

Regulations of Connecticut State Agencies

TITLE 20. Professional & Occupational Licensing, Certification

Agency

Department of Consumer Protection

Subject

Architect Licensure

Inclusive Sections

§§ 20-289-1—20-289-14

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Sec. 20-289-1—20-289-6. Repealed

Repealed April 22, 1988.

Sec. 20-289-7. Transferred

Transferred to Sec. 20-289-7a, January 3, 2018

(Effective April 22, 1988; Amended December 4, 1998; Amended June 18, 2015; Amended January 3, 2018; *Transferred to § 20-289-7a, January 3, 2018*)

Sec. 20-289-8. Transferred

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Sec. 20-289-9. Transferred

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Sec. 20-289-10. Repealed

Repealed December 29, 1981.

Sec. 20-289-11—20-289-12. Repealed

Repealed April 22, 1988.

Sec. 20-289-13. Repealed

Repealed September 2, 1977.

Sec. 20-289-14. Transferred

Transferred to Sec. 20-289-12a, January 3, 2018

(Effective April 22, 1988; Amended January 3, 2018; *Transferred to § 20-289-12a, January 3, 2018*)

Architect Licensure

Sec. 20-289-1a. Definitions

Unless otherwise expressly stated, the following terms have, for the purposes of sections 20-289-1a to 20-289-12a, inclusive, of the Regulations of Connecticut State Agencies, the meanings indicated in this section: (1) “Applicant” means a person who has the

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qualifications for admission to examinations and who has filed with the department an application for licensure accompanied by the examination fee; (2) “A.R.E.” means the Architect Registration Examination as prepared by N.C.A.R.B.; (3) “board” means Connecticut Architectural Licensing Board; (4) “commissioner” means the Commissioner of Consumer Protection or said Commissioner’s authorized designee; (5) “construction” means any new construction, enlargement or alteration of any building or project; (6) “department” means the Department of Consumer Protection; (7) “licensed architect” means a person duly licensed as an architect by the board to engage in the practice of architecture; (8) “N.A.A.B.” means the National Architectural Accrediting Board; (9) “N.C.A.R.B.” means the National Council of Architectural Registration Boards; (10) “N.E.C.A.R.B.” means the New England Council of Architectural Registration Boards; (11) “plans” means any drawings or graphic representations or any combination of drawings or graphic representations, or reproduction thereof, prepared for the purpose of illustrating proposed or intended designs for the construction; and (12) “specifications” means detailed statements of particulars for construction.

(Effective April 22, 1988; Amended December 4, 1998; Amended January 3, 2018)

Sec. 20-289-2a. Board procedures

(a) **Board Meetings.** In addition to the four regular meetings prescribed by law, the board shall hold additional meetings at the call of its Chairman who shall give due notice of the time and place. Three (3) members of the board shall constitute a quorum for the transaction of business.

(b) **N.C.A.R.B.**

(1) The board shall maintain membership in N.C.A.R.B. and pay the necessary costs therefor.

(2) The board shall keep up to date information on the syllabus and the policies adopted by N.C.A.R.B.

(3) The board shall participate with the N.C.A.R.B. in establishing uniform standards of professional qualification throughout the United States.

(c) **N.E.C.A.R.B.**

(1) The board shall maintain membership in N.E.C.A.R.B. and pay the necessary costs therefor.

(2) The board shall participate with other member boards of N.E.C.A.R.B. for the purpose of coordinating with the department to establish like policies and standards among the boards in qualifying applicants for licensing, preparing, conducting and grading examinations, and in giving assistance in the enforcement of laws regulating the practice of architecture.

(d) **Interviews.** The board may, at its discretion, grant informal interviews to clarify questions concerning an applicant or licensee.

(Effective April 22, 1988; Amended December 4, 1998; Amended January 3, 2018)

Sec. 20-289-3a. Application procedures

(a) **Filing.** Application for licensure shall be made on forms prescribed by the commissioner and shall be filled in completely and accompanied by the proper fee.

(b) **Eligibility.**

(1) To be eligible for admission to the A.R.E., an applicant shall hold an N.A.A.B. accredited degree or have satisfied N.C.A.R.B.'s education requirements as specified in the N.C.A.R.B. education standard, as presently in effect, which is incorporated in sections 20-289-1a to 20-289-6a, inclusive, of the Regulations of Connecticut State Agencies by reference.

Copies of the N.C.A.R.B. education standard may be obtained from N.C.A.R.B.

(2) Any individual wishing to be admitted to the A.R.E. and unable to satisfy the requirements of this section, may apply to the department for a determination of such individual's eligibility for admission to the A.R.E. The board or commissioner may allow such individual to be admitted to the A.R.E. if the board or commissioner determines that (A) circumstances exist that warrant said individual's admission to the A.R.E., and (B) the individual possesses sufficient credentials in the areas of education, experience and training.

(c) **NAAB Accredited Degree.** An N.A.A.B. accredited degree is a professional degree in architecture earned in a degree program accredited by the N.A.A.B. at the time of the applicant's receipt of such professional degree or within two years thereafter.

(Effective April 22, 1988; Amended August 26, 1996; Amended December 4, 1998; Amended January 3, 2018)

Sec. 20-289-4a. Examination procedures

(a) The examination for applicants who are eligible for admission shall be the current A.R.E. as prepared by N.C.A.R.B.

(b) **Conditions of the examination:**

(1) the board shall determine applicant eligibility and forward eligibility information to N.C.A.R.B.;

(2) applicants may take the A.R.E. at any N.C.A.R.B.-approved test center;

(3) the department shall accept the examination results as determined by N.C.A.R.B. and shall report the results to the applicant; and

(4) if an applicant violates any examination rule, the board or commissioner may, after a hearing, void the results of such examination and prohibit the applicant from taking future examinations, or any part thereof, for a specific period of time.

(c) The fees for the examination shall be as prescribed by Section 20-292 of the Connecticut General Statutes.

(d) After the examination, scores are properly recorded in the permanent record.

(e) Inquiries regarding examinations may be made in accordance with the current N.C.A.R.B. Examination Rules and Regulations. Copies of the N.C.A.R.B. Examination Rules and Regulations may be obtained from N.C.A.R.B.

(f) Whether conducted in this state or another, all records of the examination, pursuant

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to this section, taken under the provisions of this paragraph, shall be returned to the board or state where the examination began, for scoring, recording and licensure when successfully completed.

(g) Upon proper application, the board or commissioner may accept passing grades achieved on the respective tests, when administered by and attested to by another N.C.A.R.B. Member board. The applicant may then take the remaining parts of the A.R.E. in Connecticut, and, if successfully completed, the applicant may be issued a license.

(h) The department may, upon proper application, forward the grades achieved by an applicant in the various divisions of the examination given under its jurisdiction to other duly constituted architectural registration boards for their use in evaluating and utilizing such results in registering the individual within their jurisdiction. The request for such transfer shall include a statement of concurrence by the other board and a description of the information they will require. Such transfer shall terminate the applicant's current application to the board and department.

(Effective April 22, 1988; Amended December 4, 1998; Amended January 3, 2018)

Sec. 20-289-5a. Admission to examinations

Prior to the start of examinations, the board or commissioner shall review the application of any applicant who has not been admitted by the direct registration process through N.C.A.R.B. If such applicant's application is approved by the board or commissioner, the applicant may enroll in the examination process.

(Effective April 22, 1988; Amended December 4, 1998; Amended January 3, 2018)

Sec. 20-289-6a. License procedures

(a) A license shall be issued to an applicant who:

- (1) successfully passes the A.R.E.; and
- (2) completes the N.C.A.R.B. Architectural Experience Program training requirements.

(b) After initial licensure, entries shall be made in the licensee's file, including the license number and date of initial license.

(c) A license shall be issued to each licensee upon initial licensing and shall include the individual's license number. An individual's license and right to practice shall commence upon the issuance of said license and license number, and, unless suspended, revoked, cancelled or lapsed, shall remain in effect.

(d) A license shall be issued to all licensees annually.

(Effective April 22, 1988; Amended January 3, 2018)

Sec. 20-289-7a. Seals

(a) Each person granted a license shall use a seal, the design, arrangement, size and wording of which shall be prescribed by the board.

(b) Each corporation granted a certificate of authorization for the practice of architecture, or limited liability company granted a license for the joint practice of architecture, shall use

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a seal, the design, arrangement, size and wording of which shall be prescribed by the board.

(c) An embossing seal, rubber stamp or electronic seal conforming to the seals prescribed pursuant to subsection (a) or (b) of this section may be used by the licensee. Any other seal or rubber stamp, or any variation thereof, is disapproved and shall not be used.

(d) An electronic seal shall be permitted on electronic documents if all the following criteria are met:

(1) It is unique to the architect;

(2) It is verifiable;

(3) It is under the architect's direct and exclusive control;

(4) It is linked to the electronic document in such a manner that causes changes to be easily determined and visually displayed if any data in the electronic document file is changed subsequent to the electronic seal having been affixed to the electronic document;

(5) Any attempt to change the electronic document after the electronic seal is affixed shall cause the electronic seal to be removed or altered significantly enough to invalidate the electronic seal; and

(6) Any time the electronic document is to be electronically transmitted, the electronic document shall be converted to a read-only format.

(Effective April 22, 1988; Amended December 4, 1998; Amended June 18, 2015; Amended January 3, 2018; Transferred from § 20-289-7, January 3, 2018)

Sec. 20-289-8a. Lapsed license

(a) A license is deemed lapsed if the holder thereof has failed to pay the renewal fee as prescribed by statute. The holder of a lapsed license shall not again practice architecture in this state until the license holder has paid the renewal fee for each lapsed year and a penalty of twenty-five dollars for each lapsed year or fraction thereof after the first sixty days following the date on which the license became lapsed and provided such payment is made within three years of the date on which the license lapsed. If more than three years have elapsed from the date on which a license lapsed, the holder shall not again practice architecture in this state until an application for licensing, accompanied by the fee for a license and the renewal fees for each lapsed year, has been submitted to the department and the holder of the lapsed license meets the qualifications set forth in subsection (b) of this section. In such a case, the department shall issue a new license number to the applicant.

(b) Notwithstanding the provisions of Section 20-289-3a, an applicant whose license has lapsed for a period of three years or more shall be allowed to be licensed if the applicant meets the requirements, which may include an examination requirement, established by the department, upon advisement from the board to ensure that a lapsed licensee possesses sufficient credentials in the areas of education, experience and training.

(c) A certificate of authorization for the practice of architecture shall be deemed lapsed if the corporate holder thereof has failed to pay the renewal fee as prescribed by statute. The corporate holder of a lapsed certificate of authorization shall not again practice architecture in this state until the renewal fee has been paid for each lapsed year or fraction

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thereof after the first sixty days following the date on which the certificate of authorization lapsed and provided such payment is made within three years of the date on which the certificate of authorization lapsed. If more than three years have elapsed from the date on which the certificate of authorization lapsed, the corporate holder shall not again practice architecture in this state until application for certificate of authorization, accompanied by the fee, has been submitted to and approved by the department. Upon such approval, the corporate holder shall be issued a new registration number.

(Effective April 22, 1988; Amended January 3, 2018; Transferred from § 20-289-8, January 3, 2018)

Sec. 20-289-9a. Partnerships

(a) No firm, company, partnership, association or corporation shall be registered as an architect except as provided in Section 20-290 of the Connecticut General Statutes.

(b) A partnership may engage in the practice of architecture provided each member of such partnership is a licensed architect.

(c) If one or more of the persons referred to in the partnership name of an architectural firm has been deceased or not actively engaged in the practice of architecture in this state for more than five years, the deceased or inactive partners' names shall not be used unless the date or dates of decease or retirement of said partners is properly noted.

(Effective April 22, 1988; Amended January 3, 2018; Transferred from § 20-289-9, January 3, 2018)

Sec. 20-289-10a. Code of ethics

(a) Competence

(1) In practicing architecture, an architect shall act with reasonable care and competence, and shall apply the technical knowledge and skill which is ordinarily applied by architects of good standing.

(2) In designing a project, an architect shall take into account all applicable building laws and regulations. An architect shall not knowingly design a project in violation of said laws or regulations.

(3) An architect shall undertake to perform professional services only when such architect, together with those whom the architect may engage as consultants, qualified by education, training, and experience in the specific technical areas involved.

(b) Conflict of Interest

(1) An architect shall not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed in writing and agreed to in writing by all interested parties.

(2) If an architect has any business association or direct or indirect financial interest that may influence such architect's judgment in connection with the performance of professional services, the architect shall fully disclose in writing to the client(s) or employer(s) the nature of the business association or financial interest, and if the client(s) or employer(s) object to

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such association or financial interest, the architect shall either terminate such association or interest, or offer to give up the commission or employment.

(3) When acting as the interpreter of building contract documents and the judge of contract performance, an architect shall render decisions impartially, favoring neither party to the contract.

(c) Full Disclosure

(1) An architect, making public statements on architectural questions, shall disclose when the architect is being compensated for making such statement.

(2) An architect shall accurately represent to a prospective or existing client or employer the architect's qualifications and the scope of the architect's responsibilities in connection with work previously performed.

(3) If, in the course of the architect's work on a project, an architect becomes aware of a decision taken by the architect's employer or client, against the architect's advice, which violates any applicable statute or regulation and materially affects adversely the safety to the public of the finished project, then the architect shall report the decision to the appropriate enforcement officials or refuse to consent to the decision and terminate the architect's service with reference to the project. Said termination shall excuse any liability to the architect's client on account of such termination.

(4) An architect shall not intentionally make a materially false statement or intentionally fail to disclose a material fact requested in connection with an architect's application for licensure or renewal.

(5) An architect shall not assist the application for licensure of a person known by the architect to be unqualified in respect to education, training, experience, or character.

(6) An architect possessing knowledge of a violation of sections 20-289-1a to 20-289-12a, inclusive, of the Regulations of Connecticut State Agencies by another architect shall report such knowledge to the department immediately.

(d) Compliance with Laws

(1) An architect shall not knowingly violate any state or federal criminal law.

(2) An architect shall neither offer nor make any payments or gifts to a government official with the intent of influencing the official's judgment in connection with a prospective or existing project in which the architect is interested.

(e) Professional Conduct

(1) An architect shall not sign or seal drawings, specifications, reports or other professional work unless the architect was in responsible charge of their preparation.

(2) The term "in responsible charge of their preparation" means that such professional work is prepared or reviewed under the licensed architect's control under the following conditions:

- (A) the architect has detailed professional knowledge of the work;
- (B) the architect has documented involvement in the preparation of the work;
- (C) the architect has applied the required professional competency to the work;
- (D) the architect has accepted full responsibility for the work; and

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(E) for at least eight years from the date the work was signed or sealed, or from the date of substantial completion as described in Section 52-584a of the Connecticut General Statutes, whichever is later, the architect shall maintain and make available to the board and the department records adequate to demonstrate that the architect has complied with subparagraphs (1) through (4) of this subdivision.

(3) An architect shall neither offer nor make any gifts with the intent of influencing the judgment of an existing or prospective client in connection with a project in which the architect is interested.

(Effective April 22, 1988; Amended December 4, 1998; Amended January 3, 2018)

Sec. 20-289-12a. Adjudication procedures

This board shall be governed by the adjudication procedures as set forth in Section 4-182 of the Connecticut General Statutes.

(Effective April 22, 1988; Amended January 3, 2018; Transferred from § 20-289-14, January 3, 2018)