AGENDA ITEM K.2: Discussion and Possible Action to Amend California Code of Regulations (CCR), Title 16, Division 2, Article 2, Section 109.05 (Architect in Training) and Article 7 Section 144 (Fees)

Summary

At its February 26, 2026 meeting, the Board approved language to create 16 CCR section 109.05 (Architect in Training), amend 16 CCR 144 (Fees), and directed the Executive Officer to take all steps necessary to initiate the rulemaking process. Board staff worked with the Legal Affairs Division (LAD) to draft a notice, initial statement of reasons, and fiscal impact document. The documents were submitted to the Office of Administrative Law (OAL), and during the 45-day public comment period, the Board received two adverse comments and two comments in support of the regulation. At its September 10, 2026 meeting, the Board approved responses to the adverse comments and staff proceeded with final submittal of the rulemaking file. The final file was submitted to the Director on September 10, 2026, approved and submitted to OAL on September 21, 2026. During its review, OAL recommended edits to the proposed language that would increase clarity. As a result, Board staff withdrew the rulemaking file and has prepared modified language (attached) for the Board to review. The changes revolve around how the Board will provide notification to applicants and responsible supervisors and how much time will be provided to respond to deficiencies or enforcement issues.

The Board will need to allow for a 15-day comment period related to the proposed changes attached to this memo.

Action Requested

The Board is asked to consider the proposed modified regulatory text for CCR section 109.05 and entertain a motion to approve the changes to the proposed modified regulatory text as well as direct staff to take all steps necessary to complete the rulemaking process. This includes preparing modified text for an additional 15-day comment period, which incorporates any amendments discussed at this meeting. If after the 15-day public comment period, the Board does not receive any comments providing objections or adverse recommendations specifically directed at the proposed changes or to the procedures followed by the Board in proposing or adopting the action, then the Board authorizes the Executive Officer to make any non-substantive changes to the proposed regulations and the rulemaking file and adopt the proposed regulations as described in the modified text notice.

Attachments

1. 16 CCR section 109.05 (Architect in Training) and 144 (Fees) Modified Language

Department of Consumer Affairs
Title 16. California Architects Board

PROPOSED REGULATORY LANGUAGE
Architect-in-Training

Legend:	Added text is indicated with an underline. Omitted text is indicated by (* * * *) Deleted text is indicated by ~~strikeout~~. Modifications to the originally proposed regulatory language are shown in double underline for new text and ~~double strikethrough~~ for deleted text.

Adopt Section 109.05 of Article 2 of Division 2 of Title 16 of the California Code of Regulations as follows:

§ 109.05 Architect-in-Training Applications.

(a)(1) To be eligible for authorization to use the Architect-in-Training (AIT) title, a candidate ("candidate") who is "active in the examination process," in accordance with California Code of Regulations (CCR) Section 109(a)(3), shall:

(A) Meet the requirements set forth in subdivision (a) of Section 5500.2 of the code,

(B) Have passed a~~n~~ division of the examination as set forth in Section 5500.2(a)(1) of the code ~~within the past four years~~, and

(C) Submit a completed application to the Board that includes the nonrefundable fee specified in CCR Section 144 and all of the following information:

(i) Candidate's full legal name (Last Name, First Name, Middle Name, and (if any) Suffix),

(ii) Candidate's Board identification number,

(iii) Candidate's National Council of Architectural Registration Boards (NCARB) record number,

(iv) Candidate's social security number or individual taxpayer identification number,

(v) Candidate's mailing address and email address,

(vi) Candidate's telephone number,

(vii) Responsible supervisor's name,

(viii) Responsible supervisor's mailing address and email address,

(ix) Responsible supervisor's telephone number, and

(x) Responsible supervisor's California architect license number.

(2) The California licensed architect responsible for supervising the candidate ("responsible supervisor") shall:

(A) Not be on probation, and

(B) Not have had a citation issued by the Board within the prior three years.

(C) Submit the following information:

(i) Responsible supervisor's name,

(ii) Responsible supervisor's California architect license number,

(iii) Candidate's full legal name, and

(iv) A statement acknowledging the conditions set forth in subsection (a) of Section 5587.5 of the code.

(b) Upon meeting the requirements of this section, the Board shall authorize the candidate to use the AIT title for a period of four years.

(c) Upon the expiration of the AIT title, candidates may apply one additional time to reinstate the title for second four-year period as set forth in subsection (h) below.

(d) A candidate or responsible supervisor who has not met the submission requirements as set forth in subsections (a), (e), (f), or (g) shall be notified by the Board of any deficiencies in writing to the address of record, and have the opportunity to submit additional information to meet the ~~eligibility~~ submittal requirements. Failure to comply within 30 days of the date the notice was issued will result in the request(s) being denied.

(e) The holder of an AIT title must notify the Board within 30 calendar days if their responsible supervisor changes. The notification must include the following information listed below.

(1)The following information shall be submitted by the candidate:

(A) Candidate's full legal name (Last Name, First Name, Middle Name, and (if any) Suffix),

(B) Candidate's Board identification number,

(C) Candidate's NCARB record number,

(D) Prior responsible supervisor's name and license number,

(E) Replacement responsible supervisor's name and license number,

(F) Replacement responsible supervisor's mailing address and email address,

(G) Replacement responsible supervisor's telephone number, and

(2) The following information shall be submitted by the replacement responsible supervisor:

(A) Replacement responsible supervisor's name,

(B) Replacement responsible supervisor's license number,

(C) Candidate's full legal name, and

(D) A statement acknowledging the conditions set forth in subsection (a) of Section 5587.5 of the code.

(f) A candidate who has been approved to use the AIT title may request that the title be placed into an inactive status by submitting a written request to the Board ~~with the following information:~~. Once the Board has received the request with all of the required information listed below the Board shall grant the request and notify the title holder of their status in writing at the address of record.

(1) Candidate's full legal name (Last Name, First Name, Middle Name, and (if any) Suffix),

(2) Candidate's Board identification number,

(3) Candidate's NCARB record number,

(4) A statement that the candidate is requesting to place their AIT title into an inactive status, and

(5) An acknowledgement that they will not use the AIT title during this time of inactivity.

(g) An inactive AIT title ~~may~~shall be reactivated by following the instructions below.

(1) The following information shall be submitted by the candidate:

(A) Candidate's full legal name (Last Name, First Name, Middle Name, and (if any) Suffix),

(B) Candidate's Board identification number,

(C) Candidate's NCARB record number,

(D) Responsible supervisor's name and license number,

(E) Responsible supervisor's mailing address and email address,

(F) Responsible supervisor's telephone number, and

(G) A request that their inactive status be updated to active status.

(2) The following information shall be submitted by the responsible supervisor:

(A) Responsible supervisor's name

(B) Responsible supervisor's license number,

(C) Candidate's full legal name, and

(D) A statement acknowledging the conditions set forth in subsection (a) of Section 5587.5 of the code.

(h) A candidate may apply to the Board a second time to use the AIT title when the following conditions have been met:

(1) The candidate has taken and passed a~~n additional~~ division of the ARE within the four years immediately preceding this application,

(2) The candidate has a responsible supervisor, and

(3) The candidate submits an application to the Board as required by subsection (a)(1)(C).

(i) An AIT authorization is subject to suspension or revocation for violations set forth in Section 5587 of the code. The holder of the AIT title shall ~~receive~~ be issued a notice in writing from the Board and will be provided with an opportunity to respond in an informal review. A request by the holder of the AIT for an informal review shall be made in writing, within ten (10) days after service of the notice. The suspension period set forth in the notice or the revocation will be considered final 30 days after issuance of the initial notice or immediately upon the issuance of a final decision after an informal ~~hearing~~ review, whichever is later. The responsible supervisor will ~~receive~~ be mailed a copy of the notice and decision by the Board. If the Board chooses to pursue discipline against the licensee, Section 5560 et seq of the code shall apply. When deciding upon revocation, suspension and duration of suspension, the executive officer shall consider the following criteria:

(1) The good or bad faith exhibited by the cited person.

(2) The nature and severity of the violation.

(3) Evidence that the violation was willful.

(4) History of violations of the same or similar nature.

(5) The extent to which the AIT holder has cooperated with the board's investigation.

(6)The extent to which the AIT holder has mitigated or attempted to mitigate any damage or injury caused by their violation; and

(7) Such other matters as justice may require.

(j) (1) Section~~s~~ (a)~~ and (c)~~, except (a)(2) shall remain in effect only until January 1, 2033.

(2) Sections (a)(2) and (b)~~, (c), and (d)~~ through (h) shall remain in effect only until January 1, 2037.

(3) ~~All AIT titles issued that could extend beyond January 1, 2037 shall be dated as expiring January 1, 2037.~~Notwithstanding any provision of law, no person can use the AIT title beyond December 31, 2036.

Note: Authority cited: Sections 5500.2 and 5526, Business and Professions Code. Reference: Sections 5500.2, 5526, 5587, and 5587.5 Business and Professions Code.

Department of Consumer Affairs
Title 16. California Architects Board

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Architect-in-Training

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Create Section 144 of Article 7 of Division 2 of Title 16 of the California Code of Regulations as follows:

§ 144 Fees.

(a) The application fee for reviewing a candidate's eligibility to take any or all division(s) of the Architect Registration Examination (ARE) is one hundred dollars ($100) for applications submitted on or after July 1, 1999.

(b) The application fee for reviewing a reciprocity candidate's eligibility to take the California Supplemental Examination is one hundred dollars ($100).

(c) The fee for the California Supplemental Examination is one hundred dollars ($100).

(d) The fee for an original license is four hundred dollars ($400). If the license is issued less than one year before the date on which it will expire, the fee is two hundred dollars ($200).

(e) The biennial renewal fee is four hundred dollars ($400).

(f) The delinquency fee is one hundred dollars ($100).

(g) The fee for a duplicate certificate is twenty-five dollars ($25).

(h) The fee for a retired license is one hundred fifty dollars ($150).

(i) The fee for a license certification prepared by the Board is forty dollars ($40).

(j) The fee for the Architect-in-Training application is one hundred thirty-one dollars ($131).

Note: Authority cited: Sections 5500.2 and 5526, Business and Professions Code. Reference: Sections 5500.2 and 5604, Business and Professions Code.