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Authority

The provisions of this Chapter 9 issued under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 2 of the act of July 12, 1919 (P. L. 933 No. 657) (71 P. S. § 1182), unless otherwise noted.

Source

The provisions of this Chapter 9 adopted January 1, 1969, amended through October 22, 1976, effective October 23, 1976, 6 Pa.B. 2668, unless otherwise noted.

GENERAL PROVISIONS

§ 9.1. Introduction.

(a) *The Architects Licensure Law.* The Board is organized and functions under the act.

(b) *Function of the act.* The act regulates the examination, licensure and the practice of architecture in this Commonwealth.

(c) *Authority.* This chapter is authorized under section 6 of the act (63 P. S. § 34.6).

(d) *The Administrative Code.* Section 202 of The Administrative Code (71 P. S. § 62), placed the Board as a departmental administrative board in the Department of Public Instruction. Section 1 of the act of June 3, 1963 (P. L. 63, No. 44) (71 P. S. § 62), amended section 202 of The Administrative Code (71 P. S. § 62), by removing the Board from the administrative jurisdiction of the Department of Public Instruction and placing it under the jurisdiction of the Department of State.

Authority

The provisions of this § 9.1 amended under sections 5(a), 6(a), (c) and (d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Law (63 P. S. §§ 34.5(a), 34.6(a), (c) and (d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.1 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2668; amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial pages (30165) to (30166).

§ 9.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

ARE—Architect Registration Examination of the NCARB approved by the Board as the architecture licensure examination.

Accredited program—A program accredited by the National Architectural Accrediting Board to provide courses in architecture and related subjects and empowered to grant professional and academic degrees in architecture.

Act—The Architects Licensure Law (63 P. S. § § 34.1—34.22).

Administrative Code—The Administrative Code of 1929 (71 P. S. § § 51—732).

Board—The Architects Licensure Board as defined in section 4 of the act (63 P. S. § 34.4).

Board prosecutor—An attorney employed through the Office of General Counsel to act as the prosecutor for the Commonwealth before the Board.

Bureau—The Bureau of Professional and Occupational Affairs.

Commissioner—The Commissioner of the Bureau.

Examination—The examination for architectural registration approved by the Board.

IDP—Intern Development Program of NCARB.

IDP council record—A detailed authenticated record of an individual's education, training and character maintained by NCARB.

NAAB—National Architectural Accrediting Boards, Inc.

NCARB—National Council of Architectural Registration Boards, 1735 New York Avenue, NW, Suite 700, Washington, DC 20006.

Plans and models—Drawings, graphic representations or scaled models, or a combination of drawings, graphic representations or models, or reproduction thereof, prepared for the purpose of illustrating proposed or intended designs for the construction, enlargement or alteration of a building or project.

Sole proprietorship—A business form solely owned by an individual architect licensed in this Commonwealth.

Specifications—A written instruction or reproduction thereof describing a material or method of construction proposed or intended to be employed in the construction, enlargement or alteration of a building or project.

Authority

The provisions of this § 9.2 amended under section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a); and sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.2 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2668; amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended October 25, 1996, effective October 26, 1996, 26 Pa.B. 5101; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273; amended July 15, 2005, effective July 16, 2005, 35 Pa.B. 3923. Immediately preceding text appears at serial page (294851).

§ 9.3. Fees.

Initial license	\$ 40
Reciprocal license with NCARB Certification	\$ 30
Reciprocal license without NCARB Certification	\$ 50
Certification of licensure, registration or scores	\$ 25
Biennial renewal of license	\$ 100
Reactivation of lapsed or expired license	\$ 30
Firm practice registration or modification requiring new corporate structure	\$ 50
License or registration verification	\$ 15
Annual renewal fee for registered architecture firms which are partnerships, professional associations, professional corporations, business corporations, limited liability companies and limited liability partnerships (\$100 fee shall be assessed biennially).	\$ 50

Authority

The provisions of this § 9.3 issued under section 11 of the Architects Licensure Act (63 P. S. § 34.11); amended under sections 6(a) and (c), 8(c), 11 and 13 of the Architects Licensure Act (63 P. S. §§ 34.6(a) and (c), 34.8(c), 34.11 and 34.13); and section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a).

Source

The provisions of this § 9.3 adopted February 6, 1987, effective February 7, 1987, 17 Pa.B. 653; amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; amended March 16, 1990, effective March 17, 1990, 20 Pa.B. 1496; amended August 5, 1994, effective August 6, 1994, 24 Pa.B. 3844; amended December 8, 1995, effective December 9, 1995, and apply retroactively to examination fees charged on and after September 1, 1995, 25 Pa.B. 5583; amended October 25, 1996, effective October 26, 1996, 26 Pa.B. 5101; corrected November 1, 1996, effective October 26, 1996, 26 Pa.B. 5233; amended December 8, 2000, effective December 9, 2000, 30 Pa.B. 6342; amended March 30, 2001, effective March 31, 2001, 31 Pa.B. 1744; amended January 3, 2003, effective January 4, 2003, 33 Pa.B. 28; amended July 15, 2005, effective July 16, 2005, 35 Pa.B. 2923. Immediately preceding text appears at serial page (294852).

Cross References

This section cited in 49 Pa. Code § 9.103 (relating to lapsed licenses).

AFFILIATION WITH NCARB

§ 9.11. NCARB membership.

The Board will maintain membership in NCARB and the Middle Atlantic Regional Conference of NCARB. The necessary costs for the membership will be paid for under section 11 of the act (63 P. S. § 34.11).

Authority

The provisions of this § 9.11 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.11 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2668; amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221095).

§ 9.12. [Reserved].**Source**

The provisions of this § 9.12 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2668; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221095).

§ 9.13. [Reserved].**Source**

The provisions of this § 9.13 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2668; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221095).

§ 9.14. [Reserved].**Source**

The provisions of this § 9.14 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2668; amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221096).

§ 9.15. [Reserved].**Source**

The provisions of this § 9.15 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221096).

§ 9.16. [Reserved].**Source**

The provisions of this § 9.16 reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221096).

§ 9.17. [Reserved].**Source**

The provisions of this § 9.17 reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (221096) to (221097).

FUNCTIONS OF THE BOARD**§ 9.21. Board meetings.**

In addition to the one regular meeting per year prescribed by law, the Board will hold additional meetings as may be necessary to conduct the business of the Board. The administrative assistant, in conjunction with the administrative office of the Bureau, will give notice of the time and place of each meeting at which formal action will be taken, under section 9 of the Sunshine Act (65 P. S. § 279). Meetings of the Board will be conducted in accordance with the Sunshine Act (65 P. S. §§ 271—286), and Roberts Rules of Order, Revised.

Authority

The provisions of this § 9.21 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.21 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221097).

§§ 9.22 and 9.23. [Reserved].**Source**

The provisions of these §§ 9.22 and 9.23 reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221097).

§ 9.24. [Reserved].**Source**

The provisions of this § 9.24 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (221097) to (221098).

§ 9.25. [Reserved].**Source**

The provisions of this § 9.25 reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221098).

§ 9.26. [Reserved].**Source**

The provisions of this § 9.26 reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221098).

§ 9.27. Inactive records.

Records of candidates for licensure that are inactive for 5 years will be destroyed. A record will be considered inactive if a candidate does not correct a deficiency in an application within 5 years of notice from the Board of the deficiency.

Authority

The provisions of this § 9.27 amended under section 6(a) and (d) of the Architects Licensure Law (63 P. S. § 34.6(a) and (d)).

Source

The provisions of this § 9.27 amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273; amended August 29, 2008, effective August 30, 2008, 38 Pa.B. 4764. Immediately preceding text appears at serial page (294855).

Cross References

This section cited in 49 Pa. Code § 9.50 (relating to reapplications); 49 Pa. Code § 9.86 (relating to expiration of application); and 49 Pa. Code § 9.131 (relating to examination grading).

§ 9.28. [Reserved].**Source**

The provisions of this § 9.28 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (221098) to (221099).

§§ 9.29 and 9.30. [Reserved].**Source**

The provisions of these §§ 9.29 and 9.30 reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221099).

§ 9.31. [Reserved].**Source**

The provisions of this § 9.31 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (221099).

§ 9.32. [Reserved].**Source**

The provisions of this § 9.32 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (221099) to (221100).

§§ 9.33 and 9.34. [Reserved].**Source**

The provisions of these §§ 9.33 and 9.34 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221100).

§ 9.35. [Reserved].**Source**

The provisions of this § 9.35 reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221100).

LICENSURE BY EXAMINATION**§ 9.41. General requirements.**

Licensure may be granted to an applicant who has successfully passed the ARE examination. The subject matter is available from the NCARB.

Authority

The provisions of this § 9.41 amended under section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a); and sections 6(a)—(c), 8(b) and (c), 11, 13(h) and 14 of the Architects Licensure Law (63 P. S. §§ 34.6(a)—(c), 34.8(b) and (c), 34.11, 34.13(h) and 34.14).

Source

The provisions of this § 9.41 amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; amended October 25, 1996, effective October 26, 1996, 26 Pa.B. 5101; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273; amended January 3, 2003, effective January 4, 2003, 33 Pa.B. 28. Immediately preceding text appears at serial page (246250).

§ 9.41a. Adoption of National Board Examinations.

(a) The Board has adopted the ARE given by the NCARB. Candidates for examination shall obtain applications directly from the NCARB and pay the fee for the examination directly to the NCARB.

(b) Candidates shall comply with examination procedures, conduct standards, and standards pertaining to eligibility and passing of the ARE as established by the NCARB, unless otherwise stated in this chapter.

Authority

The provisions of this § 9.41a issued under sections 8, 11 and 13 of the Architects Licensure Law (63 P. S. §§ 34.8, 34.11 and 34.13); amended under section 6(a) and (d) of the Architects Licensure Law (63 P. S. § 34.6(a) and (d)).

Source

The provisions of this § 9.41a adopted January 3, 2003, effective January 4, 2003, 33 Pa.B. 28; amended August 29, 2008, effective August 30, 2008, 38 Pa.B. 4764. Immediately preceding text appears at serial page (294856).

Cross References

This section cited in 49 Pa. Code § 9.50 (relating to reapplications); and 49 Pa. Code § 9.52 (relating to grading compilation).

§ 9.42. [Reserved].**Source**

The provisions of this § 9.42 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221101).

§ 9.43. [Reserved].**Source**

The provisions of this § 9.43 reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221101).

§ 9.44. [Reserved].**Source**

The provisions of this § 9.44 amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; reserved October 25, 1996, effective October 26, 1996, 26 Pa.B. 5101. Immediately preceding text appears at serial pages (206061) to (206062).

§ 9.45. [Reserved].**Source**

The provisions of this § 9.45 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; corrected August 12, 1988, effective January 31, 1987, 18 Pa.B. 3571; amended December 2, 1988, effective December 3, 1988, 18 Pa.B. 5352; amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (221101) to (221102).

§ 9.46. Requirements for examination eligibility.

(a) *General requirements.* A candidate for the examination shall have:

- (1) A professional degree in architecture from an accredited program.
- (2) Three years of diversified training experience demonstrated by training requirements of the IDP.

(b) *“Rolling clock” requirement.* An applicant for licensure shall have 5 years from the date that the first passed division of the examination was administered to pass all remaining divisions. If an applicant for licensure fails to pass all remaining divisions within the 5-year period, the applicant will automatically be

given a new 5-year period measured from the date of administration of the next oldest passed division (“rolling clock”) to pass all divisions of the examination and this rolling clock period will continue to automatically renew until all divisions of the examination are passed, without the need to reapply to the Board. Applicants will have the benefit of the rolling clock but the Board will only consider the divisions of the examination passed within the 5-year time period immediately preceding the date of the latest administered division passed by the applicant. The Board may waive this requirement upon proof of medical hardship or other extraordinary circumstances.

Authority

The provisions of this § 9.46 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14); amended under section 6(a) and (d) of the Architects Licensure Law (63 P. S. § 34.6(a) and (d)).

Source

The provisions of this § 9.46 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended December 2, 1988, effective December 3, 1988, 18 Pa.B. 5352; amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273; amended January 3, 2003, effective January 4, 2003, 33 Pa.B. Pa.B. 28; amended August 29, 2008, effective August 30, 2008, 38 Pa.B. 4764. Immediately preceding text appears at serial page (294857) to (294858).

§ 9.47. [Reserved].

Source

The provisions of this § 9.47 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended December 2, 1988, effective December 3, 1988, 18 Pa.B. 5352; amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221103).

§ 9.48. [Reserved].

Source

The provisions of this § 9.48 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended December 2, 1988, effective December 3, 1988, 18 Pa.B. 5352; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (221103) to (221104).

§ 9.49. [Reserved].

Source

The provisions of this § 9.49 reserved January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30173).

§ 9.49a. Diversified training requirements.

(a) The Board has adopted NCARB Training Requirements for IDP. This information is available from the NCARB.

(b) The candidate shall keep records of required diversified training experience in accordance with NCARB IDP requirements. The candidate is responsible for having NCARB transmit a certificate of completion of IDP to the Board.

Authority

The provisions of this § 9.49a issued under section 8(b) of the Architects Licensure Act (63 P. S. § 34.8(b)); amended under sections 6(a), (b) and (d), 8(b), 13(h) and 14 of the Architects Licensure Law (63 P. S. §§ 34.6(a), (b) and (d), 34.8(b), 34.13(h) and 34.14).

Source

The provisions of this § 9.49a adopted December 2, 1988, effective December 3, 1988, 18 Pa.B. 5352; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273; amended January 3, 2003, effective January 4, 2003, 33 Pa.B. 28. Immediately preceding text appears at serial page (246252).

§ 9.50. Reapplications.

Candidates required to file new applications under §§ 9.27 and 9.41a(b) (relating to inactive records; and adoption of National Board Examinations) shall meet the requirements of the act and regulations in effect at the time the new application is filed.

Authority

The provisions of this § 9.50 issued under sections 6(a), (b) and (d), 8(b), 13(h) and (14) of The Architects Licensure Law (63 P. S. §§ 34.6(a), (b) and (d), 34.8(b), 34.13(h) and 34.14); amended under section 6(a) and (d) of the Architect Licensure Law (63 P. S. § 34.6(a) and (d)).

Source

The provisions of this § 9.50 adopted July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273; amended August 29, 2008, effective August 30, 2008, 38 Pa.B. 4764. Immediately preceding text appears at serial page (294859).

GRADING AND REVIEW**§ 9.51. Examination grading.**

The ARE shall be graded using procedures developed ny NCARB in consultation with a professional testing organization. Examination results shall be recorded by the Board in the record of the candidate and shall be maintained in accordance with § 9.27 (relating to inactive records).

Authority

The provisions of this § 9.51 issued under sections 8, 11, and 13 of the Architects Licensure Law (63 P. S. § 34.8, 34.11 and 34.13).

Source

The provisions of this § 9.51 adopted January 3, 2003, effective January 4, 2003, 33 Pa.B. 28.

§ 9.52. Grading compilation.

To qualify for licensure, a candidate shall receive a passing grade on each part or division of the examination. Grades received in individual parts or divisions will not be averaged. A candidate will have opportunities, subject to §§ 9.41a(b) and 9.46(b) (relating to adoption of National Board Examinations; and requirements for examination eligibility), to retake those portions of the examination which were failed and those portions which expire under the 5-year rolling clock requirement.

Authority

The provisions of this § 9.52 issued under sections 8, 11, and 13 of the Architects Licensure Law (63 P. S. § 34.8, 34.11 and 34.13); amended under section 6(a) and (d) of the Architect Licensure Law (63 P. S. § 34.6(a) and (d)).

Source

The provisions of this § 9.52 adopted January 3, 2003, effective January 4, 2003, 33 Pa.B. 28; amended August 29, 2008, effective August 30, 2008, 38 Pa.B. 4764. Immediately preceding text appears at serial page (294859).

LICENSURE BY RECIPROCITY**§ 9.61. General requirements.**

Licensure may be granted to an applicant who holds a license to practice architecture in another state, territory or country where the qualifications required for licensure are equal to the requirements for licensure in this Commonwealth at the time of licensure in the original jurisdiction and the applicant is of good moral character. Possession of an NCARB Certificate is prima facie evidence that the individual meets the requirements of the Commonwealth.

Authority

The provisions of this § 9.61 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.61 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221105).

§ 9.62. Reciprocal licensure.

(a) An applicant for reciprocal licensure shall submit a completed application on forms provided by the Board containing:

- (1) A letter of good standing, or the equivalent from the licensing entity of the state or country where the architect currently practices.
- (2) Information relative to training, education and experience as an employe or as a practicing principal.
 - (b) An applicant who has qualified for original licensure by having passed the ARE in or after 1992 shall submit certification of having met the training requirements for IDP.
 - (c) A candidate in another recognized and approved jurisdiction and seeking to practice within this Commonwealth who has not lawfully practiced architecture for more than 10 years is required to submit a detailed summary of professional or business activities, or both, during the inactive period. It is within the discretion of the Board to determine whether the activities are substantially equivalent to the continuing practice of architecture.
 - (d) An applicant licensed on the basis of education, experience or examination not equal to the requirements of the Commonwealth shall submit satisfactory evidence of at least 10 years of continuous practice of architecture while holding a valid license as an architect. An applicant who has not taken a licensure examination shall provide the Board with a list of not less than three nor more than ten examples of architectural services designed and supervised by the applicant, giving location, name of owner, use and purpose, and date of completion.

(e) An applicant may be required to appear before the Board for a personal interview and may be requested to submit detailed information about training and experience, or both.

Authority

The provisions of this § 9.62 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.62 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (221105) to (221106).

§ 9.63. [Reserved].

Source

The provisions of this § 9.63 reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221106).

§ 9.64. Practice by nonresidents.

An architect who maintains a permanent address outside of this Commonwealth may practice architecture in this Commonwealth if the filing and ownership requirements of sections 7(b) and 13 of the act (63 P. S. §§ 34.7(b) and 34.13) are complied with, and if the sole owner of a sole proprietorship firm, a partner of a partnership firm, a member of a professional association, a shareholder of a professional corporation or a member of the board of directors of a business corporation who is also a shareholder in that corporation is a registered architect in this Commonwealth. The architects shall assume full responsibility for the projects in this Commonwealth.

Authority

The provisions of this § 9.64 amended under sections 5(a), 6(a), (c) and (d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a), (c) and (d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.64 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30175).

§ 9.71. [Reserved].

Source

The provisions of this § 9.71 reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221107).

§ 9.72. [Reserved].**Source**

The provisions of this § 9.72 amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221107).

§ 9.73. [Reserved].**Source**

The provisions of this § 9.73 reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221107).

APPLICATION PROCEDURES**§ 9.81. Place of application.**

An application for license shall be submitted to the State Architects Licensure Board, Box 2649, Harrisburg, Pennsylvania 17105-2649 on forms available from the Board.

Authority

The provisions of this § 9.81 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a), (c)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.81 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221107).

§ 9.82. Forms and fees.

Application shall be made on forms furnished and in the manner prescribed by the Board. Examination fees shall be payable as specified in the application.

Applications shall be submitted to the address indicated on the application and within deadlines established by the Board and specified on the application.

Authority

The provisions of this § 9.82 amended under sections 6(c), 8(c) and 11 of the Architects Licensure Act (63 P. S. §§ 34.6(c), 34.8(c) and 34.11); and section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a).

Source

The provisions of this § 9.82 amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; amended March 16, 1990, effective March 17, 1990, 20 Pa.B. 1496; amended October 25, 1996, effective October 26, 1996, 26 Pa.B. 5101. Immediately preceding text appears at serial page (206068).

§ 9.83. [Reserved].

Source

The provisions of this § 9.83 reserved March 16, 1990, effective March 17, 1990, 20 Pa.B. 1496. Immediately preceding text appears at serial page (138570).

§ 9.84. Experience.

The candidate shall be of good moral character. A candidate for first-time licensure shall reside in or be employed in this Commonwealth by a Commonwealth licensed architect, practicing as a principal in this Commonwealth and having a permanent Commonwealth address.

Authority

The provisions of this § 9.84 amended under sections 6(a), (b) and (d), 8(b), 13(h) and (14) of the Architects Licensure Law (63 P. S. §§ 34.6(a), (b) and (d), 34.8(b), 34.13(h) and 34.14).

Source

The provisions of this § 9.84 amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221108).

§ 9.85. [Reserved].

Source

The provisions of this § 9.85 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; reserved October 25, 1996, effective October 26, 1996, 26 Pa.B. 5101. Immediately preceding text appears at serial page (206069).

§ 9.86. Expiration of application.

After an applicant is notified that he is eligible to sit for examination, the Board will provide the NCARB with written authorization to test the candidate. Under § 9.27 (relating to inactive records), the authorization to test is valid for 5 years from the date a candidate is declared eligible to take the examination.

Authority

The provisions of this § 9.86 amended under section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a); and sections 6(c), 8(c) and 11 of the Architects Licensure Act (63 P. S. §§ 34.6(c), 34.8(c) and 34.11).

Source

The provisions of this § 9.86 amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; amended October 25, 1996, effective October 26, 1996, 26 Pa.B. 5101. Immediately preceding text appears at serial pages (206069) to (206070).

§ 9.87. [Reserved].**Source**

The provisions of this § 9.87 reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221109).

§ 9.88. Verification of IDP.

The candidate shall keep records of required diversified training experience in accordance with NCARB recordkeeping procedures on NCARB IDP Recordkeeping Forms. These forms are available from NCARB. The candidate is responsible for having NCARB transmit to the Board offices, a certificate of completion of IDP requirements as part of the candidate's application. An application which does not contain submissions of verification will not be reviewed.

Authority

The provisions of this § 9.88 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.88 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended December 2, 1988, effective December 3, 1988, 18 Pa.B. 5353; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221109).

§ 9.89. [Reserved].**Source**

The provisions of this § 9.89 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (221109) to (221110).

§ 9.90. Board member as reference.

No Board member may act as a reference on the application of a candidate for licensure except as an employer. A Board member may act as a reference of a candidate applying for certification by NCARB, whether the Board member is or was the employer or not.

Authority

The provisions of this § 9.90 amended under sections 6(a), (b) and (d), 8(b), 13(h) and 14 of the Architects Licensure Law (63 P. S. §§ 34.6(a), (b) and (d), 34.8(b), 34.13(h) and 34.14).

Source

The provisions of this § 9.90 amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221110).

§ 9.91. [Reserved].**Source**

The provisions of this § 9.91 reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221110).

§ 9.92. [Reserved].**Source**

The provisions of this § 9.92 adopted December 11, 1981, effective December 12, 1981, 11 Pa.B. 4260; reserved May 20, 1983, effective May 21, 1983, 13 Pa.B. 1717. Immediately preceding text appears at serial pages (67494) and (67495).

§ 9.93. Reporting of disciplinary actions, criminal convictions and other licenses.

(a) An applicant for a license issued by the Board shall apprise the Board of the following:

(1) A license, certificate, registration or other authorization to practice a profession issued, denied or limited by another state, territory or possession of the United States, a branch of the Federal government or another country.

(2) Disciplinary action instituted against the applicant by a licensing authority of another state, territory or possession of the United States, a branch of the Federal government or another country.

(3) A finding or verdict of guilt, an admission of guilt or a plea of nolo contendere with respect to a felony offense or an offense involving moral turpitude.

(b) After the Board has issued a license, the licensee shall report any disciplinary action or criminal convictions, or both, to the Board in writing within 90 days after its occurrence or on the biennial renewal application, whichever occurs first.

Authority

The provisions of this § 9.93 issued under section 11 of the Architects Licensure Act (63 P. S. § 34.11); amended under sections 6(a), (b) and (d), 8(b), 13(h) and 14 of the Architects Licensure Law (63 P. S. §§ 34.6(a), (b) and (d), 34.8(b), 34.13(h) and 34.14).

Source

The provisions of this § 9.93 adopted February 6, 1987, effective February 7, 1987, 17 Pa.B. 653; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (221110) to (221111).

REACTIVATION OF LAPSED AND EXPIRED LICENSES**§ 9.101. Reactivation.**

An architect who has been licensed by the Board and who has discontinued the practice of architecture in this Commonwealth, and who has allowed his license to lapse by failing to pay the biennial renewal fee, may apply to the Board for reactivation of licensure.

Authority

The provisions of this § 9.101 amended under sections 6(a), (b) and (d), 8(b), 11, 13(h) and 14 of the Architects Licensure Act (63 P. S. § 34.6(a), (b) and (d), 34.8(b), 34.11, 34.13(h) and 34.14).

Source

The provisions of this § 9.101 amended February 6, 1987, effective February 7, 1987, 17 Pa.B. 653; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221111).

§ 9.102. Requirements.

An architect applying to return to active status shall submit an application on the form prescribed by the Board, the current renewal fee, reactivation fee and a notarized affidavit stating that the candidate did not practice architecture in this Commonwealth during the period of inactive status.

Authority

The provisions of this § 9.102 amended under sections 6(a), (b) and (d), 8(b), 11, 13(b) and 14 of the Architects Licensure Act (63 P. S. §§ 34.6(a), (b) and (d), 34.8(b), 34.11, 34.13(h) and 34.14).

Source

The provisions of this § 9.102 amended February 6, 1987, effective February 7, 1987, 17 Pa.B. 653; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221111).

§ 9.103. Lapsed licenses.

An architect who practices architecture in this Commonwealth and who has allowed his license to lapse by failing to pay a biennial renewal fee, may reactivate his license by submitting to the Board an application on the form prescribed by the Board. The application shall be accompanied by the reactivation fee in § 9.3 (relating to fees), along with, past due biennial renewal fees, including the biennial renewal fee for the current period and penalty fees in section 225 of the Bureau of Professional and Occupational Affairs Fee Act (63 P. S. § 1401-225).

The payment of any of these fees does not preclude the Board from taking disciplinary action against the architect for practicing architecture without a current license.

Authority

The provisions of this § 9.103 issued under sections 6(a), (b) and (d), 8(b), 11, 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.6(a), (b) and (d), 34.8(b), 34.11, 34.13(h) and 34.14).

Source

The provisions of this § 9.103 adopted February 6, 1987, effective February 7, 1987, 17 Pa.B. 653; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (221111) to (221112).

Cross References

This section cited in 49 Pa. Code § 43b.11a (relating to schedule of civil penalties—architects).

§ 9.111. [Reserved].

Source

The provisions of this § 9.111 amended May 20, 1983, effective May 21, 1983, 13 Pa.B. 1717; amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; amended October 25, 1996, effective October 26, 1996, 26 Pa.B. 5101; reserved January 3, 2003, effective January 4, 2003, 33 Pa.B. 28. Immediately preceding text appears at serial page (246260).

§ 9.112. [Reserved].

Source

The provisions of this § 9.112 adopted June 22, 1990, effective June 23, 1990, 20 Pa.B. 3493; reserved October 25, 1996, effective October 26, 1996, 26 Pa.B. 5101. Immediately preceding text appears at serial pages (206073) to (206074).

(Editor's Note: This section was originally adopted as § 9.111a at 20 Pa.B. 3493 (June 23, 1990).)

§ 9.113. [Reserved].

Source

The provisions of this § 9.113 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; amended October 25, 1996, effective October 26, 1996, 26 Pa.B. 5101; reserved January 3, 2003, effective January 4, 2003, 33 Pa.B. 28. Immediately preceding text appears at serial pages (246260) to (246261).

§ 9.114. [Reserved].

Source

The provisions of this § 9.114 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended October 25, 1996, effective October 26, 1996, 26 Pa.B. 5101; reserved January 3, 2003, effective January 4, 2003, 33 Pa.B. 28. Immediately preceding text appears at serial page (246261).

§ 9.115. [Reserved].**Source**

The provisions of this § 9.115 reserved January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (86577).

§ 9.116. [Reserved].**Source**

The provisions of this § 9.116 amended March 16, 1990, effective March 17, 1990, 20 Pa.B. 1496; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273; reserved January 3, 2003, effective January 4, 2003, 33 Pa.B. 28. Immediately preceding text appears at serial pages (246261) to (246262).

§ 9.117. [Reserved].**Source**

The provisions of this § 9.117 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended October 25, 1996, effective October 26, 1996, 26 Pa.B. 5101; reserved January 3, 2003, effective January 4, 2003, 33 Pa.B. 28. Immediately preceding text appears at serial page (246262).

§ 9.118. [Reserved].**Source**

The provisions of this § 9.118 amended May 20, 1983, effective May 21, 1983, 13 Pa.B. 1717; amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; amended October 25, 1996, effective October 26, 1996, 26 Pa.B. 5101; reserved January 3, 2003, effective January 4, 2003, 33 Pa.B. 28. Immediately preceding text appears at serial pages (246262) to (246263).

§ 9.120. [Reserved].**Source**

The provisions of this § 9.120 amended May 20, 1983, effective May 21, 1983, 13 Pa.B. 1717; amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (221115).

§ 9.121. [Reserved].**Source**

The provisions of this § 9.121 amended through March 9, 1984, effective March 10, 1984, 14 Pa.B. 832; reserved February 6, 1987, effective February 7, 1987, 17 Pa.B. 653. Immediately preceding text appears at serial page (113949).

§ 9.131. [Reserved].

Source

The provisions of this § 9.131 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended June 23, 1989, effective June 24, 1989, 19 Pa.B. 2657; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273; reserved January 3, 2003, effective January 4, 2003, 33 Pa.B. 28. Immediately preceding text appears at serial page (246263).

§ 9.132. [Reserved].

Source

The provisions of this § 9.132 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273; reserved January 3, 2003, effective January 4, 2003, 33 Pa.B. 28. Immediately preceding text appears at serial pages (246263) to (246264).

§ 9.133. [Reserved].

Source

The provisions of this § 9.133 reserved January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30181).

§ 9.134. [Reserved].

Source

The provisions of this § 9.134 reserved January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30181).

§ 9.135. [Reserved].

Source

The provisions of this § 9.135 reserved January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30181).

ARCHITECT'S SEAL OF LICENSURE

§ 9.141. Requirement.

(a) A licensee shall, upon licensure, obtain a metal seal, of the design authorized by the Board, bearing the licensee's name and license number and the legend, "Architect." A stamp design identical to the prescribed seal may be obtained and used in lieu of, or in conjunction with, a seal.

(b) The following rules govern the proper use of an architect's seal:

(1) An architect may use his seal and signature only when the work being sealed and signed was prepared by the architect or under the architect's personal supervision, direction and control.

(2) When an architect issues final or complete documents to a client for the client's records, or when an architect submits final or complete documents to public or governmental agencies for final review, the seal and signature of the architect who prepared or who personally supervised the preparation of the

documents, along with the date of issuance, shall be prominently displayed on the first page of all documents. Facsimile seals shall appear on all subsequent pages of plans.

(3) When an architect's signature is applied, it shall be applied near or across the seal, but not in a location that obliterates the license number.

(4) An architect may not affix or permit a seal and signature to be affixed to a document if the architect's license has lapsed, or for the purpose of aiding or abetting another person to evade or attempt to evade a provision of the act or this chapter.

Authority

The provisions of this § 9.141 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Law (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.141 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (206077).

Cross References

This section cited in 49 Pa. Code § 9.151 (relating to standards of professional conduct).

§ 9.142. Unlawful use of seal or stamp.

(a) An architect may not seal or stamp a document unless his license is current with the Board.

(b) An architect may not impress the seal or stamp, or knowingly permit it to be impressed or affixed, on drawings, specifications or other design documents which were not prepared by the architect or under his direct supervision.

Authority

The provisions of this § 9.142 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Law (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.142 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (206078).

Cross References

This section cited in 49 Pa. Code § 9.151 (relating to standards of professional conduct); and 49 Pa. Code § 43b.11a (relating to schedule of civil penalties—architects).

§ 9.143. Design.

(a) A licensee may not design his own seal or stamp except as provided in this chapter.

(b) A seal or stamp combining the names of a number of architects in a firm may be used in lieu of individual seals or stamps, if the names of the individual licensees, their license numbers and the legend "Architects" appear on the combined seal or stamp, and the members of the firm are licensed to practice architecture in this Commonwealth. If one or more members of the firm are not licensed by the Board, the individual architect who is professionally responsible for the work of the firm in this Commonwealth is required to use his individual seal or stamp on that work.

(c) A reproduction of a stamp identical to the prescribed stamp may be used.

(d) This section does not relieve an individual architect whose name appears on the combined seal or stamp of a responsibility mandated in the act and this chapter.

Authority

The provisions of this § 9.143 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Law (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.143 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (206078).

Cross References

This section cited in 49 Pa. Code § 9.151 (relating to standards of professional conduct).

§ 9.144. [Reserved].**Source**

The provisions of this § 9.144 amended February 6, 1987, effective February 7, 1987, 17 Pa.B. 653; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (206079).

§ 9.145. Surrender of seals and stamps.

(a) If an architect voluntarily surrenders or is required to surrender his seal and stamp to the Board, the surrender shall be made in person or by registered mail to the office of the Board. If the cause of the surrender is forfeiture or revocation, the seal or stamp, or both, will be destroyed by the Board. The destruction will be noted for the record in the file of the architect named on the seal or stamp, or both. If the cause of surrender is suspension, the seal or stamp will be

held in security by the Board until the period of the suspension is concluded or the conditions of the suspension have been complied with to the satisfaction of the Board, or both.

(b) Upon the death of an architect, written notice of the death shall be submitted to the Board by the architect's personal representative. Upon receipt of the notice, the Board will declare the license number and the stamp or seal, or both, of the deceased architect void.

Authority

The provisions of this § 9.145 issued under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.145 adopted January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (206079).

Cross References

This section cited in 49 Pa. Code § 9.151 (relating to standards of professional conduct).

§ 9.146. Loss or theft of seals.

An architect shall immediately notify the Board upon discovery that his stamp or seal, or both, has been lost or stolen. Upon receipt of the notice, the Board will declare the lost or stolen stamp or seal void, and will authorize the issuance of a new registration number and the manufacture of a new stamp or seal. It is unlawful for a person to use the old stamp or seal.

Authority

The provisions of this § 9.146 issued under sections 5(a), 6(a), (c) and (d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a), (c) and (d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.146 adopted January 30, 1987, effective January 31, 1987, 17 Pa.B. 542.

CONDUCT OF LICENSED ARCHITECT

§ 9.151. Standards of professional conduct.

An architect who fails to adhere to the standards of professional conduct in this section is subject to disciplinary action under section 19(4) of the act (63 P. S. § 34.19(4)). Unprofessional conduct includes, but is not limited to, the following:

- (1) Failure to exercise due regard for the safety, life and health of the public, an employe or other individual who may be affected by the professional work for which he is responsible.

- (2) Knowingly permitting, without proper authorization, substantial deviation from plans or specifications by a contractor or supplier, when professional observation of the work is the architect's contractual responsibility.
- (3) Knowingly practicing architecture in violation of relevant State and municipal building laws and regulations.
- (4) Knowingly permitting, aiding or abetting an unlicensed or an unregistered person, partnership, association or corporation to perform activities requiring a license as an architect or registration.
- (5) Knowingly engaging in or condoning dishonest or fraudulent activity.
- (6) Paying or offering to pay, either directly or indirectly, a gift, bribe, kickback or other consideration to influence the award of a commission for work, or to secure payment on or the continuation of work in progress.
- (7) Accepting or soliciting a substantial gift, bribe, commission or other consideration, either directly or indirectly, from a contractor, supplier or other party attempting to influence or otherwise affect the architect's professional relationship with a client or employer.
- (8) Having a financial interest in the earnings of a contractor or supplier on work for which the architect has assumed professional responsibility, without full disclosure to and the approval of a client or employer.
- (9) Knowingly making or issuing a statement that is misleading, deceptive or fraudulent in regard to any aspect of his professional responsibilities or capabilities.
- (10) Using an architect's seal or stamp in violation of section 12 of the act (63 P. S. § 34.12) and §§ 9.141—9.143 and 9.145 (relating to architect's seal of licensure).
- (11) Verifying a candidate's IDP Council record that work was performed with skill, diligence and care when the architect knows that the work was not performed or was performed without skill, diligence and care.
- (12) Knowingly misrepresenting his qualifications to a prospective or existing client or employer.

Authority

The provisions of this § 9.151 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.151 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (206080) to (206081).

Notes of Decisions*Effect of Renewal*

Because a license renewal “is neither a statute of limitations nor a determination of a licensee’s continued qualification to practice the profession or occupation upon which the licensee may rely, [a] renewal does not estop the Board from later instituting proceedings to suspend or revoke an architect’s license.” *Gangewere v. State Architects Licensure Board*, 512 A.2d 1301 (Pa. Cmwlth. 1986).

§ 9.152. [Reserved].**Source**

The provisions of this § 9.152 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (206081).

§ 9.153. Discriminatory practices.

As provided in section 9 of the Pennsylvania Human Relations Act (43 P. S. § 959), the Board will, upon notice from the Pennsylvania Human Relations Commission, review the licensure status of an architect licensed by the Board and found to have been engaged in unlawful discriminatory practices by the Pennsylvania Human Relations Commission. A finding of unlawful discriminatory practice will result in a formal hearing before the Board, and will result in the revocation or suspension of the architect’s license, or other action as the Board may deem appropriate.

Authority

The provisions of this § 9.153 amended under sections 5(a), 6(a), (c) and (d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a), (c) and (d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.153 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30184).

PROFESSIONAL AND CORPORATE PRACTICE**§ 9.161. Compliance with applicable statutes.**

An architect or group of architects may elect to practice architecture professionally as a sole proprietorship, a partnership, a professional association, a professional corporation, a limited liability company, a limited liability partnership or a business corporation. A practice so elected shall be formed and conducted under the act and this chapter. In addition, the practice shall comply as follows:

- (1) In the case of a sole proprietorship, the owner for the practice of architecture as defined at section 3 of the act (63 P. S. § 34.3) shall be an architect licensed by the Board.
- (2) In the case of a partnership, with 15 Pa.C.S. Chapter 83 (relating to the Uniform Partnership Act).

(3) In the case of a professional corporation, with 15 Pa.C.S. Chapter 29 (relating to professional corporations).

(4) In the case of a business corporation, with 15 Pa.C.S. Part II, Subpart B (relating to the Business Corporation Law of 1988).

(5) In the case of a professional association, with 15 Pa.C.S. Chapter 93 (relating to the Professional Association Act of 1988).

(6) In the case of a limited liability company, with 15 Pa.C.S. Chapter 89 (relating to limited liability companies).

(7) In the case of a limited liability partnership, with 15 Pa.C.S. Chapter 82 (relating to limited liability partnerships).

(8) The business form chosen by an architect may not affect the statutes of the Commonwealth applicable to the professional relationship or the contract, tort or other legal rights, duties and liabilities between the architect and the person receiving architectural services.

Authority

The provisions of this § 9.161 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and (j) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and (j) and 34.14).

Source

The provisions of this § 9.161 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273; amended January 9, 2004, effective January 10, 2004, 34 Pa.B. 235. Immediately preceding text appears at serial pages (261689) to (261690).

§ 9.162. Firm practice.

The practice of architecture may be conducted in one of the following business forms:

(1) A sole proprietorship, when the owner is a licensee of the Board.

(2) A partnership (general or limited liability) or professional association, when the following exist:

(i) At least two-thirds of the partners or members are licensed in a state to practice architecture, engineering or landscape architecture.

(ii) At least one-third of the partners or members are licensed in a state to practice architecture.

(iii) At least one partner or member is a licensee of the Board.

(3) A professional corporation, when the following exist:

(i) Every shareholder is licensed in a state to practice architecture, engineering or landscape architecture.

(ii) At least one shareholder is a licensee of the Board.

(4) A business corporation, when the following exist:

(i) At least two-thirds of the directors are licensed in a state to practice architecture, engineering or landscape architecture.

- (ii) At least one-third of the directors are licensed in a state to practice architecture.
 - (iii) At least one director is a licensee of the Board.
 - (iv) At least two-thirds of each class of voting stock issued or outstanding at one time are owned by architects, engineers or landscape architects.
 - (v) At least one-third of each class of voting stock issued or outstanding at one time are owned by individuals licensed in a state to practice architecture.
- (5) A limited liability company, when the following exist:
- (i) At least two-thirds of the members if managed by members or at least two-thirds of the managers if managed by managers are licensed under the laws of any state to practice architecture, engineering or landscape architecture.
 - (ii) At least one-third of the members if managed by members or at least one-third of the managers if managed by managers are licensed under the laws of any state to practice architecture.
 - (iii) At least one member or manager is a licensee of the Board.
 - (iv) At least two-thirds of all classes of voting membership at any one time shall be owned by an individual licensed under the laws of any state to practice architecture, engineering or landscape architecture.
 - (v) At least one-third of all classes of voting membership at any one time shall be owned by an individual licensed under the laws of any state to practice architecture.

Authority

The provisions of this § 9.162 amended under sections 5(a), 6(a), (c) and (d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and (j) and 14 of the Architects Licensure Law (63 P.S. §§ 34.5(a), 34.6(a), (c) and (d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and (j) and 34.14).

Source

The provisions of this § 9.162 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended January 9, 2004, effective January 10, 2004, 34 Pa.B. 235. Immediately preceding text appears at serial pages (261690) and (246271).

Cross References

This section cited in 49 Pa. Code § 9.163 (relating to prior approval by the Board); 49 Pa. Code § 9.164 (relating to exception for two owners); and 49 Pa. Code § 9.175 (relating to firm or business names).

§ 9.163. Prior approval by the Board.

The practice of architecture may not be conducted in one of the business forms specified at § 9.162 (relating to firm practice) without first receiving the written approval of the Board. Written approval shall be sought by submitting a completed application on forms provided by the Board along with the following documents to the Board:

(1) A copy of the completed Fictitious Name Application, Articles of Incorporation, Articles of Association, Partnership Agreement, Certificate of Authority or other relevant agreement or contract of association. If none of these documents apply to the particular business structure, composition or name of the firm, the rest of the filing requirements in this section shall be complied with.

(2) A copy of the proposed letterhead, containing thereon the names of the principals, followed by credentials indicating their respective professions, as well as the word “architect” or some derivation thereof as part of the name of the business, or as a subtitle thereto. At least one of the principals listed shall be a licensee of the Board. For purpose of this paragraph, “principal” means an officer, principal stockholder or person having a substantial interest in or management responsibility for an architectural practice.

(3) A complete list of the names of the individuals interested in the business as proposed, with specification for each as to profession, license number and state of licensure, if applicable, and percent of ownership. The list shall contain or have appended to it certification that the referenced licensed professionals are currently licensed by and in good standing with their state of licensure.

(4) Certification in writing that the owners will notify the Board prior to changes in the proposed ownership of the business, whenever the changes are contemplated. Proposed changes shall be reviewed and approved in writing by the Board prior to their implementation.

Authority

The provisions of this § 9.163 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and (j) and 14 of the Architects Licensure Law (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and (j) and 34.14).

Source

The provisions of this § 9.163 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273; amended January 9, 2004, effective January 10, 2004, 24 Pa.B. 235. Immediately preceding text appears at serial pages (246271) to (246272).

Cross References

This section cited in 49 Pa. Code § 9.171 (relating to the title “Architect”); 49 Pa. Code § 9.176 (relating to the use of associates or unlicensed persons in firm names); and 49 Pa. Code § 43b.11a (relating to schedule of civil penalties—architects).

§ 9.164. Exception for two owners.

Section 9.162 (relating to firm practice) will not be construed to prevent the practice of architecture in a business form which is wholly owned by only two persons. The partnership, professional association, professional corporation, lim-

ited liability company, limited liability partnership or business corporation shall have at least one owner who is a licensee of the Board, and who owns at least 50% of the business.

Authority

The provisions of this § 9.164 issued under sections 5(a), 6(a), (c) and (d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and (j) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a), (c) and (d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and (j) and 34.14).

Source

The provisions of this § 9.164 adopted January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended January 9, 2004, effective January 10, 2004, 34 Pa.B. 235. Immediately preceding text appears at serial page (246272).

§ 9.165. Architect as employe.

(a) Nothing in this chapter may be construed to prevent the employment of an architect by a business which is not engaged in the practice of architecture as defined in section 3 of the act (63 P. S. § 34.3), if the work performed by the employed architect concerns the modification of or the origination and supervision of the design or the construction of structures, or both, which the employer intends to utilize for its nonarchitectural business purpose. The employed architect shall be a licensee of the Board.

(b) This section does not prevent registered engineers from performing, or employing architects to perform, architectural services incidental to the practice of engineering, as provided in section 15(2) of the act (63 P. S. § 34.15(2)).

Authority

The provisions of this § 9.165 issued under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Law (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.165 adopted January 30, 1987, effective July 31, 1988, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (206085).

Notes of Decisions*Employment of Architect*

This section which limits the purposes for which an architect may be employed by a nonarchitectural firm is valid and not in conflict with the architect's licensure law. *Consulting Engineers Council of Pennsylvania v. State Architects Licensure Board*, 560 A.2d 1375 (Pa. 1989).

A nonarchitectural firm may employ a staff architect for architectural work, so long as the nonarchitectural firm uses the staff architect for its own internal purposes and does not market those architectural services to the public. *Consulting Engineers Council of Pennsylvania v. State Architects Licensure Board*, 551 A.2d 380, 383 (Pa. Commw. 1989); affirmed by *Consulting Engineers Council of Pennsylvania v. State Architects Licensure Board*, 560 A.2d 1375 (Pa. 1989).

USE OF NAMES**§ 9.171. The title “Architect.”**

(a) Neither the title “Architect” nor “Architects” may be affixed or otherwise used in conjunction with a surname, word or business title when the use would imply that an individual, associate, partner, corporate officer or business is engaged in the practice of architecture when, in fact, the individual, associate, partner, corporate officer or business is not a person or business licensed or registered and approved by the Board under § 9.163 (relating to prior approval by the Board).

(b) Candidates for examination or awaiting the results of an examination may not use the title “architect.”

Authority

The provisions of this § 9.171 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Law (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.171 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (206086).

Cross References

This section cited in 49 Pa. Code § 43b.11a (relating to schedule of civil penalties—architects).

§ 9.172. [Reserved].**Source**

The provisions of this § 9.172 reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (206086).

§ 9.173. [Reserved].**Source**

The provisions of this § 9.173 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; reserved July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (206086) to (206087).

§ 9.174. [Reserved].**Source**

The provisions of this § 9.174 reserved January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30186).

§ 9.175. Firm or business names.

(a) An architect, group of architects or business organized for the practice of architecture under section 13 of the act (63 P. S. § 34.13) and § 9.162 (relating to firm practice) may use a firm name which incorporates the surnames of the owners or use a fictitious name if the firm files a certificate with the Board stating the name of the firm and the name and address of each person engaging in the practice.

(1) If a fictitious name is used, the name chosen shall contain the word “architect” or some derivation thereof, or shall be directly modified by a subtitle indicating that the purpose of the business is the practice of architecture.

(2) By use of a fictitious name, a firm may not use a surname, word, letters or figures indicating or intended to imply that the firm is engaged in a professional practice other than the practice of architecture and other professions as may be allowed under this chapter.

(b) An architect engaged in the practice of architecture individually or as a firm shall notify the Board upon his retiring or withdrawing from practice.

Authority

The provisions of this § 9.175 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Law (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.175 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (206087).

§ 9.176. The use of associates or unlicensed persons in firm names.

The name of an architectural firm may also carry the words associate or associates, or may include the name of an unlicensed person, if approval of the name under § 9.163 (relating to prior approval by the Board) has been secured from the Board. If associates or unlicensed persons are used in the name or upon the stationery, letterhead, title block, specifications or another document prepared by the firm, the use may not imply that the unlicensed individual is licensed.

Authority

The provisions of this § 9.176 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.176 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (206087) to (206088).

§ 9.177. Use of names of deceased, withdrawn or retired persons in firm names.

The names of deceased, withdrawn or retired sole owners, partners or shareholders may be retained in the firm name after their death, withdrawal or retirement only if:

- (1) There is a written agreement providing for the continued use of the names between the deceased, withdrawn or retired persons and the succeeding owners of the firm.
- (2) The parties to the written agreement have been active partners, association members or shareholders for at least 5 years at the time of death, withdrawal or retirement.
- (3) The names of deceased, withdrawn or retired owners, partners, professional association members or shareholders are appropriately included on the firm stationery with suitable indication of status.
- (4) The names of deceased, withdrawn or retired owners, partners, professional association members or shareholders are not carried in the firm name for more than 2 years after the death, withdrawal or retirement, unless the written agreement between the parties specifies otherwise.
- (5) A copy of the written agreement is filed with the Board at the time of the death, withdrawal or retirement, and the agreement receives the written approval of the Board.

Authority

The provisions of this § 9.177 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.177 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (206088) to (206089).

PROCEDURES FOR COMPLAINTS**§ 9.181. Filing of complaints.**

Any person, firm, corporation or public officer may submit a written complaint regarding the practice of architecture to the Complaints Office of the Bureau.

Authority

The provisions of this § 9.181 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.181 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (206089).

Cross References

This section cited in 49 Pa. Code § 9.182 (relating to records of charges against an architect).

§ 9.182. Records of charges against an architect.

A written statement under § 9.181 (relating to filing of complaints) shall be formally filed, and referred to the Office of Prosecution of the Bureau, which shall cause an investigation to be conducted.

Authority

The provisions of this § 9.182 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.182 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial page (206089).

Cross References

This section cited in 49 Pa. Code § 9.202 (relating to records of charges).

§ 9.183. Supporting evidence.

A charge made against an architect, group of architects or architectural firm shall be pleaded with specificity, and shall be accompanied by evidence supporting the allegations, if evidence is available to the complainant. If the complainant

is unable to provide evidence, the complainant shall indicate specifically where evidence may be found, reviewed or sought.

Authority

The provisions of this § 9.183 amended under sections 5(a), 6(a), (c) and (d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a), (c) and (d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.183 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30189).

§ 9.184. Applicability of general rules.

This chapter supplements 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) and 1 Pa. Code Part II (relating to general rules of administrative practice and procedure), for proceedings before the Board.

Authority

The provisions of this § 9.184 amended under sections 5(a), 6(a), (c) and (d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a), (c) and (d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.184 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30189).

Cross References

This section cited in 49 Pa. Code § 9.185 (relating to hearings).

§ 9.185. Hearings.

(a) Investigations into charges raised in filed complaints may result in a determination to proceed to a formal hearing to consider disciplinary action against the person charged.

(b) Every phase of a proceeding shall be conducted under § 9.184 (relating to applicability of general rules).

(c) If a licensee is called before the Board, the licensee has the right to have counsel present.

Authority

The provisions of this § 9.185 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.185 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (206090) to (206091).

§ 9.186. Disqualification of a Board member.

If, for personal reasons, a member of the Board finds that he should not act on any charge before the Board, he may disqualify himself from acting in the proceedings. By majority vote, the Board may request but cannot demand that a member of the Board so disqualify himself. Suggestions by any party that any member of the Board should disqualify himself shall be included in the record of the proceedings and will be considered by the Board.

§ 9.187. Absence from the hearing.

Appearance at a hearing may be waived by the accused. If so waived, the hearing shall proceed at the time and place set in the notice of the hearing, and the waiver will be noted in the record.

Authority

The provisions of this § 9.187 amended under sections 5(a), 6(a), (c) and (d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a), (c) and (d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.187 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30190).

§ 9.188. [Reserved].**Source**

The provisions of this § 9.188 reserved January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30190).

§ 9.189. [Reserved].**Source**

The provisions of this § 9.189 reserved January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30190) to (30191).

§ 9.190. Return of license.

In the event of revocation or suspension of a license, the licensee shall be required to immediately return his license and his current biennial renewal card. The licensee's seal and stamp will also be impounded by the Board.

Authority

The provisions of this § 9.190 amended under sections 6(a), (b) and (d), 8(b), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.6(a), (b) and (d), 34.8(b), 34.13(h) and 34.14).

Source

The provisions of this § 9.190 amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (206091) to (206092).

CHARGES AGAINST A NONARCHITECT

§ 9.201. Charges and complaints.

(a) Charges brought against a nonarchitect alleging the unauthorized practice of architecture in violation of section 18 of the act (63 P. S. § 34.18) may be brought by a person or group of persons, and shall be brought to the attention of the Board by the filing of a written statement with the Complaints Office of the Bureau.

(b) Charges shall plead the allegations raised with specificity, and may include, but are not limited to, the following:

- (1) Verbal, printed or written representation that the communicator is a registered architect.
- (2) Use of a stamp or seal belonging to a registered architect, where the use is not authorized by the owner of the stamp or seal.
- (3) Providing or offering to provide architectural services.
- (4) Ownership of a professional association, professional corporation, partnership or business corporation that violates section 13 of the act (63 P. S. § 34.13).
- (5) Ownership of a sole proprietorship that engages in the practice of architecture.

Authority

The provisions of this § 9.201 amended under sections 5(a), 6(a), (c) and (d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a), (c) and (d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.201 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30191).

Cross References

This section cited in 49 Pa. Code § 9.202 (relating to records of charges).

§ 9.202. Records of charges.

(a) A written statement under § 9.201 (relating to charges and complaints) shall be formally filed, and referred to the Board Prosecutor, for treatment under § 9.182 (relating to records of charges against an architect).

(b) A determination as to whether to proceed further on the filed charges shall be made by the Office of Prosecution of the Bureau. Licensed architects may be employed as necessary to provide expertise required for the review of the architectural aspects of a complaint and to assist in the prosecution of individual cases.

Authority

The provisions of this § 9.202 amended under sections 5(a), 6(a)—(d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a)—(d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.202 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (206092) to (206093).

§ 9.203. Supporting evidence.

Charges made against a nonarchitect shall be accompanied by evidence supporting the allegations, if evidence is available to the complainant without undue risk, threat or harm. If the complainant is unable to provide evidence, he shall indicate specially where evidence may be found, reviewed or sought.

Authority

The provisions of this § 9.203 amended under sections 5(a), 6(a), (c) and (d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a), (c) and (d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.203 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30191).

§ 9.204. Applicability of general rules.

This chapter supplements 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) and 1 Pa. Code Part II (relating to general rules of administrative practice and procedure).

Authority

The provisions of this § 9.204 amended under sections 5(a), 6(a), (c) and (d), 8(b) and (c), 10(b), 11(a), 12(a) and (c), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.5(a), 34.6(a), (c) and (d), 34.8(b) and (c), 34.10(b), 34.11(a), 34.12(a) and (c), 34.13(h) and 34.14).

Source

The provisions of this § 9.204 amended January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30192).

§ 9.205. [Reserved].**Source**

The provisions of this § 9.205 reserved January 30, 1987, effective January 31, 1987, 17 Pa.B. 542. Immediately preceding text appears at serial page (30192).

ROSTER OF ARCHITECTS**§ 9.211. Identification of classes of licensure.**

Classes of licensure as an architect in this Commonwealth shall be limited to Classes X and B.

(1) *Class X.* Licensure by examination.

(2) *Class B.* Licensure by reciprocity may be granted to a practicing architect who holds a current license, in good standing, in any other state or country whose requirements for obtaining licensure are equal to those required under the act.

Authority

The provisions of this § 9.211 amended under sections 6(a), (b) and (d), 8(b), 13(h) and 14 of the Architects Licensure Act (63 P. S. §§ 34.6(a), (b) and (d), 34.8(b), 34.13(h) and 34.14).

Source

The provisions of this § 9.211 corrected September 16, 1994, effective September 2, 1978, 24 Pa.B. 4678; amended July 10, 1998, effective July 11, 1998, 28 Pa.B. 3273. Immediately preceding text appears at serial pages (206094) to (206095).

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