



Architects
Information Guide



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Introduction

Congratulations on obtaining your California architect license! The **California Architects Board** (CAB) created this guide to give you information about the Architects Practice Act, related regulations, and various filing and notification requirements. However, this guide is not all-inclusive—you should also review the **Architects Practice Act** and regulations in their entirety to ensure compliance, and routinely review CAB's website and **sign up for email notifications**.

Laws and Regulations

The Architects Practice Act and CAB's regulations can be found in **Business and Professions Code (BPC) sections 5500–5610.7** and **California Code of Regulations (CCR), title 16, Division 2, sections 100–165**, respectively.

Practice of Architecture (BPC § 5500.1)

The practice of architecture is “offering or performing, or being in responsible control of, professional services which require the skills of an architect in the planning of sites, and the design, in whole or in part, of buildings, or groups of buildings and structures.”

An architect's professional services may include any or all of the following:

1. Investigation, evaluation, consultation, and advice.
2. Planning, schematic and preliminary studies, designs, working drawings, and specifications.
3. Coordination of the work of technical and special consultants.
4. Compliance with applicable codes and regulations, and assistance in the governmental review process.
5. Technical assistance in the preparation of bid documents and agreements between clients and contractors.
6. Contract administration.
7. Construction observation.

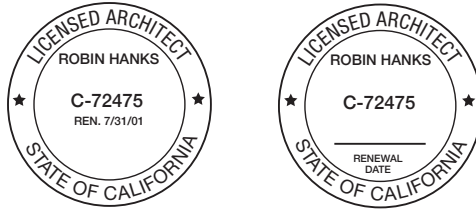
Stamp and Signature (BPC § 5536.1 and Cal. Code Regs., tit. 16, § 136)

Architects are required to stamp and sign plans, specifications, and other instruments of service. The design must be authorized by CAB and contain the following:

1. The legend “State of California.”
2. The term “licensed architect.”
3. The architect’s name (as licensed with CAB).
4. The architect’s license number.
5. The renewal date of the license. The renewal date may be handwritten or typeset. The typeset version will require replacement every two years.

CCR, title 16, section 136 requires the stamp be circular and one to two inches in diameter. The design of the circle may include solid lines (thin or thick) or broken lines such as dashes or dots. Other possibilities include a rope or beaded effect or words forming the circle. Embellishments (stars, graphic designs) are also acceptable if the stamp is legible. The stamp shall not be the embossing type.

Stamps can be ordered from any source—stationery stores, business supply houses, rubber stamp manufacturers, and print shops. Examples of recommended formats for a California architect's stamp are below.



Note: CAB has not adopted regulations that require a “wet” (original) stamp or signature nor does it prohibit the use of an electronic stamp or signature.

Written Contracts (BPC § 5536.22)

Architects must use a written contract when providing professional services. The written contract must be executed by both the architect and the client (or the client's representative) prior to the work commencing, unless the client states in writing that work may begin before the contract is executed. The written contract must include, but is not limited to, the following:

1. A description of the project and services provided by the architect.
2. A description of compensation and the method of payment.
3. The name, address, and license number of the architect, the name and address of the client, and the project address.

4. A description of the procedure to be used to accommodate additional services and contract changes, including, but not limited to, changes in the description of the project or services, or compensation and method of payment.
5. A description of the procedure used by either party to terminate the contract.
6. A statement identifying the ownership and use of instruments of service prepared by the architect.
7. A statement in at least 12-point type that reads: "Architects are licensed and regulated by the California Architects Board located at 2420 Del Paso Road, Suite 105, Sacramento, CA 95834."

A written contract is not required if:

1. Professional services are rendered at no charge.
2. An arrangement is agreed upon based on a previous contract between the architect and same client.
3. The client states in writing that a contract is not required.
4. Professional services are provided for a professional engineer registered to practice engineering under Chapter 7 (commencing with section 6700), or to a land surveyor licensed under Chapter 15 (commencing with section 8700).
5. Professional services rendered by an architect to a public agency when using that public agency's written contract.

Aiding and Abetting (BPC §§ 5582 and 5582.1 and Cal. Code Regs., tit. 16, section 151)

The following actions constitute grounds for disciplinary action:

- Aiding or abetting anyone not licensed to practice architecture under the provisions of this chapter, including a subordinate employee.
- Affixing signature to plans, drawings, specifications, or other instruments of service which have not been prepared by or are under responsible control of the architect.
- Permitting the architect's name to be used to evade the provisions of this chapter.

Rules of Professional Conduct (Cal. Code Regs., tit. 16, section 160)

CAB adopted the “Rules of Professional Conduct” to protect the public by addressing unprofessional behavior. Architects are required to comply with these rules relating to competency, misconduct, conflict of interest, full disclosure, and copyright infringement.

A violation of any rule of professional conduct in the practice of architecture constitutes a ground for disciplinary action. Architects shall comply with the following:

COMPETENCE:

An architect shall perform professional services only when qualified by education, training, and experience in the specific technical areas involved.

An architect shall act with reasonable care and competence and shall apply the technical knowledge and skill which is ordinarily applied by architects of good standing practicing in this state under similar circumstances and conditions.

WILLFUL MISCONDUCT:

An architect shall have knowledge of all applicable building laws, codes, and regulations. An architect may obtain the advice of other professionals (e.g., attorneys, engineers, and other qualified persons) regarding laws, codes, and regulations and shall not design a project in violation of such laws, codes, and regulations.

When CAB conducts an investigation, an architect shall respond to requests for information and/or evidence within 30 days.

CONFLICT OF INTEREST:

An architect shall not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed and agreed to (such disclosure and agreement must be in writing).

If an architect has a business association or financial interest which is substantial enough to influence judgment in performing professional services, the architect shall fully disclose the conflict of interest in writing. If clients or employers object to the association or financial interest, the architect shall either terminate the association or interest or offer to give up the project or employment.

An architect shall not solicit or accept payments, rebates, refunds, or commissions from material or equipment suppliers in return for specifying their products to clients.

An architect shall not engage in a business or activity outside his or her capacity as an officer, employee, appointee, or agent of a governmental agency knowing that the business or activity may later be subject (directly or indirectly) to the control, inspection, review, audit, or enforcement by the architect.

When acting as the interpreter of construction contract documents and the judge of construction contract performance, an architect shall secure faithful performance of all parties and not show partiality.

FULL DISCLOSURE:

An architect shall accurately represent qualifications and experience regarding projects or services.

An architect shall respond in writing within 30 days to any request from CAB for information about a candidate's application and shall accurately report the candidate's training or experience for the period the architect directly supervised the candidate.

COPYRIGHT INFRINGEMENT:

An architect shall not have been found by a court to have infringed upon the copyrighted works of other architects or design professionals.

INFORMED CONSENT:

An architect shall not materially alter the scope or objective of a project without first informing the client and obtaining consent in writing.

Address of Record

A licensee's mailing address, commonly referred to as the "address of record," is public information. CAB sends all correspondence to the licensee's address of record, including notifications for license renewal, coursework audits, and complaints filed against the licensee.

Licensees must file their current mailing address and immediately notify CAB of any changes, giving both old and new addresses (BPC section 5558 and Cal. Code Regs., tit. 16, section 104).

A **Change of Address form** is available on CAB's website at **www.cab.ca.gov**.

Business Entities (BPC § 5558)

Licensees must report the name and address of the entity through which they provide architectural services.

All licensees who provide architectural services whether sole proprietors, owners, part-owners, or employees of a business entity are required to comply with this provision. This filing ensures consumers and CAB that an architectural business has an architect in responsible control.

Licensees must immediately notify CAB of any changes to the name, address, or business entity, giving both old and new addresses.

A **Business Entity Report form** is available on CAB's website at www.cab.ca.gov.



License Renewal Process

California architect licenses expire at midnight on the last day of the licensee's birth month in odd-numbered years and must be renewed every two years. Licenses cannot be renewed more than 90 days before the expiration date. It is the responsibility of the licensee to ensure the license is renewed. Do not rely on an employer to renew the license.

Renewal notices are sent to the licensee's address of record approximately 90 days prior to the expiration date.

The most frequent cause of delay in the renewal process is an incomplete renewal application. Be sure that your renewal application is complete and signed.

Use the online license renewal payment portal on CAB's website and pay with a debit or credit card, or complete an **Architect License Renewal Application** and mail it to CAB with the renewal fee.

Envelope must be postmarked on or before the license renewal date.

A licensee cannot renew online for the following reasons:

- It is more than 90 days prior to its expiration date.
- Licensee owes a fine.
- A military waiver is requested (no fee).
- Licensee is on military inactive status (no fee).
- License is delinquent beyond two renewal cycles (two years delinquent and two renewal fees due).
- License has been revoked.

If you submitted a complete license renewal application prior to the expiration, you may continue to engage in legal practice until receipt of the renewed license if the delay was not the fault of the licensee (BPC section 121). The safe harbor provision will not apply if the renewal application is untimely or incomplete.

Continuing Education Coursework Requirement

Architects whose license expires after January 1, 2023, must complete continuing education coursework on two topics each renewal cycle—disability access requirements and zero net carbon design.

Disability access requirements focus on information and practical guidance concerning the requirements imposed by the Americans with Disabilities Act of 1990 (Public Law 101–336; 42 U.S.C. § 12101 et seq.), state laws that govern access to public facilities, and federal and state regulations. Zero net carbon design addresses information and practical guidance related to building design strategies that meet their energy demands or offset carbon-based energy consumption.

The Board does not have the authority to approve course providers or courses and will not endorse a specific course or provider.

Coursework is available from a variety of sources and available in many delivery formats. When selecting a course, be sure to:

- Choose a provider with subject matter content that meets the above-described requirements.
- Verify the material is presented by trainers or educators with knowledge and expertise in these design requirements.

Certify on the renewal application that the coursework has been completed. You must maintain records documenting completion of the required coursework for two years from the date of license renewal. If audited, you will need to provide records to CAB, which will include the following information:

1. Course title and subjects covered.
2. Name of provider.
3. Name of educator or trainer and a statement regarding his or her knowledge and experience.
4. Date of completion and number of hours completed.

Licensees are encouraged to complete these requirements timely to avoid a delay in processing their license renewal.

For more information, contact:

The American Institute of Architects, California

(916) 448-9082

www.aiacalifornia.org

California Building Officials

(916) 457-1103

www.calbo.org

Division of the State Architect Academy

(916) 324-8911

www.dsaacademy.dgs.ca.gov



Judgments

Any civil action judgment, settlement, arbitration award, or administration action must be reported to CAB in writing within 30 days of the date an architect became aware of the event that alleged fraud, deceit, negligence, incompetence, or recklessness while practicing architecture if the amount or value is \$5,000 or greater.

Failure to report the event in the time and manner required constitutes grounds for disciplinary action. **(BPC § 5588(d))**.

A **Report of Settlement or Arbitration Award form** is available on CAB's website at www.cab.ca.gov, or a form can be mailed by calling (916) 574-7220.

Disclosure of a Criminal Conviction or Disciplinary Action

Each license renewal application includes a question regarding disciplinary action by a public agency or conviction of a crime.

If you are convicted* of a crime or disciplined by a public agency, you must disclose the action to the board by answering “yes” to the question. You will then be contacted by a representative from CAB’s Enforcement Unit.

* “Convicted” includes a plea or verdict of guilty or a conviction following a plea of nolo contendere and any conviction that has been set aside or deferred pursuant to Penal Code section 1203.4, including infractions, misdemeanors, and felonies (BPC section 7.5). A conviction of a traffic infraction with a fine of less than \$1,000 does not need to be reported unless the infraction involved alcohol or a controlled substance. You must, however, disclose any convictions in which you entered a plea of no contest and any convictions that were subsequently set aside or deferred pursuant to Penal Code sections 1000 or 1203.4.

Contact Information

If you have any questions about your license, CAB, the Architects Practice Act, or regulations, please contact:

California Architects Board
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
(916) 574-7220

www.cab.ca.gov

cab@dca.ca.gov

Additionally, CAB's architect consultant is available to discuss technical and/or practice-related issues with you. For further information, contact CAB's Enforcement Unit at (916) 619-3373.





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