



NEVADA STATE BOARD OF ARCHITECTURE, INTERIOR DESIGN & RESIDENTIAL DESIGN

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**NOTICE REGARDING GENERAL CONTRACTORS PRACTICING
ARCHITECTURE FOR PROJECTS LOCATED IN NEVADA**

JUNE 16, 2003

The Nevada State Board of Architecture, Interior Design & Residential Design (Board) is charged with protecting the health, safety and welfare of the public and in doing so, is interested in educating contractors who may unknowingly be aiding and abetting the unlicensed practice of architecture, and violating Chapter 623 of the NRS by providing architectural services that are not for their own construction activities.

The applicable statute is being provided to remind contractors of the exemption under Chapter 623 of the Nevada Revised Statutes.

NRS 623.330(1)(d) Exemptions; civil and criminal liability

1. *The following persons are exempt from the provisions of this chapter:*

(d) *A contractor licensed pursuant to the provisions of chapter 624 of NRS who provides his own drawings for his own construction activities.*

The intent of this statute is to allow a contractor to prepare architectural plans for the contractor's own construction activities. The exemption does not allow a contractor to hire a draftsman to prepare architectural plans on a sub-contract basis for the contractor's own construction activities. To do so, would constitute a violation of unlicensed practice of architecture.

Further, any unlicensed person preparing architectural plans for a contractor's own construction activities must be an employee of the contractor. Any other arrangement with an unlicensed individual is the unlicensed practice of architecture, and a violation of Nevada law. Contractors wishing to subcontract out design work may contract with the appropriate registered design professional (i.e. architect, registered interior design or residential designer).

If a contractor licensed pursuant to Chapter 624 of the NRS prepares a set of architectural plans that are not for his own construction activities, the contractor is considered to be practicing unlicensed architecture that is outside the scope of the exemption and subject to the following penalties.

NRS 623.360 Prohibited acts; penalties; injunctive relief.

1. *It is unlawful for any person to:*

NRS 623.360.1(a) Hold himself out to the public or solicit business as an architect, registered interior designer or residential designer in this state without having a certificate of registration or temporary certificate issued by the Board.

NRS 623.360.1(b) Advertise, put out any sign, card or other device which indicates to the public that he is an architect, registered interior designer or residential designer or that he is otherwise qualified to:

- (1) Engage in the practice of architecture or residential design; or*
- (2) Practice as a registered interior designer,*

without having a certificate of registration issued by the Board.

NRS 623.360.1(c) Engage in the practice of architecture or residential design or practice as a registered interior designer without a certificate of registration issued by the Board.

Nevada Revised Statutes (NRS) 623.365 states that in addition to any other civil penalty provided by law, a person who violates any provision of NRS 623 or any regulation adopted by the board is subject to a civil penalty of not more than \$10,000 for each violation.

This Board is interested in providing education and assistance to preclude these type of violations from happening. If you have any questions regarding the architectural services your business is providing, please contact this agency for further clarification.

If you are interested in becoming registered as an architect, registered interior designer or residential designer in the state of Nevada, please contact the Administrative Division of the Nevada State Board of Architecture, Interior Design and Residential Design, to learn about the minimum qualifications required to obtain a certificate of registration from this Board.

This information is being provided to contractors to assure compliance with Chapter 623 of the Nevada Revised Statutes.

Sincerely,

NEVADA STATE BOARD OF ARCHITECTURE,
INTERIOR DESIGN & RESIDENTIAL DESIGN

Greg Erny, Chairman