



Nevada State Board of Architecture, Interior Design & Residential Design

2080 East Flamingo Road, Suite 120, Las Vegas NV 89119
Telephone: (702)486-7300 Fax: (702)486-7304
E-mail: nsbaidrd@nsbaidrd.nv.gov Website: nsbaidrd.org

Notice Regarding Potential Conflicts of Interest for Nevada Architects and Residential Designers Serving on Design Review Committees

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The Nevada State Board of Architecture, Interior Design and Residential Design recently discussed the matter of Nevada architects and residential designers serving on design review committees (DRC), also known as architectural review committees. Design professionals sitting on DRCs serve an important purpose. Their voice adds professional expertise to the body and can help protect the public.

Architects and residential designers who serve on DRCs should be aware of potential conflicts of interest that may arise due to their service on the committee and consider best practices as ways to avoid these potential conflicts. Potential conflicts and best practices include:

- **Architects and residential designers serving on a DRC should not review their own plans and should abstain from participating in the DRC's deliberations regarding those plans.** The design professional in this scenario has an obvious conflict of interest as he or she has a direct financial interest in the outcome.
- **Architects and residential designers should not deny another design professional's project in hopes of poaching the client and project for themselves.** Like the scenario above, this is an obvious conflict as the design professional has a direct financial interest in the outcome. This scenario would likely also involve deceit, which would be a violation of NRS 623.270.1(b).
- **Architects and residential designers who serve on a DRC in the community where they live should not review plans that affect their own property if they cannot remain impartial.** The design professional could have a conflict of interest if the outcome of the decision will affect the value of his or her personal property. In cases like this, the design professional must disclose the potential conflict and obtain written waivers from all parties in order to participate in deliberations. Without written waivers from all parties, the design professional must abstain from participation in the consideration and deliberation of the matter.
- **Architects and residential designers should not review plans if their judgment may be affected** by a relationship with the design professional who designed the plans under consideration.

The Board is not discouraging registrants from serving on DRCs where they may have an interest. However, the Board recommends that if the design professional cannot remain impartial, he or she should not review plans for that particular project, but if he or she will not abstain, then he or she must fully disclose the conflict of interest to all interested parties and obtain from each a written waiver.

Be aware that such conflicts of interest may expose the design professional to discipline by this Board (see Rule of Conduct 2.3 below) and may also expose the design professional and the DRC to liability if the conflict of interest causes harm.

Rule of Conduct 2.3

An architect shall not perform professional services in the face of a conflict of interest that is not fully disclosed and waived in writing by all parties. An architect has a conflict of interest when:

- (a) the architect has or may acquire a financial or other interest in the project, someone participating in it, or any component of it; or*
- (b) the architect's judgment may be adversely affected by a relationship with another party.*

If you have any questions regarding this notice, please contact the board office at (702) 486-7300 or nsbaidrd@nsbaidrd.nv.gov.