

**MINUTES FOR BOARD MEETING OF THE NEVADA STATE BOARD OF ARCHITECTURE,
INTERIOR DESIGN AND RESIDENTIAL DESIGN (NSBAIDRD)**

March 6, 2018

The Gina Spaulding Boardroom

2080 East Flamingo Road, Suite 120, Las Vegas, NV 89119

Wednesday, March 6, 2018

Chairman James Mickey called the meeting to order at 8:36 a.m.

Roll Call: James Mickey, Chairman; Kimberly Ciesynski, Secretary/Treasurer; Gregory Erny; Ann Fleming; George Garlock; John Klai; William Snyder; Nathaniel Waugh. John Morelli was in attendance from 10:15 a.m. until adjournment.

Also in attendance: Monica Harrison, Executive Director; Louis Ling, Legal Counsel; Laura Bach, Chief Investigator; Terylle Kenani Aguada, Executive Assistant; Ginger Hahn, Public Information Coordinator.

AGENDA ITEM 1 Public Comment

There was no public comment.

AGENDA ITEM 2 Approval of Consent Agenda

Consent agenda included the following:

- A. Approval of Agenda
- B. Approval of Minutes: January 24, 2018
- C. Secretary/Treasurer Report (reports and bank statements)
 - 1. Nevada Architect, Registered Interior Designer, and Residential Designer Licensing Statistics
 - 2. Wells Fargo Bank Statements
 - 3. First Independent Bank Statements
 - 4. December 2017 Quarterly Report Statement
- D. Ratification of Reciprocal Licenses (see attached list)
- E. Firm Name Approval Requests
 - 1. ACI Designs PA
 - 2. ESG of Nevada, PC
 - 3. Kevin Tsai Architecture, Inc.
 - 4. LINE LLC
 - 5. Spur Design, LLC
 - 6. Studio Terpeluk
 - 7. Walton Design + Engineering
- F. Firm Registration Approval Requests
 - 1. RMT Architecture, L.L.C.

Architects: Registration by Reciprocity

7796	James R. Aycock, Jr.	7809	Ricardo M. Scofidio
7797	Joel R. Chapin	7810	Amy M. Braun
7798	Michael K. Fennacy	7811	Jeffrey M. Knighton
7799	Matthew L. Goelzer	7812	Michael E. Reynolds

7800	Gene H. Klow	7813	Christopher F. Serrao
7801	Christopher A. March	7814	Glenn Walker
7802	Erica Nelles	7815	Joseph W. Ashcraft
7803	David L. Rhodes	7816	Richard L. Conneen Jr.
7804	Michelle M. Simon	7817	Timothy D. Casey
7805	Burt S. Andrews IV	7818	Olusanmi A. Fawehinmi
7806	Terance A. Gruenhagen	7819	Jay Chang-Jae Lee
7807	Michael J. Paxton	7820	Brandon T. McLaughlin
7808	Charles H. Renfro	7821	Eric W. Wohle

Residential Designers: Registration by Reciprocity

365-RD	Clare D. Walton
366-RD	Philip A. Cooper
367-RD	Mark A. Diana

Motion: Waugh moved to approve the consent agenda items 2A, 2B, 2C-2, 2C-3, and 2D through 2F. Motion seconded by Garlock.

Vote: All in favor. Motion passes.

Agenda Item 2C-1 Licensing Statistics

Klai said the dates on both sets of licensing statistics on the secretary/treasurer report reflected the year as 2017. He asked for clarification as to which set of statistics were applicable to 2018. Aguada replied that the set with a total of 3,028 registrants should have been dated February 26, 2018.

Motion: Waugh moved to approve Agenda Item 2C-1 with the corrected date. Motion seconded by Snyder.

Vote: All in favor. Motion passes.

Agenda Item 2C-4 December 2017 QR Statement

Klai asked if line item 44 of the *Statement of Revenue and Expenditures* (page 31 of the March 6, 2018 board eBook) should be in parenthesis. Harrison said that parentheses, in this report, are used to express amounts that are under budget and that line 44 correctly reflected an overage.

Motion: Waugh moved to approve Agenda Item 2C-4. Motion seconded by Snyder.

Vote: All in favor. Motion passes.

Agenda Item 13 Residential Design Report

Aguada said the written residential design exam was given on February 8, 2018. Three people tested in Las Vegas and two in Reno. She said that one individual passed two of the tests and all other tests that were administered were failed.

Harrison reported that the board is saving money by having Rebecca Gaul, former NSBAIDRD staff, proctor the exam in Reno.

Garlock asked Ling if the board would have any defensibility if someone were to have a problem with the exam being proctored by someone other than current NSBAIDRD staff.

Ling said that he did not see much exposure for either party.

Agenda Item 14 Registered Interior Design Report

Fleming announced that the second candidate being registered via the Council for Interior Design Qualification (CIDQ) Alternative Review Program (ARP) in Nevada would be sworn in later that day. Fleming said the ARP had been successful thus far and that the flow of the process had been smooth. She reported that only one ARP candidate had been asked to submit additional information in support of qualification.

She said that members of CIDQ and the National Council of Architectural Registration Boards (NCARB) met to discuss use of the term "interior architecture" in the interior design profession and that there would be further discussion in the future.

Harrison added that CIDQ released a new Practicum Practice Exam on March 1. Klai suggested adding this information to the next newsletter.

Agenda Item 15 Public Member Report

Waugh said that he would be attending NCARB's examination committee meeting in April and that he had submitted a committee interest form to NCARB for fiscal year 2019.

Agenda Item 16 Executive Director Report

Harrison reported that registration renewal notifications were sent out on February 26 to registrants that had not yet renewed for 2018. She said, as of March 5, only 80 of 3,138 registrants had not renewed for 2018.

She said continuing education audit notifications would be mailed out mid-March.

Harrison requested that Fleming, Mickey, and Waugh let her know if they would be seeking reappointment to the board so that she could write letters of support.

She announced that the 2018 NSBAIDRD and AIA Nevada Continuing Education Seminar Las Vegas venue had been secured with World Market Center for May 24.

Harrison reported that she hired a temporary employee, Jian Guilas, to assist administrative staff with time-consuming clerical work. She said that she does not anticipate hiring a full time employee anytime soon, and that administrative staff had taken on additional responsibilities and were doing a wonderful job.

Harrison said the next board meeting would be held on June 6, 2018.

Mickey asked Harrison if she had a timeline of the 2018 code adoption. Harrison said the adoption was set to occur sometime this summer, becoming effective in September.

Mickey said he had been approached by people that have heard that the amendments are being reviewed and they would like the opportunity to voice their opinions. He expressed that there is a lack of communication from the adopting parties. Harrison suggested contacting the Southern Nevada Building Officials (SNBO) organization or the Nevada Organization of Building Officials (NOBO) or visiting the websites.

Erny agreed with Mickey and said he feels that those holding the meetings concerning the code adoption should be reaching out to the professionals, inviting a broader group to participate in to the process. Harrison said she would reach out to NOBO and SNBO.

Agenda Item 17 Board Counsel Report

Ling reported that the board is awaiting the judge’s decision concerning the motion to dismiss Dennis Rusk’s most recent petition for judicial review. He said the decision was set to be issued within ten days of February 14 but there was no ruling as of yet. Ling said he would let Harrison know as soon as the order comes out.

Agenda Item 3A Deliberations/Action on Applications for Registration: Architects

Mickey thanked the family, friends, and co-workers of the candidates for attending. He said that the board likes to make the swearing-in ceremony a momentous occasion because the candidates have put a tremendous amount of time and effort into the journey of becoming registered as an architect, registered interior designer, or residential designer.

Addressing the candidates, Mickey said the swearing-in ceremony would take a bit of time as each discipline would be sworn-in separately, presented with their wall certificates, take photos, and then be acknowledged for their accomplishment by the American Institute of Architects (AIA). He invited guests of the candidates to take photos during the swearing-in ceremony.

Ciesynski swore in the following individuals as architects:

- 1. James R. Duensing.....7822
- 2. Heather Elise Holmstrom.....7823
- 3. Alexander A. Mireles.....7824
- 4. Yang Zhang.....7825

Motion: Garlock moved to approve the registration of the above referenced individuals as architects. Motion seconded by Snyder.

Vote: All in favor. Motion passes.

**Agenda Item 3B Deliberations/Action on Applications for Registration:
Registered Interior Designers**

Ciesynski swore in the following individual as a registered interior designer:

- 1. Samantha R. Koblitz.....241-ID

Motion: Waugh moved to approve the registration of the above referenced individual as a registered interior designer. Motion seconded by Fleming.

Vote: All in favor. Motion passes.

Mickey introduced Randy Lavigne, executive director of the American Institute of Architects (AIA) Nevada and AIA Las Vegas.

Lavigne thanked the board for inviting her to share the occasion and told the registrants that she was delighted to be there. She said there was no better time to become a design professional because design professionals are problem solvers and creative thinkers, and the world has never needed them as much as they do now. Lavigne said that the AIA is a professional association that offers support and resources for those in the design profession, including continuing education opportunities and advocating in protection of their professions. She welcomed them into the profession on behalf of the 95,000 AIA members across the country, presented them with a Certificate of Recognition, and wished them continued success.

Mickey congratulated the registrants and told them that along with their new great opportunity, comes great responsibility. He said one of the reasons that registrants are invited to the ceremony is so that they can meet the board and staff so that they feel comfortable reaching out for guidance. Mickey encouraged the registrants to contact the board when in need, whether it be for forming a firm, Nevada law, or working in another jurisdiction. He emphasized that the board should be used as a resource for guidance throughout their careers.

Mickey explained to the new registrants that they are exempt from Nevada's continuing education requirement for 2019 and 2020 registration renewal but would have to complete the required continuing education units in 2020 for 2021 renewal. He told them that the board and AIA Nevada offer a continuing education seminar each May in Las Vegas and December in Reno.

Pointing out that the board has tremendous involvement with the National Council of Architectural Registration Boards (NCARB) and the Council for Interior Design Qualification (CIDQ), Mickey invited the registrants to give feedback concerning their paths to registration.

Holmstrom said she began in the Architect Registration Examination (ARE) in the 4.0 version and finished in the most recent version, the ARE 5.0. She said that the ARE 5.0 reflects the practice of architecture better than the 4.0 version. She said she was glad that the vignettes in the 4.0 version were not part of the 5.0 version because the software was cumbersome and the vignettes did not reflect design thinking. She appreciated the case studies included in ARE 5.0.

Mireles had also transitioned from ARE 4.0 to ARE 5.0 and agreed with Holmstrom's view, adding that there was not enough study material available for 5.0. Mickey said that there will not be much study material available until the exam has been out for a while. Erny said that there is an exam content assist in the works that has been reviewed and deemed worthy.

Zhang started and completed the ARE in the 4.0 version and felt that there was good study material available to her. She thanked the board and AIA for recognizing her accomplishment.

Erny told the architectural registrants about the benefits of NCARB certification, stressing that it will ease the registration process in other jurisdictions. He congratulated the registrants.

Ciesynski asked Koblitz for feedback on the ARP process.

Koblitz said the process was smooth and that the most difficult and time consuming part of the process was obtaining course descriptions for the education review portion because so many years had passed since she had graduated. It took her four to six months to complete the process.

Koblitz graduated in 2005 and received CIDQ certification in 2006. When she enrolled in the interior design program at University of Nevada Reno (UNR), students were not made aware that in order to become a registered interior designer in Nevada, they had to complete a program accredited by the Council for Interior Design Accreditation (CIDA). UNR's program was not CIDA-accredited. During her junior year she was informed of the requirement. Although the work that she could perform as an "interior designer" was limited versus that of a "registered interior designer" in Nevada, she completed her studies at UNR.

Koblitz said the ARP will be beneficial to many people in the same situation that she was in.

Glenn Nowak, UNLV Associate Professor, Graduate Coordinator introduced himself and congratulated all of the registrants. He acknowledged Duensing, Holmstrom, and Mireles as UNLV alumni and told them that he wanted to present them with a pin and talk with them at the conclusion of the ceremony. Nowak said that it is really inspiring to see former students becoming licensed professionals. He thanked the board for allowing him to be part of the momentous occasion and said he hopes to bring one of his architecture classes with him to the NSBAIDRD October board meeting.

AGENDA ITEM 4 **Review and Possible Decision Regarding Application for Interior Design Registration of Kris V. Irwin pursuant to NRS 623.260 and NAC 623.280**

Documentation for Irwin's request for restoration of her registration as a registered interior designer was presented in the board eBook.

Klai made it known that he and Fleming had a working relationship with Irwin in the past, Irwin being on the client side while he and Fleming were employed by the Seminole Tribe of Florida.

Motion: Waugh moved to approve the application of Kris V. Irwin as a registered interior designer
Motion seconded by Garlock.

Vote: All in favor. Motion passes.

AGENDA ITEM 5 **Review and Possible Decision Regarding Application for Architect Registration of Ione R. Steigler pursuant to NRS 623.260 and NAC 623.280**

Documentation for Steigler's request for restoration of her registration as an architect was presented in the board eBook.

Motion: Waugh moved to approve the application of Ione R. Steigler as a registered interior designer
Motion seconded by Snyder.

Vote: All in favor. Motion passes.

AGENDA ITEM 6

Board Financial Investment Report – Secretary/Treasurer’s Update Regarding First Independent Bank Investment Funds

Harrison gave an update on the account opened with First Independent Bank in April of 2017.

Motion: Erny moved to roll the funds into the 11 month certificate of deposit with a 1.6% return. Motion seconded by Ciesynski.

Vote: All in favor. Motion passes.

AGENDA ITEM 7

Briefing of the Sunset Subcommittee of the Legislative Commission Presentation on February 21, 2018

Mickey reported that he, Harrison, Ling, and lobbyist Wadhams met with Sunset Subcommittee Commission on February 21 and that they subcommittee was hospitable.

Ling explained the process of the subcommittee to the board.

Mickey summarized the Sunset Subcommittee of the Nevada Legislative Commission’s findings as follows:

- Rocky Cooper, Nevada legislative auditor, indicated that NSBAIDRD was in compliance with the audit portion of the review.
- NSBAIDRD has 7.7 months of operational reserves, recognizing that pension adjustments cause the reflection of a deficit. This was deemed acceptable by the committee.
- NSBAIDRD staff is still receiving longevity pay while other state agencies took away longevity pay a number of years ago.
Harrison explained to board members that longevity pay totals about \$1200 per year, is only received by two employees, and is only paid to employees that have been with the agency for ten years or more. Erny expressed that he feels staff should be compensated with pay in order to assist employee retention as it is more cost effective than hiring and training.
- NSBAIDRD’s travel expenses were questioned, as they are higher than that of similar boards in Nevada.
Mickey said he explained to the subcommittee that a number of board members are actively involved with national organizations requiring out-of-state travel. He told them that in-state travel is due to board members traveling to and from Reno and Las Vegas for board meetings (due to some members residing in each city), travel for the Reno Continuing Education seminar, and travel related to writing the Residential Design exam. Harrison said the subcommittee suggested videoconferencing meetings to cut costs. She said the subcommittee was pleased that NSBAIDRD’s travel expenses had a significant decrease from 2016 to 2017.
- The subcommittee asked why first-time registration fees for NSBAIDRD are higher than that of neighboring states.
Mickey said he explained to them why Nevada’s fees are higher.
- Accessibility of online forms for registrants, reciprocity, temporary licensure, and registration renewals were questioned.
- The subcommittee questioned where NSBAIDRD deposits funds from the collections of enforcement fines.
Mickey said there was discussion about interpretation of the law as to where those funds should be deposited (NSBAIDRD account or state general fund account).

Mickey said a formal request for NSBAIDRD to respond to issues mentioned had not been received from the subcommittee as of yet.

Ling said the last meeting of the Sunset Subcommittee of the Legislative Commission would be in June and NSBAIDRD would not be able to voice concerns at that time.

Agenda Item 18 Public Information Report

Hahn reported that the speakers, times, and locations for the 2018 Continuing Education Seminar had been finalized.

She said she was invited by registered interior designer Mandy Telleria to discuss what Telleria had been doing since she was registered in 2014. Hahn said an article was included in the newsletter concerning Telleria's non-profit organization, THE GOOD DEED PROJECT.

Telleria invited Hahn to attend an AIAS event with her at UNLV on February 17 to explain receiving credit in the O Experience Setting of the Architectural Experience Program (AXP) through volunteer work. Hahn said there were approximately 15 students in attendance, one being enrolled in the landscape architecture program.

Hahn said she would be meeting with Telleria again to discuss dates to meet with AIAS students, obtain some leads from her to speak with unlicensed associates at interior design firms about the importance of becoming registered and the ARP, and to set up an engagement with the class that Telleria teaches at College of Southern Nevada (CSN).

Telleria teaches Introduction to Architecture at CSN and makes students aware of NSBAIDRD and programs available to them should they be interested in one of the professions that NSBAIDRD regulates. Telleria told Hahn that the Architecture Design Technology – Residential Design Program will no longer be offered at CSN after spring 2019. Hahn said she contacted Doug Nelson, the director of the program, requesting an invite into his classes but had not heard back from him.

Eric Strain invited Hahn to speak with his Professional Practice class at UNLV on March 1. Hahn said there were only seven students in the class which allowed for great discussion inclusive of unlicensed practice, steps to registration, starting an NCARB record, and use of the term architect and its derivatives. She reported that she received input from students that they really dislike the term intern and would prefer to be called an apprentice.

The most recent newsletter had been sent out to 3,401 the prior week, opened by 33% of the recipients, and one person unsubscribed.

AGENDA ITEM 11A-1 Case No. 18-034N - In the Matter of Steven Hofman, Christina Guano, and Reliabuilt Construction Company, LLC

The respondents are alleged to have violated NRS 623.035.1 (d), NAC 623.360.1 (a) and (b), and NAC 623.0195 by working outside of the contractor's exemption and holding themselves out as being qualified to practice architecture and residential design without having certificates of registration with NSBAIDRD.

Staff received a complaint from Xavier Gutierrez about the respondents charging him for plans that he is unable to use since they were not prepared correctly under the contractor's exemption. Respondents had a residential designer prepare plans for the complainant; however the plans were prepared on the contractor's title block and did not have the residential designer's stamp on them.

The respondents were sent a Notice of Charges concerning this matter. The respondents' case was discussed with Executive Director Harrison and the decision was made to offer the respondents an opportunity to settle this matter informally rather than face a disciplinary hearing before the board. A settlement agreement was negotiated incorporating a Guilt Clause. The settlement agreement also provided the option to pay an Administrative Penalty of \$4,500 or have the penalty stayed and pay the complainant \$2,500 in restitution plus Investigative Costs in the amount of \$1,200. The respondents opted to pay restitution and investigative costs.

Staff recommended approval of the settlement agreement.

Motion: Waugh moved to approve the settlement agreement. Motion seconded by Snyder.

Vote: All in favor. Motion passes.

AGENDA ITEM 11B **Discussion and Possible Decision Regarding Closure of Enforcement Cases**

Bach recommended the following cases for closure without disciplinary action:

18-031R

18-033N

Motion: Waugh moved to close the above-referenced case. Motion seconded by Fleming.

Vote: Mickey recused himself. All others in favor. Motion passes.

AGENDA ITEM 11C **Enforcement Report**

Bach said she would be doing a presentation for the Interior Design Society (consisting mostly of non-registrants) on April 5 at 5:30 p.m.

Bach reported that she met with the Clark County District Attorney's Office to establish a relationship with them and find out if NSBAIDRD could turn over enforcement cases to them when NSBAIDRD received no response from a respondent and wanted a cease and desist letter or injunction served. She was referred to a detective, as the district attorney's office thought it would be better served under a detective versus their office. Bach said this is another way to protect the public that has not yet been explored. Jail time could be served and restitution sought if prosecuted in this manner.

Agenda Item 12A **Architect Report – Review and Discussion of Proposed NCARB Draft Resolutions to be Discussed at the Regional Summit on March 9-10, 2018**

Erny said that NCARB's Draft Resolutions had been presented well in advance in order to be discussed by the boards before further discussion at the regional summit and that voting would not occur until June.

Harrison suggested that board members read Rule Number 5, Signing and Sealing Documents, of NCARB's Model Rules of Conduct.

Agenda Item 12B **Architect Report – Review and Discussion of Proposed Draft Bylaws to be Discussed at the Regional Summit on March 9-10, 2018**

Erny pointed out that there were multiple versions of the proposed changes to the NCARB Bylaws in the board eBook and suggested reading the clean version.

Agenda Item 12C **Architect Report - FYI: FY19 Officers and Public Director Nominations on NCARB Board of Directors**

This information was provided for board members' information.

Mickey announced that there were no contested elections at that time.

Agenda Item 12D **Architect Report - FYI: NCARB Media Release January 2018**

This information was provided for board members' information.

Agenda Item 12E **Architect Report – FYI: NCARB Update January 2018**

This information was provided for board members' information.

Agenda Item 10 **Discussion and Possible Action Regarding Amendments to NAC 623.763 and NAC 623.766**

Amendments to NAC 623.763 and NAC 623.766 were presented in the March 6, 2018 board meeting eBook.

Board members requested that Harrison present an amended version of the draft after lunch for further discussion and action. Harrison presented the amended draft as follows:

Sec. 6. NAC 623.763 shall be amended to read as follows:

NAC 623.763 Validation and use of stamp or seal; responsibility of registrant. (NRS 623.140, 623.185)

1. Each registrant shall validate a stamp or seal either manually or electronically. The seal, signature and date must produce a clearly visible and legible image on any copy or reproduction of the document to which they are affixed.
2. When a registrant signs, stamps or seals a document containing the work of others, the registrant represents that the entire document has been prepared by the registrant or prepared under the responsible control of the registrant. ~~[, unless the registrant includes a written statement adjacent to the signature, stamp or seal of the registrant identifying the portion of the document that was prepared by the registrant or prepared under the responsible control of the registrant.]~~

3. A registrant who signs, stamps or seals a document which was not prepared by the registrant but was prepared under the responsible control of the registrant is subject to disciplinary proceedings pursuant to chapter 623 of NRS for any errors in that document as if the document was prepared by the registrant.

4. For the purposes of NRS 623.185, plans, specifications, reports and any other documents which are issued by a registrant with the intent that they be considered as formal or final documents must be stamped with the seal of the registrant before they are ~~delivered~~ *submitted* to ~~for filed with~~ any public authority.

5. A registrant is not required to stamp the following documents:
- (a) An as-built plan, record plan or bid document;
 - (b) A report that includes observations concerning the progress of the construction of a project; or
 - (c) An estimate of the costs of a project.

Sec. 7. NAC 623.766 shall be amended to read as follows:

NAC 623.766 Contents of plans, specifications and certain other documents submitted to public authority. (NRS 623.140, 623.185)

1. Plans submitted to a public authority must include:
 - (a) The name, address and telephone number of the *individual or* firm that submits the plans;
 - (b) The name and location of the project for which the plans are submitted;
 - (c) The date the plans were issued ~~for printing~~; and
 - (d) ~~A statement~~ *An indication* ~~that indicates~~ whether the plans are preliminary or final.
2. Each ~~sheet~~ *document* submitted to a public authority must bear the date, the original or electronic seal and signature of the registrant who provided the responsible control under which the work indicated on the sheet was performed.
3. Each set of specifications submitted to a public authority must include a table of contents or cover sheet that:
 - (a) Indicates the professional discipline that is the source of each specification; and
 - (b) Contains the stamp of, and is signed and dated by, each registrant who provided the responsible control under which the work in that professional discipline was performed. The seal, signature and date may be in original or electronic format.
4. Each report, study, test result, certification or calculation that is submitted to a public authority must be stamped, signed and dated by the registrant who provided the responsible control under which that report, study, test result, certification or calculation was submitted. The seal, signature and date may be in original or electronic format.
5. *As used in this section, "plans submitted to a public authority" include any documents created by the registrant under the scope of the registrant's license where the documents prepared falls under the practice of any of the disciplines regulated in chapter 623 of the NRS.*
6. *As used in this section, "public authority" includes any agency funded in whole or in part with federal, state, county, city, or other public money, including but not limited to, planning departments, building departments, zoning departments, and the Tahoe Regional Planning Agency.*

Motion: Erny moved to approve the amendments to NAC 623.763 and NAC 623.766 as presented above. Motion seconded by Klai.

Vote: All in favor. Motion passes.

Agenda Item 8

Review and Possible Decision Regarding the Possibility of NSBAIDRD Contributing to The Dewey Jones Residential Design Exam Scholarship

Residential designer Larry Tindall was present. Tindall solely funded the first two awards of The Dewey Jones Residential Design Scholarship.

The scholarship was established in memory of Dewey Jones, a respected professional and Nevada's 29th residential designer. The scholarship reimburses the cost of the residential design exam and will be awarded to every candidate who passes all four parts of the exam on the first attempt.

The board discussed assisting the funding of the scholarship.

Motion: Garlock moved to assist The Dewey Jones Scholarship by mentioning a need for funding in Focus and communicating a need for sponsorship when appropriate. Motion seconded by Erny.

Vote: All in favor. Motion passes.

Agenda Item 9

Review and Update of the Notice to Vendors Specifying Furniture and Providing Space Planning Services Memo

Ciesynski reported that it had been twelve years since the Notice to Vendors Specifying Furniture and Providing Space Planning Services had been updated. She felt it should be reviewed, revised, and sent out because there are many new businesses in Nevada that may not know about NSBAIDRD's regulations.

The updated notice was presented as follows:

NOTICE

February 2018

To: Nevada vendors and designers who specify furniture, finishes, fixtures and equipment (FF&E)

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

Re: How to legally specify FF&E and provide space planning services in Nevada

The mission of the Nevada State Board of Architecture, Interior Design and Residential Design is to protect the health, safety and welfare of the public. To accomplish this, the board educates, registers and disciplines individuals and businesses about Nevada laws that pertain to our disciplines and how to work within the law.

In Nevada, there are three types of interior designers. The first type of interior designer is called a "registered interior designer" and they are allowed to provide the services listed under NRS 623.0225 for residential and commercial projects, including the preparation and stamping of plans and submittal to building departments. Registered interior designers are regulated by the Nevada State Board of Architecture, Interior Design & Residential Design and must meet the requirements for registration set forth in NRS 623.192, which include a CIDA or NAAB accredited degree in interior design or architecture (respectively) and NCIDQ certification.

In order to provide any of these services lawfully you may become a registered interior designer; work under the responsible control of a design professional or become a licensed contractor under NRS 624. Recently, the Board has streamlined the process of obtaining registration for those who are unable to traditionally document the minimum educational requirement by adding an alternative path to registration through an application review by the Council of Interior Design Qualification's (CIDQ), known as the Alternative Review Program. For more information, please click on the following link: <https://www.cidq.org/alternative-review-program>.

The second type of interior designer in Nevada is commonly referred to as a "certified interior designer" and they are allowed to provide approved interior materials and furnishings used in interior design for residential or commercial projects to the extent authorized by the certificate. These designers are allowed to specify

FF&E in a commercial setting and prepare furniture or equipment layouts. They are **not** allowed to provide space planning services that would affect ingress and egress. For more information relating to this certificate of registration, contact the Nevada State Fire Marshal's office at (775) 684-7536.

The third type of interior designer in Nevada, most commonly uses the title of "interior designer" or "interior decorator." These designers are only allowed to provide Furniture, Finishes, Fixtures & Equipment services for residential projects in Nevada, that are **not regulated by any building code or other law, ordinance, rule or regulation governing the alteration or construction of a structure** unless they are working under the "responsible control" of a design professional (an architect, engineer or registered interior designer.) It does **not** include working under a general contractor. These services are outlined in **NRS 623.035.1(g)** which states in part:

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

(g) Any person who prepares drawings of the layout of materials or furnishings used in interior design or provides assistance in the selection of materials or furnishings used in interior design, including, without limitation:

- (1) Decorative accessories;*
- (2) Wallpaper, wallcoverings or paint;*
- (3) Linoleum, tile, carpeting or floor coverings;*
- (4) Draperies, blinds or window coverings;*
- (5) Lighting fixtures which are not part of a structure;*
- (6) Plumbing fixtures which are not a part of a structure; and*
- (7) Furniture or equipment,*

If the preparation or implementation of those drawings or the installation of those materials or furnishings is not regulated by any building code or other law, ordinance, rule or regulation governing the alteration or construction of a structure.

The following examples of interior design services are regulated and **do not** fall within the exemption:

- **Furniture:** A building permit is required when specifying moveable cases, counters and partitions, including modular furniture, over 69" in height. Additionally, fabric covered partitions, whether 69" in height or less, must meet specific flame spread and smoke development requirements of the "Interior Finishes" chapter of the applicable building code.
- **Space planning:** Providing interior space planning on a commercial project requires compliance with applicable building and fire codes and the Americans with Disabilities Act. Space planning includes, but is not limited to, the type, amount and placement of furniture, finishes, fixtures and equipment (FF&E), as well as the ingress and egress that is created/changed by the placement of furniture, partitions, etc.
- **Finishes:** Building and fire codes regulate the specification of decorations and trim, including but not limited to: curtains, draperies, hangings and other decorative materials that are suspended from walls or ceilings (i.e. fabric, foam, plastic, silk plants). Permits and/or approval are required prior to installation.

While there is no law prohibiting who can sell FF&E, a registered design professional, certified interior designer or licensed contractor must specify the FF&E if it is going to be used in a commercial project (i.e. tenant improvement, hotel, casino, timeshare, office building, retail store, etc.). Further, only a registered design professional or appropriately licensed contractor may provide space planning services.

For information on how to become a registered interior designer, please visit the board's Web site at nsbaidrd.org or call the board office at **(702) 486-7300**. As always, if you have questions or are unsure if the services you provide are regulated by this board, please call the board office. Board staff is available to answer your questions and help ensure that your business operates within Nevada law.

Ciesnyski said that systems furniture is space planning and heavily involves egress. She would like further clarification of that in the notice.

Garlock said since the notice is meant to inform vendors, as well as designers, it should mention that there are limitations on the work that a registered interior designer can legally perform and that services of an architect may be required.

The board instructed staff to distribute the notice as widely as possible after approval of the final draft, including to vendors, registered interior designers, certified interior designers, exhibitors, and those in the hospitality industry.

Heather Bressler of Henriksen Butler was present and told the board that Henriksen Butler wants to be compliant with regulation. She said she often sees egress problems when working with architects doing furniture layout. The board suggested that she inform Bach when the issues occur.

Ciesynski asked Bach if a registered interior designer on a company's staff (not an owner) could take responsible control of the space planning on a job. Bach said the registered interior designer would have to use their own name, not that of the company, in order to accept responsible control. The board discussed this matter and decided that a second letter or newsletter article should be written after distribution of the notice concerning FF&E. It should make registrants aware that when they use their stamp, they are accepting responsible control themselves.

Agenda Item 19

Items for Future Agenda

- discussion concerning University of Nevada Las Vegas implementing NCARB's Integrated Path to Licensure (IPAL)
- presentation of the draft of the Notice to Vendors and Designers Who Specify FF&E
- presentation of the draft of the Notice to Registrants Concerning Employee Vs. Owner Stamping Responsibilities

AGENDA ITEM 20

Public Comment

There was no public present.

Chairman Mickey adjourned the meeting at 2:02 p.m.

Monica Harrison, Executive Director

Kimberly Ciesynski, Secretary/Treasurer