



OSBAE NEWSLETTER

FALL 2020

Oregon State Board of Architect Examiners
architectboard@osbae.com
www.osbae.com
205 Liberty Street NE, Suite A
Salem, OR 97301
(503) 763-0662

FAREWELL JIM ROBERTSON!

We wish to say thank you to Board Member Jim Robertson who has served on this Board for three consecutive terms since being appointed in 2008. During Jim's 12-year tenure he led and served on many committees that advanced the work of the Board, including most recently the Law Review Committee which will help shape revisions to the Oregon Revised Statutes.

In addition, Jim was, and continues to be, very active in the National Council of Architectural Registration Boards (NCARB) as well as the regional Board (WCARB), serving on numerous committees, task forces, and workgroups. Jim's many accomplishments as an architect have been recognized as evidenced by his designations as a Distinguished Member and Fellow of the Construction Specifications Institute and a Fellow of the American Institute of Architects.

Thank you, Jim, for your contributions over the last 12 years! We will truly miss you. OSBAE is a better Board because of you. We wish you excellent health and good fortune in your future endeavors.



WELCOME TONIE ESTEBAN!

The Oregon State Board of Architect Examiners would like to welcome its newest architect member to the Board – Tonie Esteban. Governor Kate Brown appointed Tonie to serve a four-year term on the Board beginning October 27, 2020.

With more than 20 years of experience in the architecture profession, Tonie has taken the lead as senior project manager on numerous high-profile high school renovations and new building projects in Oregon. As a Principal at BRIC Architecture in Portland, she enjoys the complexities and challenges these types of projects provide as well as the opportunity to serve and shape the local communities they serve.

Tonie earned a Master of Architecture from the University of Oregon and a Bachelor of Arts in Architecture from the University of California at Berkeley and is a member of the American Institute of Architects, the Hispanic Metropolitan Chamber, and the National Organization of Minority Architects. Please join us in welcoming Tonie Esteban to the Board! We truly appreciate the volunteer service provided by all our Board members.





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WHAT ABOUT COVID-19 AND CE REQUIREMENTS?

At a public meeting held October 16, 2020, the Oregon State Board of Architect Examiners voted to adopt a temporary rule to enact changes to OAR 806-010-0145 in order to provide relief to registrants who may be struggling to meet the continuing education (CE) requirements during the COVID-19 global pandemic. This temporary rule reduces the minimum CE requirements from 24 hours to 12 hours for registrations that expire December 31, 2020. The temporary rule is in effect from October 21, 2020 through March 2, 2021.

Please review the temporary rule for the details, which is available on our website at www.osbae.com under the Proposed Rule Changes tab. It is important to note the following:

- The temporary rule only applies to CE requirements for registrations expiring December 31, 2020;
- if the previous registration period was the individual's first registration in Oregon, the CE will be considered satisfied;
- all CE must be in architectural health, safety, and welfare (HSW) subjects;
- acceptable evidence of completion is a certificate or transcript that includes the name of the course provider, registrant's name, course title, completion date, and HSW hours received;
- CE hours earned from January 1, 2019 through December 31, 2020 only apply to the two year registration period prior to renewal and may not be carried over to a future renewal period; and
- if the CE is obtained during the renewal grace period (January 1, 2021 through March 1, 2021), a \$100 late CE fee will be required and those hours may not be used again for the January 1, 2021 – December 31, 2022 renewal period.

The Board hopes this temporary rule provides some relief to those who are struggling during this pandemic. Please direct any questions about CE to the Board office at architectboard@osbae.com.

WHO WE ARE

Board Members

James Chaney, Chair, Public Member
Don Eggleston, Vice-Chair
Richard Alexander, Public Member
Erica Ceder
Tonie Esteban
Douglas Sams
Kristin Wells

Staff

Lisa Howard, Executive Director
Shelly Coffey, Fiscal Analyst
Cheryl Johnson, Registration Specialist
Mari Karnowski, Executive Assistant
Gary Linnebach, Investigator

*Protecting the public health, safety, and welfare through the
registration and regulation of the practice of architecture in Oregon*



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NEW EXAM REGISTRANTS

Congratulations to the following exam candidates who successfully gained registration in Oregon between April 16, 2020 and October 23, 2020.

Katelyn		Barbaria
Yukiko	M.	Bowman
Nathaniel	D.	Carden
Dunbee		Choi
Stacy	M.	Crain
Brynn		Cummings
Gerald	Ryan	Diedrich
Benjamin	D.	Feicht
E.	Amy	Fields
Ashleigh	E.	Fischer
Katherine		Garber
Michael	A.	Leigland
Andrew		Milner
Cara	C.	Mitchell
Nicholas	C.	Sackos
Danae	R.	Sakuma
Michael	D.	Scott
Duncan		Scovil
Yi		Wang
Linghao		Yin



RENEWAL SEASON IS COMING!

Watch Your Email Inbox

If your *individual* registration number ends in an even number, your registration expires December 31, 2020. All *firm* registrations expire annually on January 31.

Registrations must be renewed by the end of established grace period deadlines (March 1, 2021 for *individuals*; April 1, 2021 for *firms*) to lawfully continue practicing architecture and offering architectural services in the state of Oregon.

Responsibility for completing a renewal lies with the individual architect or the architectural firm representative, **not** a staff member. Completing a renewal requires the responsible person to answer legal questions and certify under penalty of perjury that the information supplied is truthful and accurate.

Renewal season opens for *individuals* November 12, 2020; *firm* renewal season opens December 14, 2020. An email will be sent on opening day to the email address on record. The email will contain all the information, including a unique PIN, needed to log in to the Online Renewal System and complete your renewal. PIN numbers are unique to each registrant and change with each renewal.

WHAT YOU CAN DO to prepare...

- ◇ Review/update your contact information now to ensure receipt of renewal emails.
 - *Individuals* can update contact information on our website at any time. To check and/or change it go to www.osbae.com, click on the Address Changes tab, and enter the requested information to log in.
 - *Firms* can update contact information by going to www.osbae.com, clicking on the Applications and Forms tab, then completing and submitting a Contact Information Change Form. Note: this form must be signed by the firm representative.
- ◇ Ensure receipt of renewal emails by making the domain osbae.com a safe sender. For 'How To' help, search the Internet for "how to make safe sender in [your email service provider]".



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CONTINUING EDUCATION AUDITS

A Sub-topic of Renewal Season is the Continuing Education (CE) Audit.

During the online renewal process, individual registrants must answer questions related to CE. It is important that registrants understand what the questions mean and answer them correctly. Why? Just one of many reasons is that in April of 2021 renewed registrants will be randomly selected to participate in the CE audit. Selected candidates will be asked to verify they've completed 12 hours of CE in health, safety, and welfare (HSW) courses during the two-year renewal period from January 1, 2019 through December 31, 2020. Note that due to COVID-19 the required CE hours were temporarily reduced from 24 hours to 12 hours for this renewal cycle (i.e., registrations that expire December 31, 2020).

If this is a registrant's first renewal, the CE requirement will be considered met and the registrant will not be selected for the audit; however, remember to begin earning CE hours as of January 1, 2021 for the 2021-2022 renewal period.

As part of the audit, we will verify the truthfulness of answers provided to CE questions in the online renewal system. *Answering renewal questions untruthfully could result in disciplinary action.* There are two online questions related to CE: one asks if the registrant has met, or will meet, the CE requirements by December 31, 2020; the second asks if the registrant will complete the CE requirements after December 31, 2020 and no later than March 1, 2021.

Per temporary Oregon Administrative Rule 806-010-0145, registrants are required to complete a minimum of 12 hours of CE in architectural health, safety, and welfare (HSW) subjects between January 1, 2019 and December 31, 2020. If CE is not completed by December 31, 2020, registrants are charged a \$100 late CE fee during renewal and have until March 1, 2021 to complete any remaining hours.

- An hour is defined as one continuous instructional hour of 50-60 minutes of structured educational activity.
- The CE must have been completed during the two-year renewal period stated above; carry over from previous renewal periods is not allowed.
- If any two hours are earned with substantially the same content, credit for only one hour will be given.
- OAR 806-010-0145(6) states in part: "Acceptable evidence of completion is a certificate or transcript that includes the name of the course provider, registrant's name, course title, completion date and HSW hours received."
- Registrants are required to maintain documentary evidence of compliance with the CE requirement.

It is always best to read the rules in their entirety regarding practicing architecture in Oregon.

If you are selected to participate in the audit, you will be required to submit evidence of CE completion. Acceptable evidence of completion is either certificates of completion or an AIA transcript. Hand-made transcripts, proofs of registration, e-tickets, sign-in sheets, and certificates that do not include the minimum requirements, are *not* considered acceptable evidence. Please note that OSBAE does **not** pre-approve CE. Before signing up for courses, check with the CE provider to ensure you will be sent a certificate of completion that meets the criteria in OAR 806-010-0145(6).



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REGISTERED ARCHITECTS AND EXEMPT PROJECTS: WHICH RULES APPLY?

I'm an Oregon registered architect that works on both commercial and residential projects. Do all OSBAE statutes and rules apply to me even when I'm working on residential or other exempt projects?

The short answer is yes. ORS 671.020(4) requires that anyone who assumes the title of "Architect" must comply with all statutes relating to the practice of architecture. So, once you become an Oregon registered architect, you must abide by all statutes and rules that apply to Oregon architects regardless of the type of project. Whether a project is residential or otherwise exempt does not change this obligation, as the primary purpose of ORS 671.030 (activities not considered as "practice of architecture") is to identify those specific projects and activities that *non*-architects may engage in.

A longer answer would begin with the definitions in the Oregon Revised Statutes (ORS) used by the Oregon State Board of Architect Examiners.

- "Architect" means an individual qualified and registered to practice architecture under ORS 671.010 to 671.220, a consulting architect or a foreign architect.
- "Building" means any structure consisting of foundations, floors, walls and roof, having footings, columns, posts, girders, beams, joists, rafters, bearing partitions, or a combination of any number of these parts, with or without other parts or appurtenances thereto.
- "Practice of architecture" means the planning, designing or observing of the erection, enlargement or alteration of any building or of any appurtenance thereto other than exempted buildings. [In other words, the definition of the practice of architecture means that practicing architecture **only** applies to non-exempt work(s).]
- Exempt works are activities not considered the practice of architecture which can be found in ORS 671.030. This includes, but is not limited to the following: ". . . a building, or an appurtenance to a building, if the building has a ground area of 4,000 square feet or less and is not more than 20 feet in height . . .".

So is a registered architect who creates exempt works practicing architecture by definition? Technically no, that architect is not; however, that does not mean the registered architect is exempt from the rules and laws that apply to registered architects. It simply means that other individuals are not practicing architecture while working on exempt projects. It does not mean architects get to remove their architect hat while working on exempt projects. When applying the statutes and rules, it helps to clarify which group of individuals you are defining: architects or non-architects.

For example, Oregon Administrative Rule (OAR) 806-010-0045, states that **every registered architect** shall have a stamp or seal and **all technical submissions** which are required by public authorities for building permits or regulatory approvals, or are intended for construction purposes, including all addenda and other changes to such submissions, shall be sealed and signed by the architect. The stamp with the registrant's manual or digital signature must appear on the title page of specifications and on every sheet of the drawings intended for permit or construction, **whether or not the project is exempt under ORS 671.030**, and must be the stamp of an Oregon registered architect with control and supervision of the project. (bold and italic added for highlight). Hence, residential plans drawn by an architect must be stamped by that architect.

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IN MEMORIAM

The Board and staff extend condolences to the families and friends of those who have honored the architect profession.

- ❖ John (Jack) Broome, Oregon
- ❖ G.Z. Brown, Oregon
- ❖ Lynda Leask, Washington
- ❖ Ken Nagao, Oregon, Board Member 1987-1996
- ❖ Scott Passman, Oregon
- ❖ Patrick Tiland, Oregon

If you know of a person who should be recognized in this section, please notify us at architectboard@osbae.com.

SUBSCRIBE TO OSBAE NEWS

Would you like to receive news from the Oregon State Board of Architect Examiners (OSBAE)?

If you are not a currently registered architect or architectural firm with OSBAE, then you may not receive newsletters, rulemaking notices, and other updates from the Board. By subscribing to this [list](#) you will receive that information.

REGISTERED ARCHITECTS AND EXEMPT PROJECTS: WHICH RULES APPLY?

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Does this mean registered architects must provide observation for exempt projects if they must stamp and seal all their work? No, because OAR 806-010-0050 - Observation states that architects must observe all projects they stamp, **with the exception of exempt projects.**

So, what about the written contract rules; should an architect use a written contract when providing professional services for a residential or other exempt project? In this case the answer is yes, unless it meets the exceptions noted in OAR 806-020-0020(2).

To summarize, if you are an Oregon registered architect working on a residential or other project listed in ORS 671.030, you are not exempt from the body of Oregon rules and laws regarding the practice of architecture.