

## Consumer Complaint Information

Following are some frequently asked questions about complaint and investigation process for the Nevada State Board of Architecture, Interior Design and Residential Design. Complaints can be filed with the board against a person who is violating NRS 623 (the Architecture, Registered Interior Design and Residential Design Act). You can find more detailed information about the investigation and enforcement process in the board's free brochure, "Filing a Complaint." If you have additional questions or would like a copy of the brochure, please contact the board office at (702) 486-7300.

**QUESTION: Who can/should file a complaint?**

**ANSWER:** Anyone may file a complaint: a consumer, registrant or building official. The board will review each complaint regardless of the source. A complaint should be filed by anyone who believes that a registrant, or a candidate for registration, has or is engaged in illegal activities that are related to his/her professional responsibilities. A complaint should also be filed against anyone who may be practicing architecture, registered interior design or residential design without a certificate of registration.

The most effective complaints are those that contain firsthand, verifiable information. While anonymous complaints will be reviewed, they may be impossible to pursue unless they contain documented evidence of the allegations made.

*If the person about whom you have complained harasses you, notify the board immediately.*

**QUESTION: How do I file a complaint?**

**ANSWER:** The board has a consumer complaint form that you may use to file a complaint. *The complaint form is not required in order to file a complaint.* The form is provided for your convenience and can serve as a guideline for what kind of information is needed. If you use the consumer complaint form, please complete all sections and provide a statement explaining the nature of your complaint. Include as much detail as possible and any documentary evidence you might have. It is NOT necessary to refer to specific sections of the law that have been violated. The emphasis should be on providing necessary, factual information rather than conclusions.

Under Nevada law (NAC 623.900), all complaints MUST be submitted in writing. Additionally, all complaints must include the following:

- The full name and address of the respondent (person who allegedly committed the violation).
- A clear and concise statement of facts sufficient to establish that an alleged violation of law occurred, including, without limitation, the date, time and place of the alleged violation and the name of each person involved.
- A citation to the statute or regulation alleged to have been violated, if known.

All complaints filed must include back-up, supporting information, such as copies of contracts, drawings, any written communications and evidence of payment. Complaints submitted without supporting documents are difficult to investigate and will slow the process considerably.

**QUESTION: How are complaints processed?**

**ANSWER:** After the board receives your complaint, you will be formally notified of its receipt and that the board is beginning the review process. If the complaint contains allegations that, if substantiated, would warrant disciplinary action, an investigator will be assigned. If your complaint concerns something outside of the board's jurisdiction, we will let you know if another state or local agency might be able to help you.

If it is determined that a violation has occurred, in most cases, the investigator will attempt to negotiate a Settlement Agreement. A Settlement Agreement is a legal document that includes findings of fact, conclusions of law and sanctions acceptable to the board. If a Settlement Agreement cannot be reached, a formal disciplinary hearing will be held before the board.

Please be aware that investigations and administrative action can take many months.

If we are unable to establish sufficient evidence to substantiate a violation of the law, your complaint will be closed and you will be notified. You may want to contact other agencies such as the Better Business Bureau or Small Claims, Justice or District Court for further assistance.

Parties may also consider participating in direct mediation. Complainants should refer to their contract, as mediation and/or arbitration are often provisions included to resolve disputes.

**QUESTION: Can the board represent me in court?**

**ANSWER:** The board cannot represent private citizens in court. The filing of a complaint does not prohibit you from filing a civil action at the same time, nor does it affect the statute of limitations for filing suit.

**QUESTION: Should unlicensed practice be reported to the board?**

**ANSWER:** If you have evidence that indicates that an unlicensed person is participating in activities for which a certificate of registration is required, you should report these activities to the board. The board will investigate allegations of unlicensed practice and, if sufficient evidence is established, the board may proceed with administrative action as prescribed by the law or forward this information to the local District Attorney's Office for criminal prosecution.

In cases where an applicant for registration may be engaged in unlicensed

practice, the board will investigate and will pursue appropriate administrative action if substantiated.