and afford architects and unlicensed individuals who are the subject of investigations due process, but our

enforcement staff have an obligation to resolve cases expeditiously. The Board has adopted a number of efficiencies over the last several years, which has produced a reduction in pending case loads; today, we have about 90 cases pending, whereas, this time five years ago, it was approaching 300. We are also closing our cases within the timeframes mandated by the Department of Consumer Affairs.

As the marketplace and technology change, our enforcement practices will need to adapt accordingly. The Board takes its consumer protection mandate very seriously and will continue to find ways to safeguard the marketplace as efficiently and effectively as possible.

In This Issue

Summer 2013

Octavius Morgan Award Winners	1
President's Message.....	2
Continuing Education: Changes in 2013	4
Role of the Board's Enforcement Process	5
Enforcement Actions.....	6

Victor Newlove Continued from page 1

practice architecture in the tradition of original founders Armet and Davis, who launched it in 1947. The firm, which focuses on restaurants and church-related projects, will be showcasing some of its work as part of an exhibit that runs from now until July 21 at the J. Paul Getty Museum in Los Angeles. It will then move to the National Building Museum in Washington, D.C., in October and remain there until March of 2014.

Roger North Torrance

Function and feel. Those were two aspects that initially drew Roger North to architecture. Did the space inspire, excite, or comfort the users, and also, how efficiently did it function? Did the space work well for its intended use? These questions intrigued him.

“I wanted to be able to create spaces that people would enjoy being in because it would do these things,” he says. “Maybe it would be a place that people would feel inspired or feel relaxed or would help them do whatever was necessary in that environment.”

After graduating from California Polytechnic State University, San Luis Obispo, with a bachelor’s degree in architecture, he worked for a number of local architects to learn as much as he could from them. “I always had the goal of having my own office some day and I wanted to learn various skills and be exposed to different ways of doing things so that I could incorporate them into my own practice,” he says.

He became a licensed architect in 1981, opened Robinson/North Architects in 1983, and has been a partner there for the past 30 years. Located in Torrance, the firm specializes in high-end, custom residential projects in Southern California.

He says that his dedication as a Board volunteer was born out of a desire to give back to a profession that he says has been so good to him. “When I was starting out there were a number of talented and

patient architectural mentors who taught me and gave me experience,” he explains. “I also enjoyed dealing with young applicants so that I could stay current with the trends in the profession as well as meet and learn from the other exam commissioners.” He has served as Master Commissioner for the oral exam, as well as helped with exam writing and standard setting.

In addition, he has served for 25 years on the Architectural Committee of the Rolling Hills Community Association and for 15 years on the El Camino College Architectural Advisory Board.

“My greatest satisfaction has been being able to work closely with many fascinating people on a very personal level and help create homes for them that they enjoy,” he explains. “To be able to do that and remain friends with them many years later is very rewarding. I enjoy leading a talented group of consultants and craftsmen in creating a great environment for each client.”

Roger M. Wilcox Retired

Roger credits his West Phoenix High School drafting class teacher with illumination of the path toward architecture when presented with an assignment to draw a series of motors. Not excited with drawing motors, Roger asked the instructor if he had any buildings to draw. The instructor said, “Bring in a building you like and I’ll help you learn how to draw it.”

Roger attended Arizona State University and graduated with a bachelor of architecture degree. Although now retired, Roger has amassed more than 30 years of architectural experience that includes education, research laboratory, health care, commercial and housing projects. The last firm he worked with was Murray & Downs/ANOVA Architects in Placerville. He was a senior project architect and specialized in construction administration working on K-12 education projects. Prior to that, his specialty was biotech and higher education laboratories.

The Board has benefitted from this vast experience through his volunteer efforts for more than 31 years. He has been a Master Commissioner of the California Supplemental Examination and served on the exam Standards Setting Committee. He also served as Master Juror for the National Council of Architectural Registration Boards. He is also a past chapter officer of The American Institute of Architects (AIA) Santa Clara Valley, past member of AIA San Francisco, and current member of AIA Central Valley.

“One of the main reasons to volunteer for the Board is the often forgotten importance of cross pollination between the practicing profession and its upcoming members,” Roger says. “We as architects need to remain aware of the opinions, needs, and accomplishment levels of the people who will become our peers and help them in any way possible to become successful members of the community as well as to become positive influences on the future of the built environment. In turn, the candidates are able to measure us as practicing professionals and influential members in our communities.”

When asked to name his greatest career accomplishments, he lists the legacy of buildings with which he has been directly involved and their positive impact on the environment of the past, present, and future. “This is probably the greatest accomplishment any architect can share with society,” he adds. Secondly, he cites the ability through continued personal and social media contact, even in retirement, to challenge people and organizations to do better with regard to design. “We don’t really have to settle for average. We can gently and firmly push the boundaries of better and thus provide the public with examples of how the built environment can and does affect our everyday lives.”



Continuing Education: Changes in 2013

Through the enactment of Assembly Bill 1746 (Chapter 240, Statutes of 2010), the law on continuing education (CE) requirements changed for the license renewal cycle beginning on January 1, 2013. Section 5600.05 of the Business and Professions Code (BPC) was added to the Architects Practice Act. Licensees now certify completion of the CE requirements on their license renewal.

In lieu of the previous process, BPC section 5600.05 requires the Board to audit a percentage of licensees to ensure their compliance with the CE requirement. During an audit, the Board will examine a licensee's CE records for documentation to ensure disabled access requirements coursework was completed within the correct timeframe (previous two years). The documentation required for the audit is similar to what was previously submitted with the renewal application

and must include: 1) course title, 2) subjects covered, 3) name of the provider, 4) name of the educator or trainer, 5) date of completion, 6) number of hours completed, and 7) a statement about the trainer's or educator's knowledge and background experience. Since licensees are no longer required to submit coursework documentation with their renewal application, it is imperative they maintain accurate records of their CE for purposes of the Board's audit. Licensees must maintain their CE records for two years from the date of their license renewal.

As a reminder, all five hours of CE must include information and practical guidance concerning requirements imposed by the Americans with Disabilities Act of 1990 (Public Law 101-336; 42 U.S.C. Sec. 12101 et seq.), State laws that govern access to public facilities, and Federal and State

regulations adopted pursuant to those laws. Required coursework must be presented by trainers or educators with knowledge and expertise in these requirements; self-study will not be accepted. While courses in green technology, sustainability and design help architects to develop expertise and become leaders in an increasingly green sector of our profession and local economy, the law only permits the Board to accept coursework which meets the above requirements.

Licensees who submit false or misleading information to the Board during the audit or fail to respond to the Board's request for CE documentation will be subject to an administrative citation, which may include an administrative fine or disciplinary action by the Board pursuant to BPC section 5600.05.

Role Of The Board's Enforcement Program

Through its enforcement program, staff, contracted architect consultants, and the Office of the Attorney General, the Board takes action against licensees and unlicensed individuals who have potentially violated provisions of the Architects Practice Act. This includes initiating disciplinary actions and issuing administrative citations with monetary fines.

The Board has an active enforcement program designed to ensure that the laws governing the practice of architecture are enforced in a fair and judicious manner. The enforcement program addresses three main goal areas articulated in its mission statement: 1) establishing regulatory standards of practice for those licensed as architects; 2) increasing public awareness of the Board's mission, activities, and

services; and 3) protecting consumers by preventing violations, and effectively enforcing laws, codes, and standards when violations occur.

To achieve these goals, the Board has a Regulatory and Enforcement Committee which makes recommendations to the Board on initiatives and policies. This includes publishing a consumer's guide to hiring an architect.

The Department of Consumer Affairs initiated the Consumer Protection Enforcement Initiative (CPEI) in 2009. Based on the recommendations of the CPEI, the Board established a systematic approach for prioritizing cases for formal investigation and discipline, and complaint processing.

Furthermore, the Board developed and implemented an Enforcement Improvement Plan.

In April 2008, there were 289 pending complaint cases. It took an average of 207 days to close a complaint case in the six-month period leading up to April 2008. By streamlining the complaint investigation process and utilizing CPEI, the number of pending complaint cases in April 2013 was 95 and it took an average of 90 days to close a complaint case in the six-month period preceding April 2013.

Board staff continues to improve its process, leading to enhanced consumer protection.





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.

ADMINISTRATIVE ACTIONS

HAROLD CRAIG HUDSON

(San Francisco) Effective October 18, 2012, Harold Craig Hudson's architect license number C-14487 was revoked; however, revocation was stayed and he was placed on probation for six years with specific terms and conditions, including reimbursing the Board \$2,125 for its investigative and prosecution costs and reimbursing the client \$2,2167.10. The action came after a Proposed Decision was adopted by the Board.

An Accusation was filed against Hudson for alleged violations of Business and Profession Code sections 5536(a) (Practice Without License or Holding Self Out as Architect), 5536.22 (Written Contract), 5584 (Negligence or Willful Misconduct) and California Code of Regulations section 160(b)(2) (Willful Misconduct). The Accusation alleged that on or about June 12, 2007, Hudson executed a written contract with a client to provide architectural services for a residence in San Francisco, California. He received money for architectural services; however, he failed to perform the services. Hudson also failed to respond to requests for information regarding the Board's investigation.

On or about June 12, 2012, Hudson issued an invoice to clients for architectural services for a residence located in Los Altos, California. He did not provide a written contract for the project and he performed architectural work and held himself out as an architect while his architect's license was expired.

CITATIONS

JAIME CANEZ (Los Angeles)

The Board issued a one-count administrative citation that included a \$2,500 civil penalty to Jaime Canez, dba Permit Expediting Architect, an unlicensed individual, for alleged violations of Business and Professions Code (BPC) section 5536(a) (Practice Without License or Holding Self Out as Architect). The action alleged that Canez executed a written "PROPOSAL AND CONTRACT" with a letterhead that stated "Permit Expediting (sic) Architcet (sic)." On or about September 6, 2011, Canez presented the client with a document entitled "CONTRACT PER PROPOSAL." The proposal contained a letterhead stating, "PERMIT EXPEDITING/ARCHITECT." Under the heading "Work Description" it stated that "Permit Expediting/Architect will design a new 1,650 sq. ft. two story..." The citation became final on July 19, 2012.

JAE CHUNG (Buena Park)

The Board issued a one-count modified administrative citation that included a \$5,000 civil penalty to Jae Chung, an unlicensed individual, for alleged violations of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect). The action alleged that Chung executed an Architectural Services Agreement for a tenant improvement project located in Torrance, California. Chung's agreement included "Architectural" services. In the agreement, Chung offered to provide plans for a storefront interior alteration which required seismic design expertise. Chung paid the civil penalty, satisfying the citation. The citation became final on August 27, 2012.



DAVID ALLEN DENT, JR.

(San Diego) The Board issued a three-count administrative citation that included a \$7,500 civil penalty to David Allen Dent, Jr., an unlicensed individual, for alleged violations of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect). The action alleged that Dent offered to prepare an interior remodel for a kitchen upgrade with new grease trap on a commercial project located in La Mesa, California. On or about June 13, 2011, Dent affixed a fraudulent architect's stamp to the drawings, which read: "Licensed Architect," "David A. Dent," "C-57557," "Ren. "6/12," and the legend "State of California." Dent submitted drawings for the project to the City of La Mesa Community Development Department/Building Division, for a building permit. On the Permit Application, Dent identified himself as an "Architect." On or about May 15, 2011, Dent also affixed a

Continued on page 7

fraudulent architect's stamp to another set of drawings for a commercial property located in San Diego, California, which read: "Licensed Architect," "David A. Dent," "C-57557," "Ren. _____" and the legend "State of California." The citation became final on August 1, 2012.

STEVE EIDE (Covina) The Board issued a one-count administrative citation that included a \$750 civil penalty to Steve Eide, dba Drafting & Design, LTD., an unlicensed individual, for an alleged violation of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect). The action alleged that Eide executed a contract offering to provide conceptual design of a new facade on an existing commercial building (gas station) that leaves existing gas pumps, tanks and building in same location, for a project located in San Dimas, California. The design concept evolved into a new commercial building covering 2,561 square feet. Eide prepared architectural drawings for the evolved commercial building. Eide paid the civil penalty, satisfying the citation. The citation became final on January 23, 2013.

KATHRYN GUILLOT (North Hollywood) The Board issued a one-count administrative citation that included a \$2,000 civil penalty to Kathryn Guillot, an unlicensed individual, for an alleged violation of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect). The action alleged that Guillot's company website, guillotdesigns.com, described her services as "Architecture" and career as "Architectural." Guillot's company was also listed on the website



www.yelp.com under the "Architects" category. The citation became final on August 20, 2012.

MICHAEL MYUNGSOO KO (Los Angeles) The Board issued a two-count administrative citation that included a \$1,500 civil penalty to Michael Myungsoo Ko, architect license number C-22356, for alleged violations of BPC sections 5536.22(a) (Written Contract) and 5558 (Business Entity Report). The action alleged that Ko verbally agreed to provide the client with permit processing services and plans for remodeling a duplex into a child care center for a project located in Los Angeles, California. Ko prepared plans and was paid for his services. However, Ko failed to execute a written contract prior to commencing professional services. Ko did not file with the Board the proper and current name and address of the entity through which he provides architectural services as required by BPC section 5558. Ko paid the civil penalty, satisfying the citation. The citation became final on July 3, 2012.

SONNY LEROY MASCARENAS (Murrieta) The Board issued a one-count administrative citation that included a \$1,000 civil penalty to Sonny Leroy Mascarenas, architect license number C-15691, for an alleged violation of BPC section 5536.22(a) (Written Contract). The action alleged that Mascarenas agreed to provide an estimate for construction cost to add one window to the living room and family room; upgrade the kitchen and bathrooms; make the entry foyer more private from the adjacent living room; replace all sliding doors with French doors; and, upgrade flooring, paint, and outside landscaping and stonework, on a residence located in Huntington Beach, California. Mascarenas prepared as-built plans and preliminary architectural plans for the project and was paid for his services. Mascarenas failed to execute a written contract prior to commencing professional services. Mascarenas paid the civil penalty, satisfying the citation. The citation became final on June 19, 2012.

RICHARD STEPHEN MINERT (Los Gatos) The Board issued a two-count administrative citation that included a \$750 civil penalty to Richard Stephen Minert, architect license number C-17511, for alleged violations of BPC sections 5536.22(a)(3) and (4) (Written

Contract) and 5584 (Willful Misconduct). The action alleged that Minert executed a written contract to provide design services to construct a main residence with consideration for a future guesthouse, site/property manager's house and winery buildings. Minert's written contract failed to include the client's address, Minert's correct license number and a description of the procedure that the architect and the client will use to accommodate additional services. After executing the contract, 17 months passed by without Minert achieving an approved preliminary design solution upon which construction documents could be based. The client issued a "stop work" e-mail and Minert then billed her for additional services that were not previously requested nor approved by her. Minert also failed to meet the standard of care by not providing disciplined direction and leadership in the project. The citation became final on April 4, 2013.

MICHAEL MUELLER (Los Angeles) The Board issued a one-count administrative citation that included a \$2,500 civil penalty to Michael Mueller, an unlicensed individual, for alleged violations of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect). The action alleged that Mueller's website, muellerdesigninc.com, revealed that his firm, Mueller Design, Inc. offered to provide "residential and commercial architectural services, interior design..." The website stated "Established in 1994, Mueller Design Incorporated is a full-service architecture and multi-faceted interior design firm; serving both residential and commercial clients; offices are located in Los Angeles and New York." The website further stated "Principal architect and interior designer, Michael R. Mueller..." and that he provided "the firm with senior leadership and design talent specializing in residential architecture and interior design." The citation became final on October 16, 2012.

A. TUAN NGUYEN (Fountain Valley) The Board issued a one-count administrative citation that included a \$2,500 civil penalty to A. Tuan Nguyen, an unlicensed individual, for an alleged violation of BPC section 5536(a) (Practice Without License or Holding Self Out As Architect). The action alleged that Nguyen's website, located at "www.atngroup.org." revealed that his firm, ATN International

Enforcement Actions

Continued from page 7

Group, has “Architects, Technologists and Research Team.” The website also listed the name of a California licensed architect who had no affiliation with the firm. The citation became final on September 18, 2012.

LILAN PAN (Grenoble, France)

The Board issued a one-count modified administrative citation that included a \$1,000 civil penalty to Lilan Pan, an unlicensed individual, for alleged violations of BPC sections 5536(a) (Practice Without License or Holding Self Out as Architect) and 5536.1(c) (Unauthorized Practice). The action alleged that Pan provided an agreement offering to provide professional design services for a project located in Pasadena, California. Pan prepared design plans for a multi-family residential condominium consisting of six units built over a subterranean parking facility. A residential condominium of six units is not a building described in BPC section 5537(a) as an exempt building. Pan paid the civil penalty, satisfying the citation. The citation became final on September 12, 2012.

DERYL L. REDDEN (Fullerton)

The Board issued a one-count modified administrative citation that included a \$500 civil penalty to Deryl L. Redden, architect license number C-18293, for an alleged violation of BPC section 5536.22(a) (Written Contract). The action alleged that Redden provided consulting management services for a client located in Los Angeles, California. Redden invoiced the client \$1,620 for consulting management services. Redden failed to execute a written contract prior to commencing professional services. Redden paid the civil penalty, satisfying the citation. The citation became final on January 30, 2013.

DAVID E. ROZIER (Buena Park)

The Board issued a two-count administrative citation that included a \$5,000 civil penalty to David E. Rozier, an unlicensed individual, for alleged violations of BPC sections 5536(a) (Practice Without License or Holding Self Out as Architect) and 5536.1(c) (Unauthorized Practice). The action alleged that Rozier’s firm, Othello Enterprises Corporation was listed in the Los Angeles Times Newspaper under the heading entitled “Architecture.” The advertisement stated that the firm provides “Architecture Plan and Permits.” The website for Othello Enterprises Corporation stated that “We are architects and engineers committed to providing quality solutions at affordable prices,” and stated

that David E. Rozier is the President. Rozier also prepared plans for a multi-unit apartment building. The title block on the plans stated “Othello Enterprises Corporation” and “Drawn By: DER.” A multi-unit apartment building is not a building described in BPC section 5537(a) as an exempt building. The citation became final on October 18, 2012.

KAREN M. ROZIER (Buena Park)

The Board issued a three-count modified administrative citation that included a \$7,500 civil penalty to Karen M. Rozier an unlicensed individual, for alleged violations of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect). The action alleged that Rozier provided a client with Design Services Contracts to provide professional design services for a multi-unit apartment building in Los Angeles, California. A multi-unit apartment building is not a building described in BPC section 5537(a) as an exempt building. In addition, the contracts contained the words “Architect” and “Architectural” throughout. The citation became final on September 12, 2012.

ROGELIO SANCHEZ (Riverside)

The Board issued a three-count administrative citation that included a \$6,000 civil penalty to Rogelio Sanchez, an unlicensed individual, for alleged violations of BPC sections 5536(a) (Practice Without License or Holding Self Out as Architect) and 5536.1(c) (Unauthorized Practice). The action alleged that in or about September, 2011, Sanchez gave a client his company (Prisma Plans) business card which contained the words “Architectural & Engineering” as services he provides. On or about September 13, 2011, Sanchez offered “Architect Plans” in an executed Proposal to the client and offered to provide site plan, floor plan, electrical plan sections, and roof plan elevations (architect plans) for a “Hair Salon” project located in Riverside, California. On or about October 4, 2011, Sanchez prepared plans for the project mentioned above. On an invoice dated, October 26, 2011, Sanchez’ company letterhead contained the words “Architecture Design.” The project adds approximately 362 square feet of new salon area to the existing structure. New construction includes shear walls, braced wall panels and seismic anchors, all of which affect the structural characteristics of the building including the seismic design and the structural impacts of the addition on

the overall building. This building type does not fall within the definition described in BPC sections 5537(a) and 5538 as an exempt building. The citation became final on December 3, 2012.

EDDY ZHONG SHEN

(Sunnyvale) The Board issued a one-count administrative citation that included a \$1,000 civil penalty to Eddy Zhong Shen, architect license number C-12717, for an alleged violation of BPC section 5558 (Business Entity). The action alleged that Shen provided architectural services through his company, LRS Associates Inc., Architecture and Planning since May 17, 1982. As of January 7, 2013, Shen had not filed with the Board the proper and current name and address of the entity through which he provides architecture services, as required by BPC section 5558. Shen was previously issued a citation in 2010 for failure to file the proper and current name and address of the entity through which he provides architecture services. The citation became final on March 4, 2013.

ANTHONY PAUL SPANN

(Santa Barbara) The Board issued a modified two-count administrative citation that included a \$1,000 civil penalty to Anthony Paul Spann, architect license number C-17602, for alleged violations of BPC section 5584 (Negligence) and California Code of Regulations section 160(f) (1) (Rules of Professional Conduct). The action alleged that Spann executed a written agreement to provide architectural services for a residence. The agreement made Spann responsible for development and construction documents to build a two car garage capable of housing a sport utility vehicle (SUV) with luggage rack, totaling approximately 7’-3” in height. The unobstructed distance between the bottom of the beam and top of the garage floor slab ended up as 7’-0 3/8”. The design and construction of the eastern garage did not allow an SUV with a luggage rack to be parked in it.

The garage door specified by Spann would not work with the specified door track assembly and could not physically be installed in the eastern garage. Spann failed to properly coordinate the architectural documents with the structural engineer’s drawings.

Spann designed the northeast façade of the residence so that the first and second floor

Continued on page 9

Enforcement Actions

Continued from page 8

exterior walls would lie in the same plane; however, lower floor and main level exterior walls were framed in accordance with the structural drawing, which created a jog in the northeast façade at the main level. A representative of Spann's firm indicated to the contractor in an e-mail that Spann agreed that the bathroom wall should jog back and the roof should stay where it is with the rafter tails being a little longer. Spann's firm assumed responsibility for issuing instructions to the contractor regarding the façade; however, they failed to obtain the clients' approval. This resulted in construction changes that the clients had not anticipated or wanted. Spann paid the civil penalty, satisfying the citation. The citation became final on December 19, 2012.

RICHARD ALAN STUPIN

(Whittier) The Board issued a three-count administrative citation that included a \$1,500 civil penalty to Richard Alan Stupin, architect license number C-6018, for alleged violations of BPC sections 5536.22(a) (Written Contract) and 5558 (Business Entity Report). The action alleged that Stupin verbally agreed with the client to help draft drawings for an addition and remodel project to secure a building permit. Stupin prepared structural calculations and drawings for the remodel. Stupin failed to execute a written contract prior to commencing professional services. Stupin did not file with the Board the proper and current name and address of the entity

through which he provides architectural services as required by BPC section 5558. Stupin paid the civil penalty, satisfying the citation. The citation became final on November 7, 2012.

RUSSELL ERNEST

TSUCHIDA (La Mesa) The Board issued a two-count administrative citation that included a \$1,000 civil penalty to Russell Ernest Tsuchida, architect license number C-17644, for alleged violations of BPC section 5536.22(a)(4) and (5) (Written Contract). The action alleged that Tsuchida executed a written proposal to provide drawings showing the "as is" condition prior to corrective actions for a residence. Tsuchida agreed to measure existing as-built conditions and prepare construction documents for the as-built conditions. The City of San Diego Building Department requested various changes to the existing as-built conditions and requested as-built drawing information showing the requested changes. Tsuchida agreed to make plan check corrections per the City of San Diego Building Department. The written proposal did not include a description of the procedure that the architect and the client will use to accommodate additional services (providing as-built drawing information with corrective changes) and it did not contain the procedure to be used by either party to terminate the contract. Tsuchida paid the civil penalty, satisfying the citation. The citation became final on March 18, 2013.



architects

California Architects Board
2420 Del Paso Road, Suite 105
Sacramento, CA 95834

Board Members

Sheran Voigt, President, Public Member
Hraztan Zeitlian, Vice President, Architect Member
Pasqual V. Gutierrez, Secretary, Architect Member
Jon Alan Baker, Architect Member
Chris Christophersen, Public Member
Jeffrey D. Heller, Architect Member
Marilyn Lyon, Public Member
Matthew McGuinness, Public Member
Michael Merino, Architect Member
Fermin Villegas, Public Member

Douglas R. McCauley, Executive Officer

To Get In Touch With Us

California Architects Board
Tel 916.574.7220 • Fax 916.575.7283
cab@dca.ca.gov • www.cab.ca.gov



BOARD SUBSCRIBERS LIST REMINDER

Receiving e-mail notifications regarding meetings, legislation, or e-news from the California Architects Board could not be easier. Simply join our subscribers list on the Board's website. You will then be connected to new issues of California Architects, notified when the Board or its committees hold meetings, and receive information related to consumers, candidates, or licensees. Receive as many or as few notifications as you would like. You choose the lists to join.

Joining the subscribers list can be done in just a few easy steps.

- » Visit the Board's website at www.cab.ca.gov.
- » Select the "Board Subscriber List" link in the left-hand navigation menu.
- » Choose the list(s) you would like to join.
- » Enter the e-mail address at which you would like to receive notifications and then submit.
- » A confirmation e-mail for each list you selected will be sent to the e-mail address provided.
- » Confirm the list(s) you selected by following the instructions in the confirmation e-mail(s).