

**TITLE 16 California Architects Board
DEPARTMENT OF CONSUMER AFFAIRS**

INITIAL STATEMENT OF REASONS

Hearing Date: The California Architects Board has not scheduled a hearing on the proposed changes.

Subject Matter of Proposed Regulations: Review of Applications

Section(s) Affected: Section 111 Article 2 of Division 2 of Title 16 of the California Code of Regulations (CCR)

Background and Statement of the Problem:

The California Architects Board (The Board) was created in 1901 by the California State Legislature. The Board licenses, regulates, and investigates complaints against architects in California, totaling approximately 21,000 licensees. It is the Board's duty to enforce and administer the Architects Practice Act, (Business & Professions Code (BPC) Chapter 3 (commencing with section 5500) of Division 3 (Act)). The Board is authorized to establish necessary rules and regulations for the enforcement of the Act and the laws subject to its jurisdiction (BPC section 5526). BPC section 5510.15 mandates that the protection of the public shall be the highest priority of the Board in its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with the other interests sought to be promoted, the protection of the public shall be paramount.

BPC section 5526 authorizes the Board, in accordance with the Administrative Procedure Act (APA) (Government Code (Gov. Code) section 11400 et seq.), to adopt, amend, or repeal rules and regulations that are reasonably necessary to carry out the provisions under the Act. BPC 115.4 provides that applicants who served as active duty members of the United States Armed Forces and who were honorably discharged, may submit satisfactory evidence in order to have their application expedited.

The review of applications regulation, 16 CCR 111, was created in 1988 and explains when the Board must communicate the status of an application to the candidate. This requirement provides candidates with information on how long it may take the Board to respond to an application that was submitted to request additional information, or if the application is complete.

At the time the regulation was created, applications were submitted on paper and applications were required for multiple steps of the examinations process. For example, candidates were required to apply with the Board each time they wanted to take divisions of the Architect Registration Examination (ARE), and physical letters were mailed out for application updates and California Supplemental Examination (CSE) results. Beginning

in 1999, candidates who were applying to take the ARE were only required to submit a single application, and that application would remain valid as long as they were taking at least one division every five years. Additionally, the Board has simplified and streamlined the application process by moving to an online submittal portal for candidates and most Board communications are electronic. These improvements necessitate updating the section to accurately reflect current timelines. Furthermore, this section references specific applications, some of which the Board no longer requires, therefore references to the applications have been updated with the California Code of Regulations sections where the applications are specifically referenced.

Anticipated benefits from this regulatory action:

This proposal will update references to applications and their associated response times to contemporary expectations. Candidates will be provided with more meaningful information on when they can anticipate hearing from the Board regarding an application submittal or results from the CSE.

Specific purpose of, and rationale for, each adoption, amendment, or repeal:

1. Amend 16 CCR section 111(a)

Purpose: Amends (a) by adding “Within sixty (60) days of receipt of an application as referenced in sections 109(B)(3), 109(e), or 124(b),” and removing “for the Architect Registration Examination (ARE) within thirty (30) days after receipt of an Application for Eligibility Evaluation, as referenced in section 109(b)(3),” and adding “to test” and “their”, while making the “t” in “the” lowercase due to the change in the sentence structure.

Anticipated Benefit/Rationale: The Board has changed the method by which it processes applications. It streamlined processes where candidates submit an application to be made eligible for the ARE, which was previously referenced in (b)(1). Additionally, it streamlined a similar process for the CSE which was previously referenced in (b)(2). The addition of CCR 109(e) includes applications for reciprocity, which were previously referenced in 111(c). By combining the process of evaluating separate applications into a single streamlined process, sections (b)(1), (b)(2) and (c) were able to be reduced from their 150-day timeframe to 60-days. The removal of the aforementioned sections and the additions to 111(a) are needed as a result to the change in the process. The language is clarified to indicate when the candidate will be notified that they are eligible to test.

2. Amend 16 CCR section 111(b) and delete sections (b)(1) and (b)(2)

Purpose: Amends 111(b) by removing “(1) The Board shall notify a candidate within one hundred and fifty (150) days after the filing of a complete Application for Eligibility Evaluation for the ARE of his or her results thereon. These processing times apply to those candidates who are eligible and who take first available scheduled appointment for the ARE. (2)”, “one-hundred and sixty-five”, adding “thirty”, removing “165”, adding “30”, removing “after the filing of a complete application for”, adding “of taking”, replacing “his or her” with “their”, removing “thereon. These processing times apply to those candidates

who submit their complete California Supplemental Examination application on the examination filing deadline”.

Anticipated Benefit/Rationale: These changes are necessary due to the streamlined process for submission of the CSE and ARE applications. The processing times have been moved up to (a). The Board no longer notifies candidates of ARE results, because they are provided directly to the candidates by the National Council of Architectural Registration Boards. In the past, results were mailed to the Board, who then mailed results to the candidate. Another benefit is the addition of the processing and communication timeframes for CSE results. These were not previously provided in the text. Providing this information will give candidates necessary information on when they can expect to receive results for the CSE.

3. Delete 16 CCR section 111(b)(3)

Purpose: Delete (b)(3): “The Board shall decide within three hundred and thirty (330) days after the filing of an Application for Eligibility Evaluation whether the candidate meets the requirements for original licensure. The actual processing time applies to those candidates who are eligible for licensure and who take and pass the first available examinations and who initially submitted a complete Application for Eligibility Evaluation.”

Anticipated Benefit/Rationale: The deletion of this statement is necessary because this process is no longer tied to a specific application as it was previously. The application process is more efficient now. Candidates apply for examination eligibility and their application remains valid as long as they are pursuing licensure and taking examinations, which could take years. Once candidates have met all eligibility requirements, they are notified and sent an application for licensure.

4. Delete prior 16 CCR section 111(c)

Purpose: Deletes (c): “The Board shall decide within two hundred and ten (210) days after the filing of a reciprocity application whether the applicant meets the requirements for original licensure. The actual processing time applies to those persons who are eligible for licensure and who take and pass the first available examinations and who submitted a complete application on the first available examination deadline.”

Anticipated Benefit/Rationale: This is no longer relevant as Board processes have changed. Reciprocity candidates now submit an initial application and a CSE application at the same time, this information is included in the amendments to (a) to provide clarity to candidates. CSE result communication is now identified under the new section 111(b).

5. Amend 16 CCR section 111(d) by renumbering it 111(c)

Purpose: Amend (c) by deleting “d” and replacing it with “c”, adding “application as defined in section 109(b), 109(g), or 109.1(c)” and deleting “Application for Licensure”.

Anticipated Benefit/Rationale: This provision is being amended to renumber “d” to “c” for consistency within the section, and adding references to the Board’s licensure

applications. These applications include the application for licensure, retired license application, and the reinstatement of a retired license application. These references are being added so candidates can clearly identify the notification times for the licensure applications and add applications that were not previously included, but are of similar nature. The striking of “Application for Licensure” is being done because it is being replaced with the more specific regulation location of that application. This will remove any confusion as to which applications are being referenced in this section.

Underlying Data

1. August 21, 2025 Board Meeting Agenda, Relevant Materials, and Minutes

Business Impact:

The Board has made the initial determination that the proposed regulations will not have significant statewide adverse economic impact directly affecting businesses including the inability of California businesses to compete with businesses in other states.

This initial determination is based on the facts that the proposed regulations simply clarify notification timelines for the Board’s applications. The regulations do not result in additional workload or costs to businesses and therefore are not anticipated to result in any negative impacts.

Economic Impact Assessment:

The Board has determined that this regulatory proposal will have the following effects:

It will not create or eliminate jobs within the State of California because it only clarifies Board communication times.

It will not create new business or eliminate existing businesses within the State of California because it clarifies Board communication times.

It will not affect the expansion of businesses currently doing business within the State of California because it only clarifies Board communication times.

This regulatory proposal will not affect the health and welfare of Californians because it does not relate to health and welfare.

This regulatory proposal does not affect worker safety because it does not involve worker safety.

This regulatory proposal does not affect the state’s environment because it does not involve the environment.

Specific Technologies or Equipment:

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives:

The Board has made an initial determination that no reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

Description of reasonable alternatives to the regulation that would lessen any adverse impact on small business:

No such alternatives have been proposed, however, the Board welcomes comments from the public.