

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

**June 08, 2016**

**Board Conference Room; 2080 East Flamingo Road, Suite 120; Las Vegas, NV 89119**

**Wednesday, June 08, 2016**

Chairman George Garlock called the meeting to order at 8:39 a.m.

Roll Call: George Garlock, Chairman; James Mickey, Secretary/Treasurer; Kimberly Ciesynski; Greg Erny; Ann Fleming; John Klai; William Snyder; Larry Tindall; Nathaniel Waugh

Also in attendance: Gina Spaulding, Executive Director; Louis Ling, Legal Counsel; Monica Harrison, Deputy Director; Laura Bach, Investigator; Ginger Hahn, Public Information Coordinator; Ana Goins, Executive Assistant

**AGENDA ITEM 1      Public Comment**

Daniel J. Chenin, a Nevada registered architect, introduced himself to the board and told them that he is interested in becoming a board member in the near future.

**AGENDA ITEM 2      Approval of Consent Agenda**

Consent agenda included the following:

- A. Approval of Agenda
- B. Approval of Minutes: March 2, 2016
- 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. March 2016 QR Statement
- D. Ratification of Reciprocal Licenses (see attached list)
- E. Firm Name Approval Requests
  1. Shurley Design Studio, LLC
  2. Kesler Simpson Architects, LLC
  3. ARE Architecture, Inc.
  4. Simpson Coulter Studio
  5. BSA LifeStructures, LLC
  6. Design Significance Architecture / DSA
  7. LPK Architecture, Inc.
  8. Derek L. Rude Design Group, PLLC
  9. APMI, INC.
  10. CDG Design Group
  11. GWG3 Architecture, PLLC
  12. Bisbee Architecture + Design
  13. CallisonRTKL Nevada Corp.

- F. Firm Registration Approval Requests
  - 1. BKV Group
  - 2. Method Studio Inc.
  - 3. Plan Check Professionals, Inc.

**Architects: Registration by Reciprocity**

7424	Monique F. Reindersma	7442	Domenic Giordano
7425	Mirek E. Szadkowski	7443	Donald C. Harrier
7426	Lindsay J. Works	7444	Andrew W. Kesler
7427	Michael J. Wright	7445	Richard P. Leonard
7428	Nichole L. Plahy	7446	Timothy R. Losa
7429	Victor H. Yanez	7447	Fred R. Lucas
7430	Jeffrey Q. Jarvis	7448	Juan G. Luna
7431	Daniel L. Witting	7449	Adam J. Teefey
7432	Robert G. Little	7450	Dana M. Simpson
7433	Gregor L. Markel	7451	Jack O. Boarman
7434	Jevon E. Truex	7452	Jeffrey E. Hollow
7435	Caryn M. Bailey	7453	Mario A. Martinez
7436	John M. Flath	7454	David A. Rager
7437	James M. Goodman	7455	Melanie R. Short
7438	Jay J. Lems	7456	Luis A. Angulo
7439	Christopher W. Morales	7457	Matt E. Majeed
7440	Harold P. Williams	7467	Miles L. Beach
7441	Graham S. Wyatt	7468	Michael J. Krych

**Residential Designer: Registration by Reciprocity**

341-RD	David M. Cardenas	343-RD	John T. Matthews
342-RD	Brent R. Kendle	344-RD	Adam G. Siros

Board members requested agenda items 2E-3 through 2E-6 and 2E-13 be pulled from the consent agenda.

**Motion:** Snyder moved to approve the consent agenda items 2A through 2E-2, 2E-7 through 2E-12, and 2F-1 through 2F-3. Motion seconded by Tindall.

**Vote:** All in favor. Motion passes.

**Agenda Item 2E-3                      ARE Architecture, Inc.**

**Motion:** Waugh moved to approve the firm registration request for "ARE Architecture, Inc." Motion seconded by Snyder.

There was concern that "ARE Architecture, Inc." could be misleading in the architecture industry because "ARE" is the acronym for the Architect Registration Examination.

Ling said this should cause no confusion to the public.

**Vote:** All in favor. Motion passes.

**Agenda Item 2E-4                    Simpson Coulter Studio**

**Motion:** Klai moved to approve the firm registration request for "Simpson Coulter Studio." Motion seconded by Snyder.

Board members questioned the applicant's Nevada State Business License and Certificate of Existence with Status in Good Standing due to the use of a dba.

Spaulding said the use of the dba is allowed.

**Vote:** All in favor. Motion passes.

**Agenda Item 2E-5                    BSA LifeStructures, LLC**

**Motion:** Snyder moved to approve the firm registration request for "BSA LifeStructures, LLC." Motion seconded by Tindall.

This firm name was of concern due to the use of the words "life" and "structures."

Spaulding said this was a previously approved firm name that was being shortened from "BSA LifeStructures of Nevada, LLC."

**Vote:** All in favor. Motion passes.

**Agenda Item 2E-6                    Design Significance Architecture/DSA**

**Motion:** Klai moved to approve the firm registration request for "Design Significance Architecture/DSA." Motion seconded by Mickey.

Board members questioned why the applicant wanted to add "DSA" to his currently approved active firm name of "Design Significance Architecture."

Spaulding said the applicant wanted to add "DSA" to his firm name so that he could use the acronym when conducting business.

**Vote:** All in favor. Motion passes.

**Agenda Item 2E-13                      CallisonRTKL Nevada Corp.**

**Motion:** Klai moved to approve the firm registration request for "CallisonRTKL Nevada Corp." Motion seconded by Snyder.

Spaulding explained that the applicants were requesting approval to update the firm name due to a merger and deceased former member/NV registrant of the firm.

**Vote:** All in favor. Motion passes.

**Agenda Item 8                                      Debrief about 2016 NSBAIDRD/AIA CE Event on May 26  
and Discussion Regarding Future Board/AIA  
Administration of NEVADA CE Events**

Spaulding reported that over 190 registrants attended the 2016 NSBAIDRD/AIA Continuing Education Seminar held in May. This was a record high.

Spaulding thanked Randy Lavigne, executive director of AIA Nevada and AIA Las Vegas for the work she did to have the location of the event and lunch donated, as well as securing sponsorship from Noble Company for the 2016 event.

The 2016 seminar included four sessions as follows: *Ethics & Building Design Professionals* presented by Kin DuBois, FAIA, NCARB; *Supervising Today* presented by Jared N. Zurn, AIA, NCARB; *Legal Concerns for Design Professionals* presented by Louis Ling, Esq.; and *Building Codes: Changes & Updates* presented by Sam Palmer, Assistant Director of the Clark County Building & Fire Prevention Bureau.

Board members were given a summary of the feedback received from seminar attendees. The summary revealed that overall the seminar is greatly appreciated by Nevada registrants.

Spaulding proposed that going forward, after all accounting is done upon conclusion of the May and December seminars, the profits from seminar are divided equally between AIA Nevada and NSBAIDRD. NSBAIDRD profits will be used to offset costs of future continuing education seminars when funding is not met through the cost of registration fees and sponsorship.

**Motion:** Erny moved to approve that profits from the annual NSBAIDRD/AIA Nevada Continuing Education Seminar be divided equally between NSBAIDRD and AIA Nevada. Motion seconded by Snyder.

**Vote:** All in favor. Motion passes.

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

Mickey swore in the following individuals as architects:

1. Ryan Allord.....7459
2. Adrianna Benjamin.....7460

3. Hope Friedman.....7461
4. Ibrahim Kako.....7462
5. Jon Jones.....7463
6. Renee Smith.....7464
7. Melissa Szpik-Serrao.....7465
8. Ludwing Vaca.....7466
9. Jina Marie Zavala.....7469

**Motion:** Waugh 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 Design**

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

1. Emily Marshall.....229-ID

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

**Vote:** All in favor. Motion passes.

Garlock congratulated the new registrants and told them that the swearing-in ceremony is a very special occasion to the board and its staff. He invited the registrants to give feedback regarding their paths to licensure so that the information could be used to make decisions on bettering the process.

One registrant expressed appreciation that NCARB had dropped the six month waiting period for candidates to retest after failing a division of the Architect Registration Examination (ARE). In October of 2014 NCARB began allowing candidates to retest sixty days after failing a division, up to three times in a running year for any one division.

Erny asked the candidates how their overall customer service experience with NCARB was. Three registrants expressed that NCARB's customer service level has greatly improved in the last few years.

Mickey requested feedback concerning the ARE testing centers. One registrant responded that the facilities have improved. The waiting rooms and testing rooms are larger, the testing seats are spread further apart, and the central air units are quieter.

Ciesynki asked Marshall if she was satisfied with the CIDQ process and testing facilities. She replied that she had a positive experience with the process and facility.

Garlock introduced Randy Lavigne, executive director of AIA Nevada and AIA Las Vegas, to the new registrants.

Lavigne thanked the board for inviting her to be a part of the swearing-in ceremony. She

recognized the ten new registrants for their milestone accomplishments of becoming registered in the state of Nevada and presented them each with a Certificate of Recognition on behalf of the AIA.

Erny recommended that the new registrants maintain their involvement with NCARB and become NCARB certified. He said NCARB certification not only facilitates licensure by reciprocity in other jurisdictions, but also provides opportunities for registrants to participate in the continued success of the organization and help those that come behind them. Erny congratulated the new registrants and thanked them for their feedback.

Garlock announced to the new registrants that Erny will take the position of First Vice President/President-elect on NCARB's board of directors in July.

Spaulding congratulated the new registrants and told them that she would be retiring in July at which time Monica Harrison would become NSBAIDRD's executive director. She urged them to contact the board office with any questions they have concerning a project before beginning it. Spaulding stressed the importance of researching the laws in other jurisdictions prior to pursuing projects in them and recommended that the new registrants become NCARB certified immediately in order to facilitate timeliness of licensure by reciprocity in other jurisdictions.

**Agenda Item 4**                      **Discussion and Possible Decision Regarding Revised NSBAIDRD Banking Investment Strategy and Review and Discussion Regarding Revised Investment Proposal Submitted by Benjamin Herman from Morgan Stanley**

At its March 2016 board meeting, the board had finalized an investment strategy and instructed Spaulding to speak with Benjamin Herman to find out if Morgan Stanley's original investment proposal agreed with the finalized investment strategy.

Spaulding reported back to the board that Herman said NSBAIDRD's Investment Strategy did not coincide with Morgan Stanley's original investment proposal. Herman suggested minor changes to the investment strategy in order for the board to securely maximize funds.

The revised "Draft Board Financial Investment Strategy" was presented in the board eBook as follows:

6/8/16

***Draft Board Financial Investment Strategy***

1. *The goal of the investment strategy will be low risk with low fees.*
2. *All certificates of deposit and money markets must be in insured accounts (e.g., FDIC, SIPC). For fixed income, the Board will only own investment grade bonds or better.*
3. *Investment timing shall be from July to June of each fiscal year.*
4. *During the first board meeting of the calendar year, the Secretary/Treasurer will make a presentation to the Board regarding the status of the board's investments and get Board consensus regarding how the investments are being handled for the coming year. Revisit investment policy as needed.*

5. *Must have Board approval for investment changes and reinvestment strategies.*
6. *Have the board accountant independently review the investment mix and give opinion on the risk/reserves/portfolio mix annually.*
7. *At no time shall the maximum threshold of the investment portfolio exceed 75% of the board's reserves.*
8. *The signature policy for changes to the investment portfolio shall consist of the Board Chair, Secretary/Treasurer and the Executive Director.*

The board discussed the draft and agreed that item number three (3) should be deleted.

**Motion:** Snyder moved to approve NSBAIDRD's "Financial Investment Strategy" as amended. Motion seconded by Ciesynski.

**Vote:** All in favor. Motion passes.

Herman presented a revised investment proposal in order to meet NSBAIDRD's needs. He discussed the proposal at length.

The board discussed the proposal.

**Motion:** Klai moved to go forward with Morgan Stanley's proposal. Motion seconded by Erny.

**Vote:** All in favor. Motion passes.

## **Agenda Item 5                      Discussion and Possible Approval of the Draft Contractor Letter Regarding NRS/NAC623**

Spaulding said she felt it was time to send a letter to contractors licensed pursuant to Chapter 624 of Nevada Revised Statutes in order to remind them of the exemption in NRS 623 that allows them to practice architecture, because there are many new contractors since the letter was last sent in 2003 and there have recently been several complaints made due to improper practice.

Spaulding reported that the letter sent out in 2003 was very effective in helping contractors understand that they must appropriately practice architecture under the exemption and practice to the standard of care. She presented an updated version of the letter to the board to be sent to all contractors, Nevada building officials, and the Nevada State Contractors Board and posted on NSBAIDRD's website.

The board discussed the letter and made modifications. The letter was approved as follows:

### **NOTICE**

June 2016

To:        Contractors Licensed Pursuant to Chapter 624 of Nevada Revised Statutes

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

Re:        Clarification of the Contractor's Exemption

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The Nevada State Board of Architecture, Interior Design & Residential Design is responsible for protecting the health, safety, and welfare of the public by assuring the quality of the built environment. This letter is provided to you, a contractor licensed

pursuant to NRS 624 to ensure compliance with Chapter 623 of Nevada Revised Statute (NRS 623), which governs the practice of architecture, interior design, and residential design.

Contractors licensed under the laws of the state of Nevada are exempt from certain provisions of NRS 623, if they prepare their own drawings for their own construction activities and meet the code requirements set forth by the building department. Since a contractor is only allowed to provide drawings under the specific guidelines of this exemption, it is important that you, the contractor, understand the exemption. It reads as follows:

**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.***

**Your own drawings as defined in NAC 623.0195 means: For the purposes of paragraph (d) of subsection 1 of [NRS 623.330](#), the Board interprets the phrase “his or her own drawings” to include only drawings prepared by a contractor or an employee of the contractor. This means that the employee must be a W-2 employee and not hired on a 1099 contract basis, as that would be in conflict with the intent of the exemption in NRS 623.**

After you have prepared drawings for a client that hired you to design and build a project, can the client hire a different contractor to build the project using your drawings? The answer is no. Those drawings are your property! The client cannot shop bids using drawings you prepared for the purpose of building the project because this is not the intent of the contractor’s exemption.

How can you prevent this from happening to you? Include language in your agreement with the client that the plans belong to you and may **only** be used by you for your own construction activities.

If you prepare a set of architectural plans knowing that the project will be built by someone else, you are considered to be practicing unlicensed architecture and in violation of NRS 623 as follows:

**NRS 623.360 Prohibited acts; penalties; injunctive relief.**

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

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.**

Another thing to be aware of is that a general building contractor shall not prepare drawings for the following specialties: plumbing, electrical, refrigeration and air conditioning, or fire protection unless you hold a specialty license.

Finally, your drawings must be consistent with industry standards. If you submit drawings to the building department and it is determined that the drawings are substandard, you will have to use the services of an appropriate design professional such as an architect, residential designer, registered interior designer, or engineer.

Please share the information in this letter with anyone in the industry that it may pertain to.

We are available to provide education and assistance to you regarding the exemption in NRS 623.330.1(d). If you have any questions or concerns regarding the architectural services that your business is providing, please contact us for further clarification at (702) 486-7300.

**Motion:** Waugh moved to approve the letter to contractors licensed pursuant to NRS 624 as amended. Motion seconded by Klai.

**Vote:** All in favor. Motion passes.



## Agenda Item 6

## Discussion and Possible Approval of the Draft Residential Design Letter Regarding NRS/NAC 623

Spaulding told the board that the letter presented in in the board e-book originated from an article in NSBAIDRD's newsletter. The article was then put into letter format and mailed out to all residential designers. The reason that the article and letter were written was because of the proliferation of residential designers that believe they are legally able to provide construction management services as part of their role as a residential designer.

Although no feedback was received from the newsletter article, Spaulding said the office received several phone calls and emails from registrants after the letters were mailed out. The registrants were seeking clarification of the line between construction administration and construction management. Spaulding brought the letter before the board so that they could resolve the issue by revising the letter. She said the revision would be announced in an email blast sent to all residential designers and in the next newsletter.

The board discussed and revised the letter. The letter was approved as follows:

### NOTICE

June 2016

To: Nevada Residential Designers

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

Re: Clarification of the Role of a Residential Designer

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As the construction and design industry continues to evolve the Nevada State Board of Architecture, Interior Design and Residential Design (NSBAIDRD) routinely receives questions regarding the limitations and boundaries of the scope of registration of the three disciplines. Recently, NSBAIDRD has received a number of inquiries regarding residential designers and what is included within the scope of their practice. For this reason, the board would like to clarify the role of a residential designer.

The definition of the practice of residential design is as follows:

**NRS 623.025 "Practice of residential design" defined.** *The "practice of residential design" consists of rendering services embracing the scientific, esthetic or orderly coordination of processes which enter into:*

1. *The production of a completed:*
  - (a) *Single-family dwelling unit; or*
  - (b) *Multifamily dwelling structure that does not exceed two stories in height and is composed of not more than four units in that structure; and*
2. *The use of space within and surrounding the unit or structure, performed through the medium of plans, specifications, administration of construction, preliminary studies, consultations, evaluations, investigations, contract documents, and advice and direction.*

A residential designer is **allowed** to provide **administration of construction** of their own project per [NRS 623.025](#).

Administration of construction typically consists of the following:

(1) the timely flow of information and decisions to enable completion of the project (requests for information-RFIs); (2) review and observation of the construction project to determine that the work is proceeding in conformity with the contract documents; and (3) detecting inaccuracies, ambiguities, or inconsistencies in the design.

Residential designers are allowed to prepare finished grading, structural, mechanical, electrical, and plumbing plans if the plans are prepared to the standard of care expected in the industry. If the building department determines that the plans are substandard, an engineer may be required to prepare the plans.

Residential designers are **not allowed** to provide **construction management** services. Most construction management services including pulling permits, hiring subs, and purchasing materials require a general contractor who holds a B license with the Nevada State Contractors Board. Nevada architects are also allowed to provide these services under the scope of their registration.

Construction management includes but is not limited to: (1) specifying project objectives and plans including delineation of scope, budgeting, scheduling, setting performance requirements, and selecting project participants; (2) maximizing the resource efficiency through procurement of labor, materials, and equipment; and (3) implementing various operations through proper coordination and control of estimating, contracting, and construction in the entire process.

There are some limitations that residential designers need to be aware of. Residential designers may only design commercial projects if they are working under the responsible control of a Nevada registered architect *and* have a [residential designer-architect agreement](#) in place pursuant to NRS [623.353](#). This agreement must be filed with the NSBAIDRD office along with a copy of the original agreement.

Situations may arise that are not clear as to whether or not the work is within the scope of registration of a residential designer. When such a situation arises, the most important thing to remember is that if you are in doubt, please call the NSBAIDRD office. The board office wants to help and welcomes your calls.

For more information on the qualifications and requirements of becoming an [architect](#), [registered interior designer](#), or [residential designer](#) visit our website at <http://nsbaidrd.org>.

**Motion:** Tindall moved to approve the letter to residential designers regarding NRS/NAC 623 as modified. Motion seconded Mickey.

**Vote:** All in favor. Motion passes.

## **Agenda Item 7**

### **Review and Possible Decision Regarding Draft Regulation Amending NAC 623.572 (Broadly Experienced Registered Interior Designers)**

Spaulding refreshed the board on background information that led up to the proposal of amending NAC 623.572.

In January 2015 Ciesynski presented the Council for Interior Design Qualification's (CIDQ) Alternative Application Review Program (AARP) to the board, a program set up for broadly experienced applicants that were not able to document the minimum educational requirement for NCIDQ Examination eligibility. When originally presented, the AARP was intended to replace the NSBAIDRD's binder process. The title of the program was since renamed Nevada Alternative Application Review Program (NAARP) and, if implemented, would serve as an additional, not a replacement, review program to assess Council for Interior Design Accreditation (CIDA) educational equivalency.

Ciesynski presented an updated outline of the program to the board as follows:

#### **Unable to document the minimum educational requirement for Nevada Interior Design Registration?**

A new process is available to evaluate Nevada applicants who have the same competencies as measured by traditional application routes, but took a different path to gain that experience and education. Applicants must document competencies based on current CIDA standards through an educational and dossier review in the areas of:

- Health, Safety and Welfare
- Human Behavior
- Design Process
- Space and Form
- Construction Documentation; Furniture, Fixtures & Equipment; Bidding; and Construction Administration
- Environmental Systems and Controls
- Interior Construction and Building Systems
- Professionalism and Business Practice

The review process consists of an education evaluation, a dossier review, and if further information is required by the peer review committee, a personal interview.

**APPLICANT STEPS:**

Step One:

Document five years of qualified work experience obtained after applicant obtained 4 year interior design/architectural degree and submit the \$220 application review fee for the traditional review.

Once initially reviewed....

Step Two:

Document all post-secondary interior design education on the Education Review Form and submit the \$595 additional review fee. This mechanism for peer evaluators to comprehensively review the applicant's educational background determines which competencies were met with any post-secondary education.

Step Three:

Document any missing competencies with the Dossier Review Form. This provides an opportunity for evaluators to review an applicant's experiential background to determine which competencies were met as a result of interior design practice experience.

Step Four:

After final review and approval by the Peer Review Task Force, the applicant is permitted to sit for the NCIDQ Examination, if he/she has not already done so.

Step Five:

If applicant successfully completes the Nevada-CIDQ AARP, the CIDQ will send a letter of approval to the Nevada Board.

Spaulding said Ling drafted language for amendment of NAC 623.572. It was presented in the board e-book as follows:

**NAC 623.572            Application for registration: Action by Executive Director and subcommittee of Board; placement on agenda of Board; submission of additional information.** (NRS 623.140, 623.192)

1. The provisions of this section apply only to an application submitted pursuant to NRS 623.192 by an applicant who has successfully completed a program of interior design which is not accredited by the Council for Interior Design Accreditation. *The Board may issue a license to an applicant under this section where the applicant has:*

*(a) Provided a letter of approval from the Council for Interior Design Qualification that the applicant has successfully completed the Nevada Alternative Application Review Program administered by the Council for Interior Design Qualification; or*

*(b) Satisfied the Board's review process as set out in paragraph 2.*

2. Upon the receipt of an application and appropriate supporting information *from an applicant seeking to satisfy the Board's review process*, the Executive Director shall:

(a) Establish a subcommittee of the Board to review the application. If possible, at least one of the members of the subcommittee must be a registered interior designer. A subcommittee established pursuant to this paragraph may be composed of architects or registered interior designers who hold a certificate of registration issued pursuant to chapter 623 of NRS.

(b) Provide each member of the subcommittee with a copy of each pending application and any supporting information.

3. The subcommittee shall:

(a) Meet at least once during each period of 90 days in which any applications are awaiting its review.

- (b) Meet in a closed session to consider the qualifications of an applicant.
- (c) Weigh the application against the requirements of NAC 623.562 to 623.594, inclusive.
- (d) Open its meeting to the public when taking any action.

4. After the subcommittee reviews an application, the subcommittee shall:

- (a) Provide the applicant with its preliminary decision concerning the application.
- (b) If the subcommittee finds that the application and supporting information:

(1) Are sufficient to determine whether the program of interior design completed by the applicant is substantially equivalent to a program of interior design accredited by the Council for Interior Design Accreditation, recommend to the Board whether to approve pursuant to subparagraph (2) of paragraph (d) of subsection 1 of NRS 623.192 the program of interior design completed by the applicant. The application will be placed on the agenda for consideration by the Board at its next regularly scheduled meeting.

(2) Are not sufficient to determine whether the program of interior design completed by the applicant is substantially equivalent to a program of interior design accredited by the Council for Interior Design Accreditation, provide the applicant with a written request for the information necessary to make that determination. Within 90 days after receiving such a request, the applicant must provide to the subcommittee an original and three additional copies of the information requested or a written request for additional time to supplement the information supporting the application, or may notify the subcommittee of the applicant's intention not to supplement that supporting information. Within 90 days after the subcommittee receives any supplemental information from an applicant pursuant to this subparagraph, the subcommittee shall forward to the Board its recommendation of whether to approve pursuant to subparagraph (2) of paragraph (d) of subsection 1 of NRS 623.192 the program of interior design completed by the applicant.

5. As used in this section, "application" means an application submitted pursuant to NRS 623.192 by an applicant who has successfully completed a program of interior design which is not accredited by the Council for Interior Design Accreditation.

**NAC 623.574 Application for registration: Action by Board; prerequisites to approval of program.** (NRS623.140, 623.192)

The Board:

1. Will act upon any recommendations submitted pursuant to *paragraph (b) of subsection 1 of* NAC 623.572 in a public meeting, but may hold a closed session to receive evidence concerning the competence of an applicant for a certificate of registration to practice as a registered interior designer.

2. Will not approve pursuant to subparagraph (2) of paragraph (d) of subsection 1 of NRS 623.192 the program of interior design completed by an applicant unless that program complies with the requirements of NAC 623.576, the minimum requirements for satisfaction of the standards set forth in NAC 623.578 to 623.594, inclusive, and at least nine of the additional criteria set forth in NAC 623.578 to 623.594, inclusive, for the satisfaction of those standards.

The board discussed the program and draft language.

Spaulding reminded the board that this program would offer applicants with a minimum of a bachelor's degree in interior design who had not graduated from a CIDA-accredited program an additional option to have their educational program evaluated to determine if it is substantially equivalent to a CIDA-accredited program. She said that it would not replace NSBAIDRD's binder process that is currently in place.

The possibility of NSBAIDRD funding two people in the pilot of this program will be discussed by the board once the regulation change has been approved.

**Motion:** Waugh moved approve the draft language presented by Ling in order to move forward with the regulation change to NAC 623.572 in acceptance of CIDQ's Nevada Alternative Application Review Program (NAARP). Motion seconded Erny.

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 9A-1 Case No. 16-016R - In the Matter of Michael Peterson**

The respondent is alleged to have violated NRS 623.270.1 (c), NRS 623.360.1 (c), and Rules of Conduct 1.1, 1.3, 2.3, and 5.5 by working outside the scope of his residential designer's registration, being negligent, not acting with reasonable care, utilizing unqualified consultants, and making false statements.

Staff received a complaint stating that the respondent was negligent in providing construction administration services. Further investigation including an enforcement advisory member review of the respondent's contract and actions revealed that he had been providing construction management services. Furthermore, it was discovered that the respondent recommended and utilized unlicensed contractors, failed to respond timely to requests for information from the client and the contractors, and purchased roofing materials in his name to obtain a rebate for the supplies.

The respondent was sent a Notice of Charges concerning this project. The respondent's case was discussed with Executive Director Spaulding and the decision was made to offer the respondent an opportunity to settle this matter informally rather than face a disciplinary hearing before the board. A settlement agreement and confession of judgment were negotiated. The settlement agreement incorporates a Guilt Clause, requires the respondent to revise his website and contract, and take and pass the NCARB professional monograph. It also includes an Administrative Penalty of \$10,000 plus Investigative Costs in the amount of \$2,500.

Staff recommended approval of the settlement agreement.

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

**Vote:** Erny recused himself. All others in favor. Motion passes.

**AGENDA ITEM 9A-2 Case No. 16-019N - In the Matter of Megan McFarland, Dean Singer, and Design 360 Unlimited**

The respondents are alleged to have violated NRS 623.360.1 (b) by advertising Nevada projects on their website without having certificates of registration issued by the board and without having a proper disclosure naming the architect of record.

Staff received information that the respondents were advertising on the website [www.design360unlimited.com](http://www.design360unlimited.com) three Nevada projects as being designed by them. Further investigation revealed that the newest project was completed in 2008 and all were completed

with a Nevada registrant. The respondents did contract incorrectly for one of the projects and were educated on how to work in the correct manner without having certificates of registration in Nevada.

The respondents were sent a Notice of Charges concerning this matter. The respondents' case was discussed with Executive Director Spaulding and the decision was made to offer the respondents an opportunity to settle this issue informally rather than face a disciplinary hearing before the board. A settlement agreement was negotiated incorporating a Non Admission of Guilt Clause and an Administrative Penalty of \$3,000 plus Investigative Costs in the amount of \$1,500.

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 9A-3                      Case No. 16-020N - In the Matter of Hasnaat Bukhari and Bukhari Design Studio**

The respondents are alleged to have violated NRS 623.360.1 (a) and NRS 623.360.1 (b) by advertising Nevada projects on their website without having certificates of registration issued by the board and without having a proper disclosure naming the architect of record.

Staff received information that the respondents were advertising on the website [www.bukharidesignstudio.com](http://www.bukharidesignstudio.com) multiple Nevada projects as being designed by them. Further investigation revealed that all of the Nevada projects were completed under the responsible control of a Nevada registrant. Moreover all of the projects were for Wynn Design and Development and the respondents obtained permission from Wynn to advertise the projects however did not include a disclaimer that Butler Ashorth was the firm of record.

The respondents were sent a Notice of Charges concerning this matter. The respondents' case was discussed with Executive Director Spaulding and the decision was made to offer the respondents an opportunity to settle this issue informally rather than face a disciplinary hearing before the board. A settlement agreement and confession of judgment were negotiated. The settlement agreement incorporates a Guilt Clause and an Effect on Licensure Clause along with an Administrative Penalty of \$6,000; \$5,000 of which is stayed as long as the Respondent remains in compliance with the terms of the settlement agreement plus Investigative Costs in the amount of \$1,500.

Staff recommended approval of the settlement agreement.

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

**Vote:** All in favor. Motion passes.

**AGENDA ITEM 9A-4**

**Case No. 16-025N - In the Matter of Kristy Moore Angyal and Kip A. Moore & Associates, P. A.**

The respondents are alleged to have violated NRS 623.360.1 (c) by engaging in the practice of architecture for a project located in Nevada without having certificates of registration issued by the board.

Staff received a reciprocity application from the respondent on March 16, 2016 which did not indicate that she had entered into a contract or prepared any drawings. During the phone interview, the respondent was asked if she had prepared any drawings and she replied that she had prepared some preliminary sketches. Bach requested and received a copy of the sketches dated December 10, 2015.

The respondents were sent a Notice of Investigation/Notice of Charges concerning this project. The respondents' case was discussed with Executive Director Spaulding and the decision was made to offer the respondents an opportunity to settle this issue informally rather than face a disciplinary hearing before the board. A settlement agreement was negotiated incorporating a Non Admission of Guilt Clause, an Effect on Licensure Clause and an Administrative Penalty of \$2,500 plus Investigative Costs in the amount of \$1,000.

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 9B**

**Discussion and Possible Decision Regarding Closure of Enforcement Cases**

Bach recommended the following cases for closure without disciplinary action:

15-011N	16-012R	16-013N	16-021N
16-023N	06-024N	16-027R	

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

**Vote:** Garlock recused himself. All others in favor. Motion passes.

**Agenda Item 9C**

**Enforcement Report**

Bach said she was in the process of recruiting new members to serve on the Enforcement Advisory Committee (EAC). The duties of an EAC member are to review and evaluate evidence and make recommendations to staff to assist in the disposition of a case. She said she would be placing an article in the next newsletter announcing that NSBAIDRD is searching for new EAC members.

**Agenda Item 10A**

**Discussion and Possible Decision Regarding of the Final Resolutions for the 2016 NCARB Annual Business Meeting in Seattle, WA on June 15-18, 2016**

Erny led the board through the resolutions as presented in the e-book. The resolutions were discussed.

**Agenda Item 10B**

**Discussion and Possible Decision Regarding Whether the Board Will Accept the Upcoming Implementation of the NCARB Programs: Architectural Experience Program (AXP) and AXP e-Portfolio and Alternative to Certification for Foreign Architects**

The board discussed the programs.

**Agenda Item 10C**

**FYI: NCARB's CEO Update for February and March 2016**

Garlock said this information was provided for board members' information.

**Agenda Item 10D**

**NCARB's Fast Facts for April and May 2016**

Garlock said this information was provided for board members' information.

**Agenda Item 10E**

**NCARB's BOD Brief for April 2016**

Garlock said this information was provided for board members' information.

**Agenda Item 17**

**Staff Annual Salary Evaluations for: Bach, Goins, Hahn, Harrison, Samardzija, and Spaulding**

**Motion:** Garlock moved that the board go into closed session, per NRS 241.030(1), to consider board staff compensation for Bach, Goins, Hahn, Harrison, and Samardzija. Spaulding's compensation would be discussed in open session pursuant to the open meeting law. Motion seconded by Erny.

**Vote:** All in favor. Motion passes.

*The board went into closed session.*

**Motion:** Erny moved that the board go back into open session. Motion seconded by Tindall.

**Vote:** All in favor. Motion passes.



**Motion:** Garlock stated that the executive director had done an outstanding job during her twenty-eight years of service with the board and moved to approve a net bonus of \$15,000 for Spaulding. Motion seconded by Snyder.

**Vote:** All in favor. Motion passes.

**Motion:** Tindall moved to accept the executive director's recommendation for increasing compensation of Bach, Goins, Hahn, Harrison, Samardzija, and Spaulding. Motion seconded by Waugh.

**Vote:** All in favor. Motion passes.

### **Agenda Item 16                      Public Information Report**

Hahn said the public information report and the latest copy of Focus were in the e-book. She asked for comments from the board.

Erny told Hahn that the board had held a few board meetings at UNLV in the past in order to give students a greater opportunity to attend. He said that attendance by students was not very strong, but he wanted to know if Hahn thought things had changed and if there would be any merit to holding a meeting at UNLV in the future. Hahn replied that the students appear to have a genuine interest in what NSBAIDRD does and that she would discuss the matter with Nowak, Associate Professor, Graduate Coordinator of UNLV once the new semester had begun.

### **Agenda Item 15                      Board Counsel Report**

Ling said he had nothing to report.

### **Agenda Item 11                      Residential Design Issues**

Tindall said he had nothing to report.

### **Agenda Item 12                      Registered Interior Design Issues**

Ciesynski said CIDQ was working on computerizing its exams and had recently relocated its office from Washington, D.C. to Alexandria, Virginia.

She reported that she is serving on CIDQ's Nominations Committee which assists CIDQ in finding eligible candidates to fill roles on its board of directors.

### **Agenda Item 13                      Public Member Report**

Waugh said that he had been appointed to NCARB's Professional Conduct Committee by NCARB First Vice-President/President-Elect Harding.

**Agenda Item 18**

**Items for Future Agenda**

There were no items presented for a future agenda.

**AGENDA ITEM 19**

**Public Comment**

There was no public comment.

Chairman Garlock adjourned the meeting at 3:55 p.m.

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Gina Spaulding, Executive Director

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James Mickey, Secretary/Treasurer