



NEVADA STATE BOARD OF ARCHITECTURE, INTERIOR DESIGN & RESIDENTIAL DESIGN

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NOTICE

To: All Registrants

From: Larry Tindall, Chairman
Nevada State Board of Architecture, Interior Design and Residential Design

Date: March 3, 2005

Re: Working with unlicensed individuals

Nevada is one of the fastest growing states in the country. The rapid growth has brought with it a proliferation of individuals who are not licensed in this state, but are practicing architecture, registered interior design and residential design. Because the Board is charged with protecting the health, safety and welfare of the public, it wants to make certain that the actions of these unlicensed persons do not put those in our state at risk.

The Board understands that some of these unlicensed individuals will be working with registrants to complete projects in Nevada. The Board would like to ensure that all registrants avoid violating NRS 623.270.1(e) by understanding the appropriate method in which to associate with an unlicensed individual for a project in Nevada. This statute reads:

NRS 623.270 Grounds; conditions for probation.

1. The Board may place the holder of any certificate of registration issued pursuant to this chapter on probation, reprimand him, fine him not more than \$10,000, suspend or revoke his license, impose the costs of investigation and prosecution upon him or take any combination of these disciplinary actions, if proof satisfactory to the Board is present that:

(e) The holder of a certificate has aided or abetted any unauthorized person to practice:

- (1) Architecture or residential design; or*
- (2) As a registered interior designer.*

It is the Board's opinion that in order for a registrant to work with an unlicensed individual who practices architecture, registered interior design or residential design for a project in Nevada, the following four elements are required:

1. The registrant must have a written agreement with the owner, which outlines the registrant's responsibilities and scope of service.
2. The registrant must have a written agreement with the unlicensed individual, which shows that the registrant is in responsible control of the unlicensed individual's work.
3. The registrant must be in responsible control of the unlicensed individual's work from the beginning of the project.
4. The unlicensed individual may only act as a consultant to the registrant.

If a registrant works with an unlicensed individual on a project for which he does not have a written agreement, the registrant is viewed as not having the responsible control that is required to protect the public. This is considered aiding and abetting unlicensed practice.

If the unlicensed individual has already prepared drawings for a project in Nevada, the registrant must re-draw the design that has been prepared by the unlicensed individual, thereby taking responsible control. A registrant may not review the unlicensed individual's drawings, make modifications and then plot the drawings on his own title block. Such action would be considered "plan stamping" and a violation of NRS 623.270.1(d).

Additionally, if a registrant becomes aware of unlawful activity relating to the practice of architecture, registered interior design or residential design, he must report the unlawful activity to the Board or risk being in violation of the Board's statutes and rules.

This information is being provided to all registrants to assure compliance with Chapter 623 of the Nevada Revised Statutes. If you have any questions, please contact the Board office at (702) 486-7300.