

Quarterly Report of the Executive Officer

Administrative/Management

Board. The Board met by teleconference on May 19.

Meetings. LATC met on April 21 in Sacramento and scheduled the next meeting for August 11 in Sacramento.

Newsletter

The spring issue of the *California Architects* newsletter was distributed in April. The summer issue is scheduled for distribution in August.

Budget

The Board's fund condition was discussed at the last Board and LATC meetings. CAB's fund is generally stable; the fee increase beginning in July 2023 will bolster the budget. LATC's fund is unsustainable without a large increase in fees.

Business Modernization

The Business Modernization Cohort 2 Project consisting of CAB/LATC, Structural Pest Control Board, Cemetery and Funeral Bureau, and the Bureau of Household Goods and Services began on May 16, 2022. The 18-month project's first release occurred on May 23 for LATC and June 1 for CAB, and included automation of the Eligibility Application, California Supplemental Exam Application, and Initial License Application. The second release is scheduled for fall 2023 and will include automation of the Certification of Experience and Reciprocity Applications. The online license renewal will also be incorporated into Connect.

Personnel

Jesse Laxton was hired as the Board’s new Assistant EO and will begin employment on July 10. Rey Castro, Office Technician in the Enforcement Unit, accepted a promotion with the Board of Pharmacy.

Outreach

Outreach continued for the new zero net carbon design continuing education requirement that became effective January 1, 2023 and the upcoming fee increase. Information has been disseminated on social media, the *California Architects* newsletter, and sent to the licensee email list. A webinar is scheduled for July 20 to answer questions from candidates and licensees regarding licensing.

Social Media

CAB and LATC’s social media account information is noted in the chart below.

CAB	Posts April - June	Followers 6/30/23	LATC	Posts April - June	Followers 6/30/23
Twitter	40	1,402	Twitter	23	266
Instagram	40	1,289	Instagram	10	75
Facebook	40	440	LinkedIn	3	13
LinkedIn	2	503			

Regulatory Proposals

Architects

CCR Section 109 (Application Update). This regulatory proposal provides updates to the Application for Eligibility reference to address AB 496, AB 2113, AB 2138, aligns with current Board practices and the National Council of Architectural Registration Boards (NCARB) current requirements, and makes non-substantive changes to the text to increase understanding. Proposed language was approved at the May 2023 Board meeting. Staff is working to confirm language and developing the Notice, Initial Statement of Reasons (ISR), and 399 (fiscal analysis). **Status:** Board approved language at the May 19, 2023 meeting. Staff working with the Legislative Affairs Division (LAD) and DCA Fiscal Office to confirm language and will draft the Notice, ISR and 399.

CCR Section 120 (Re-Examination). This regulatory proposal amends 16 CCR section 120 in response to NCARB’s new score validity policy effective May 1, 2023, that states a passed exam division of the Architect Registration Examination (ARE) shall remain valid throughout the delivery of the exam version under which it was taken, as well as the next exam version. Passed divisions will expire after two revisions of the exam. For example, passed ARE 4.0 divisions will remain valid throughout the delivery of ARE 5.0 and will be retired after the next version of the

exam is introduced. When a new version of the ARE is developed (i.e., ARE 6.0), NCARB will provide at least 18 months' notice prior to retiring any version of the exam.

In addition, the regulatory proposal removes outdated requirements, the five-year conditional credit, and shifts the responsibility for the rules about passing the ARE, which is the national exam required for licensure in California, over to NCARB, the test administrator. Going forward, if NCARB changes the NCARB standards again, then with the proposed simplified language, those new rules will apply to all candidates.

At its May 19, 2023 meeting, the Board approved the language and delegated the authority to the EO to adopt the regulation, provided no adverse comments were received during the public comment period, and to make minor technical or non-substantive changes, if needed.

Status: Staff is working with the LAD and DCA Fiscal Office to develop the Notice, ISR and 399.

CCR Section 154 (*Disciplinary Guidelines*). Initial documents for the regulatory package were submitted to LAD on September 19, 2019. Staff incorporated LAD's feedback and the initial budget document was approved by the BO on October 19, 2020. On November 18, 2020, LAD forwarded the initial documents to the next level of review in the process and edits were required. Staff sent documents to LAD on September 8 and October 10, 2021. LAD is currently reviewing the regulatory language due to edits recommended by the Office of Administrative Law (OAL) to LATC's *Disciplinary Guidelines* rulemaking to ensure the language in the two regulatory packages is better aligned, and to expedite the review of the Board's *Disciplinary Guidelines* rulemaking when the final documents are submitted to OAL.

Status: Modifications to the proposed regulatory text and submission of the regulation is anticipated in 2023.

CCR Section 166 (Zero Net Carbon Design Continuing Education). This is a regulatory proposal to establish requirements for zero net carbon design (ZNCD) continuing education (CE) through the creation of a new CCR section 166. [Assembly Bill 1010](#) (Berman, Chapter 176, Statutes of 2021) amended the Business & Professions Code (BPC) requiring architects to complete five hours of CE coursework on ZNCD for all renewals occurring on or after January 1, 2023. BPC section 5600.05 requires the Board to promulgate regulations by July 1, 2024, that would establish qualifications for ZNCD CE courses and course providers. Proposed regulatory text was presented and discussed during the March 30, 2022 Professional Qualifications Committee (PQC) meeting.

After considerable discussion on the topic of ZNCD CE, the Board approved proposed amended regulatory language during the June 8, 2022 Board meeting. The Board also delegated the authority to the EO, provided no adverse comments were received during the public comment period, to adopt the regulation and to make minor technical or non-substantive changes, if needed.

The Notice, ISR, and proposed language were submitted to OAL on behalf of the Board by LAD on June 12, 2023. The notice was posted on June 23, 2023 which began the 45-day comment period. Staff will review any comments received and review with LAD and the Board for substantive comments.

Status: Regulation package was noticed by OAL and is currently in the 45-day comment period. Rulemaking is on schedule to meet legislative deadline.

Landscape Architects

Legislative Proposal BPC section 5659 (Inclusion of License Number—Requirement). LATC set an objective to educate the different jurisdictional agencies about landscape architecture licensure and its regulatory scope of practice to allow licensees to perform duties prescribed within the regulations. Staff worked with LAD to add language to section 5659 to coincide with section 460 specifically referencing landscape architects. The proposed additional language would prohibit local jurisdictions from rejecting plans solely based on the fact they are stamped by a licensed landscape architect; however, they could still reject plans based on defects or public protection from the licensee.

Proposed language to amend BPC section 5659 was presented to LATC on February 5, 2020 and the Board approved LATC's recommendation at its February 28, 2020 meeting. Staff proceeded with the proposal and submitted it to legislative staff in mid-March, 2020; however, the bill proposal was late and not accepted. The bill was resubmitted to legislative staff in January 2021; however, proposed language in the omnibus bill would delay review for other programs, so it was removed. **Status:** LATC resubmitted the proposal on November 4, 2022 to the Senate Business and Professions Committee.

CCR Section 2614 (Examination Transition Plan). On August 25, 2022, the Council of Landscape Architectural Registration Boards (CLARB) announced changes to the content and structure of the LARE effective December 2023. At its September 16, 2022 meeting, the Board approved proposed regulatory language to establish a plan to grant examination credit, toward the new LARE sections, to candidates who passed sections of the previously administered LARE. Amendments became effective on April 1, 2023. Staff are pursuing a secondary regulatory proposal to extend the transition date from August 2023 to November 2023 to accommodate an additional LARE administration date announced by CLARB. This new administration was added to allow affected candidates another opportunity to pass the current LARE prior to the format change in December 2023.

Status: The proposed regulatory package was submitted to LAD for initial analysis on March 22, 2023, and to Agency on June 20, 2023.

CCR Section 2615 (Form of Examinations). The Board approved proposed regulatory language at its February 24, 2023 meeting. This proposal updates CCR Section 2615 to allow California candidates to take any section of the LARE if they hold a degree in landscape architecture accredited by the Landscape Architectural Accreditation Board or an approved extension certificate in landscape architecture along with a four-year degree. This proposal will also align California's regulations with the new LARE format by removing references to LARE Sections 1- 4 which will no longer be administered after December 2023. The package was submitted to LAD for initial analysis on February 6, 2023, and the package was submitted to OAL on April 21, 2023 to publish the Notice of 45-day comment period, which ended on June 20, 2023. No comments were received. Text was modified to clarify that candidates must have a combination of six years of experience as specified in CCR section 2620 prior to taking the CSE. The 15-day comment period of the modified text began on June 23 and ended on July 10, 2023.

Status: The Board will review the modified text at its September meeting.

CCR Section 2680 (*Disciplinary Guidelines*). As part of the Strategic Plan established by LATC at the January 2013 meeting, LATC set an objective of collaborating with the Board to review and update its *Disciplinary Guidelines*. Staff worked closely with Board staff to update their respective guidelines to mirror each other wherever appropriate.

At its June 13, 2018 meeting, the Board reviewed and approved the proposed changes to the LATC's *Disciplinary Guidelines* and CCR section 2680 as modified. DCA guidance due to the passage of AB 2138 as well as proposed changes to CCR sections 2655 (Substantial Relationship Criteria) and 2656 (Criteria for Rehabilitation), required staff to revise the *Disciplinary Guidelines*. On February 8, 2019, the Committee made a recommendation to the Board to adopt the proposed regulatory language for section 2655 and option 1 for section 2656 and approve the revised *Disciplinary Guidelines*. During initial analysis, LAD found that additional amendments were necessary. LATC and the Board approved the additional amendments to the proposed regulatory language at their meetings on August 4, 2021 and September 10, 2021, respectively. After the Committee's approval and in anticipation of the Board's approval, staff revised documents for the regulatory proposal to incorporate the additional amendments and submitted them to LAD for review on August 26, 2021. A revised fiscal impact statement was sent to the BO on January 10, 2022. LAD completed its review on March 4, 2022, and revised documents based on LAD's recommendations were resubmitted to LAD on March 25, 2022. The package was submitted to OAL to publish the Notice of the 45-day comment period which commenced on May 20 and ended on July 5, 2022. No written comments were received.

The final documents were submitted to DCA for review on July 27, 2022. The final regulatory package was submitted to OAL on August 11, 2022. The regulatory package was withdrawn on September 20, 2022 due to concerns from OAL regarding license surrender while on probation and continuing education courses and providers. Staff worked with LAD to address the concerns and the 15-day comment period of the modified text began on October 14 and ended on October 31, 2022. The Board approved the modified text at its December 9, 2022 meeting.

Status: The regulatory package was resubmitted to OAL on March 23, 2023 and approved on May 5, 2023. The amendments became effective on July 1, 2023.

Licensing and Examination Program

Architects

Performance data for the Architect California Supplemental Examination (CSE) and Architect Registration Examination (ARE) 5.0 for California candidates during the second quarter of 2022 are presented in Tables A and B.

**Table A
Architect CSE Examinee Performance: April 1 – June 30, 2023**

Candidate Type	Pass	Rate	Fail	Rate	Total Examinees
Instate First-time	99	84%	19	16%	118
Instate Repeat	41	75%	14	25%	55
Reciprocity First-time	42	82%	9	18%	51
Reciprocity Repeat	14	78%	4	22%	18
Total	196	81%	46	19%	242

**Table B
California ARE 5.0 Examinee Performance by Division: April 1 – June 30, 2023**

ARE Division	Pass	Rate	Fail	Rate	Total Exams
Construction and Evaluation	129	60%	87	40%	216
Practice Management	172	54%	149	46%	321
Programming and Analysis	154	58%	112	42%	266
Project Development and Documentation	152	56%	120	44%	272
Project Management	166	66%	84	34%	250
Project Planning and Design	135	45%	168	55%	303

Table C
California and NCARB ARE 5.0 Performance Comparison
(Q4 FY 2022/23)

ARE Division	Q4 FY 22/23		
	CA Pass	Natl. Pass	▲%
Construction and Evaluation	60%	66%	-6%
Practice Management	54%	55%	-1%
Programming & Analysis	58%	61%	-3%
Project Development & Documentation	56%	58%	-2%
Project Management	66%	67%	-1%
Project Planning & Design	45%	52%	-7%

▲% is the difference in the California and national (NCARB) performance.

Landscape Architects

Table D
Landscape Architect CSE Examinee Performance: April 1 – June 30, 2023

Candidate Type	Pass	Rate	Fail	Rate	Total Examinees
First-time	29	85%	5	15%	34
Repeat	9	75%	3	25%	12
Total	38	83%	8	17%	46

Table E
California LARE Examinee Performance by Section/Topic: April 1 – June 30, 2023

LARE Section	Pass	Rate	Fail	Rate	Total Examinees
Project and Construction Management	14	67%	7	33%	21
Inventory and Analysis	28	53%	25	47%	53
Design	21	49%	22	51%	43
Grading, Drainage and Construction Documentation	83	45%	103	55%	186

Table F
California and CLARB Performance Comparison
(Q4 FY 2022/23)

ARE Division	Q4 FY 22/23		
	CA Pass	Natl. Pass	▲%
Project & Construction Management	60%	66%	-6%
Inventory & Analysis	54%	55%	-1%
Design	58%	61%	-3%
Grading, Drainage & Construction Documentation	56%	58%	-2%

▲% is the difference in the California and national (CLARB) performance.

Enforcement

Architects

The most common violations have stayed consistent over the past four years, and are as follows:

- Misuse of the term “Architect”
- Practice without a license/device
- Continuing Education Audit Incompliance
- Written contract violations
- Signature/Stamp on plans and unauthorized practice
- Negligence or Willful Misconduct

**Table G
Architects Complaints and Enforcement Actions**

Category	Current Quarter April – June 2023	Prior Quarter January – March 2023	FY 22–23
Complaints			
Received	64	*58	261
Opened	64	*58	261
Closed	49	73	291
Average Days to Close	103	*115	209
Pending	140	124	140
Citations			
Issued	7	8	24
Final	7	5	23
Attorney General			
Pending Attorney General	2	4	2
Final	1	1	2

**updated numbers*

Landscape Architects

**Table H
Landscape Architects Complaints and Enforcement Actions**

Category	Current Quarter April - June 2023	Prior Quarter Jan. - March 2023	FY 22–23
Complaints			
Received	6	7	30
Opened (Reopened)	6	7	30
Closed	6	8	34
Average Days to Close	67	44	78
Pending	5	5	5
Citations			
Issued	0	1	4
Final	0	0	3
Pending Attorney General			
Pending Attorney General	1	0	1
Final	0	0	0

LATC’s most common violations mirror the Board’s with the exception of continuing education, signature/stamp on plans, unauthorized practice, and negligence or willful misconduct. LATC does not typically see egregious violations and more commonly receives complaints regarding the Rules of Professional Conduct and the standards of practice within the profession.

The most common violations within the practice of landscape architecture have stayed consistent over the past four years, and are as follows:

- Misuse of the term “landscape architect”
- Practice without a license
- Written Contract violations
- Rules of Professional Conduct violations

Enforcement Actions

Architects

Citations

Gustave Carlson (Berkeley) - The Board issued a one-count citation that included a \$4,000 administrative fine to Gustave Carlson, an unlicensed individual, dba Gustave Carlson Design, for alleged violations of Business and Professions Code (BPC) section 5536(a) and California Code of Regulations (CCR), title 16, sections 134(a) and (b). The action alleged that Carlson was misrepresenting himself as an architect through his online presence and advertising.

Carlson's Houzz, LinkedIn, and Instagram profiles were categorized under "Architects," referred to his business as an architecture firm, described his projects as "architectural," and offered "architectural design."

The Board found at least 18 separate articles written about interviews with Carlson, all of which referred to him as an "Architect" or described his services as "Architecture" and "Architectural." Several of these interviews were published on well-known magazine and newspaper websites such as ElleDecor.com, Sunset.com, and SFChronicle.com. On or about March 17, 2022, the magazine Elle Décor made an Instagram post about Carlson for their article interviewing him, referring to Carlson as "Architect Gustave Carlson." Carlson made multiple posts to his Instagram account about this article, all using the hashtag #architecture.

Carlson's website, Houzz, LinkedIn, and Instagram profiles, and 18 interview articles, wherein Carlson is referred to as an "architect" and described his services as "Architecture" and "Architectural," are devices that might indicate to the public that Carlson is an architect or qualified to engage in the practice of architecture in California. He also used the terms "architecture" and "architectural" in his company's description of services without an architect who was in management control of the services that were offered and provided by the business entity and either the owner, a part-owner, an officer, or an employee of the business entity. Such conduct constitutes violations of BPC section 5536(a) and CCR, title 16, sections 134(a) and (b). Carlson paid the fine, satisfying the citation. The citation became final on March 23, 2023.

Matthew Carter (Reseda) – The Board issued a two-count citation that included a \$3,000 administrative fine to Matthew Carter, an unlicensed person, for alleged violations of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect; Misdemeanor).

On or about July 9, 2019, Carter, doing business as Carter Estate Investments LLC, executed a "Commercial Design Contract" with Mr. N.V. to prepare architectural plans to submit to the City of Los Angeles for approval of a commercial project located on South Centinela Avenue in Los Angeles for a fixed fee of \$6,129.75. Carter was paid for his services but failed to receive permit approval. The project was not exempt from licensing requirements under BPC sections 5537 and 5538, as a non-bearing wall was to be removed, and a new structural steel beam installed.

Carter also represented himself as a licensed architect by using an email signature line with the title of “Architect.” His personal LinkedIn profile offered architecture services and stated, “My career as an architect....” and “at 31 years old I started my own Architectural Design and Real Estate Development company.” Under *Experience* it stated, “I am an Architect by trade with 7+ years of working experience in the field. I am still working as an Architect.” Carter’s company Yelp profile, doing business under CEI Designz, was also categorized under “Architects.”

Carter’s practice of architecture without a license constituted one violation of BPC section 5536(a). His email signature line, contract, and online profiles wherein Carter described his services as “Architecture” and “Architects,” are devices that might indicate to the public that he is an architect or qualified to engage in the practice of architecture in California and constituted an additional violation of BPC section 5536(a). The citation became final on April 29, 2023.

David Daniel Drennan (Vernon) – The Board issued a two count-citation that included a \$2,000 administrative fine to David Daniel Drennan, architect license number C-40236, for alleged violations of BPC sections 5536(a), 5536(b), 5536.1(c).

Prior to Drennan becoming licensed in California, he created preliminary plans for a data center project in Vernon. The data center project is not a building exempt from licensing requirements under BPC sections 5537(a) and 5538, and preliminary plans are included within the practice of architecture as defined in BPC section 5500.1. Furthermore, due to the size and nature of the project there was a substantial risk of consumer harm and threat to public safety. Offering and providing such services constituted a violation BPC sections 5536(a) and 5536.1(c)

Drennan also represented himself as a licensed architect in California by including the statement on his plans “This Document was produced by or under the authority of Registered Architect: D. Daniel Drennan.” This constituted a violation of BPC section 5536(b). Mr. Drennan paid the fine, satisfying the citation. The citation became final on February 21, 2023.

Blair Liggatt (Laguna Beach) - The Board issued a one-count citation that included a \$1,000 administrative fine to Blair Liggatt, an unlicensed individual doing business as Blair Liggatt Group, for alleged violations of BPC section 5536(a) and CCR, title 16, sections 134(a).

On or about June 14, 2021, Liggatt was hired to provide designs and obtain construction permits for the renovation of a residence in Rancho Palo Verdes, California, and a residential project in Los Alamitos, California. Liggatt emailed the client, “I can do the architecture plans and construction documents,” and “Architecture Plans/ Construction docs/ submittal process: \$6,000.” Liggatt was paid a total of \$16,700 for these two projects, but no plans or applications for permits were prepared by Liggatt for either project.

Liggatt’s company website states that he offers “full-service commercial and residential design” and includes a gallery with commercial projects which are not exempt from licensing requirements. His company Facebook profile states, “Blair Design and Interiors is a full-service interior design firm that specializes in architectural design of homes from concept to completion.” His company Houzz profile

is categorized under “Architects” and offers “Architecture Design.” His LinkedIn profile identifies him as an “Architectural Designer.” His company Thumbtack profile is categorized under “Architects” and states, “Blair Design Group is a boutique full-service architectural design studio specializing in Commercial & Residential Architecture.”

Liggatt was contacted by the Board but did not address the allegations and did not make the corrections requested. Liggatt’s proposal, website, and online profiles, wherein he used the title of “Architect” and described his services as “Architecture” and “Architectural,” are devices that might indicate to the public that Liggatt is an architect or qualified to engage in the practice of architecture in California. Such conduct constitutes violations of BPC section 5536(a) and Title 16, CCR section 134(a). The citation became final on May 13, 2023.

Dana Merker (San Francisco) – The Board issued a one count-citation that included a \$500 administrative fine to Dana Merker, architect license number C-12412, for alleged violations of CCR title 16, section 160(c)(1) (Failure to Respond).

Merker failed to respond to the Board's requests for information during an investigation into possible violations of the Architects Practice Act. Despite being granted multiple extensions and receiving a final request letter, Merker did not provide the requested documentation or a written response. This failure to respond within 30 days was not excused by the existence of ongoing litigation over the project and constitutes a violation of CCR title 16, section 160(c)(1). The Board may take separate action based on the original allegations of unprofessional misconduct. Mr. Merker paid the fine, satisfying the citation. The citation became final on April 6, 2023.

Salvatore Messina (Camino) - The Board issued a two-count citation that included a \$1,500 administrative fine to Salvatore Messina, an unlicensed person, for alleged violations of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect; Misdemeanor).

On or about January 2022, Messina was hired to prepare architectural plans for Mr. A.A. and to submit them to the City of Placerville Development Services Department for approval for a commercial project located on Broadway in Placerville. Messina was paid \$2,400 but failed to complete the plans and did not receive approval from the city. The project was not exempt from licensing requirements under BPC sections 5537 and 5538.

Messina also represented himself as a licensed architect through his company’s website, which offers “Architectural Planning and Design.” His company Houzz profile is categorized under “Architects” and offers “Architectural Design” and “Architectural Drawings.” Messina’s company Yelp profile is categorized under “Architects.”

Messina’s practice of architecture without a license constituted one violation of BPC section 5536(a). His company website and online profiles, wherein he described his services as “Architectural” and uses the title of architect, are devices that might indicate to the public that Messina is an architect or qualified to engage in the practice of architecture in California. Such conduct constitutes an additional violation of BPC section 5536(a). The citation became final on April 22, 2023.

Kevin Nguyen (Garden Grove) - The Board issued a one-count citation that included a \$750 administrative fine to Kevin Nguyen, an unlicensed person, for alleged violations of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect; Misdemeanor).

On or about December 23, 2020, Nguyen, doing business as "TDA Designs," offered a contract to provide "Architectural Design and Details" to Mr. C.P. (client) for the preliminary design, schematic development, and permits for an accessory dwelling unit (ADU) at a residence located in Garden Grove. Nguyen was paid \$4,000 but he failed to obtain approval by the building department.

Nguyen's also represented himself as a licensed architect through his company's Yellow Pages profile categorized under "Architectural Designers" and his use of the title "architectural consultant" on his personal LinkedIn profile. Nguyen was contacted by the Board but did not make the corrections requested.

Nguyen's contract and online profiles, wherein he described his services as "Architectural," are devices that might indicate to the public that Nguyen is an architect or qualified to engage in the practice of architecture in California. Such conduct constitutes violations of BPC section 5536(a). The citation became final on April 8, 2023.

Joseph Phan (Fountain Valley) - The Board issued a two-count citation that included a \$4,500 administrative fine to Joseph Phan, an unlicensed person, for alleged violations of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect; Misdemeanor).

On or around August 24, 2022, the Board received a complaint alleging possible violations of the Architects Practice Act associated with a three-story residential project located on Barnstable Circle in Huntington Beach. Phan was hired to prepare architectural plans for Mr. W.H. and to submit them to the City of Huntington Beach Planning Department for approval. The Board reviewed the Barnstable Project plans dated November 20, 2020, submitted to the City of Huntington Beach Planning Department which described the scope of work as "new second and third floor addition."

Phan is listed as the Designer and signed the plans. The third floor contains a loft and media area and is labeled as "3rd Floor Plans." The staff report on Phan's application for a Conditional Use Permit and Coastal Development Permit to the City of Huntington Beach Office of the Zoning Administrator dated August 17, 2022, also described the project as a third floor addition. Because it involved a three-story residence, the Barnstable project was not exempt from licensing requirements under BPC section 5537 and 5538.

Phan also represented himself as a licensed architect through his company's Houzz profile, under the business name Joseph Phan & Associates, which is categorized under "Architects." Phan's company Home Advisor profile, under the business name Joseph Phan & Associates offers "Architects" services.

Phan's practice of architecture without a license constituted one violation of BPC section 5536(a). The online profiles wherein Phan described himself and categorized his services as "Architects" are devices that might indicate to the public that Phan is an architect or qualified to engage in the practice of architecture in California. Such conduct constitutes a violation of BPC section 5536(a).

The Board sent notice of these violations and requests for a response to the address found on Phan's title block. He was formally advised that an unlicensed individual or firm in California cannot use any term confusingly similar to architect or architectural to describe services offered or be labeled in such a category. Phan has failed to respond to any of the Board's requests to cease his conduct and correct his advertising. The citation became final on April 22, 2023.

Rajab Torabi (Woodland Hills) - The Board issued a one-count citation that included a \$1,500 administrative fine to Rajab Torabi, an unlicensed person, for alleged violations of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect; Misdemeanor).

On or about February 24, 2022, Torabi provided a written proposal to Mr. A.J. of Calabasas to "Provide architectural, structural plans and structural calculations for one story remodeling and addition. RJ Engineering and Construction Co. is hereby proposing to provide all Architectural and structural details plans as per city code requirements." The fee was \$23,000 for "architectural, structural and submit to the city" with a completion time of eight weeks. The client signed the proposal and paid \$8,000 as a deposit. The plans had not been approved after eight months of delays.

Torabi's description of his services as "Architectural" is a device that might indicate to the public that he is an architect or qualified to engage in the practice of architecture in California. Such conduct constitutes violations of BPC section 5536(a) and CCR title 16, section 134(a). Mr. Torabi paid the fine, satisfying the citation. The citation became final on April 15, 2023.

Administrative Actions

Andrew Roteman (Goleta)—Effective April 21, 2023, Andrew Roteman's architect license number C-14544 was revoked. The action came after a Default Decision was issued by the Board in connection with two complaints received by the Board.

An Accusation filed against Roteman on January 18, 2023, alleged four causes for discipline for violations of: (1) BPC section 5536.22 and BPC section 5578 (No Written Contract), (2) BPC section 5578 and CCR title 16 section 160(c)(1) (Failure to Respond to the Board), (3) BPC section 5584 and CCR title 16 section 150 (Willful Misconduct), (4) BPC section 5578 and CCR title 16 section 160(c)(1) (Failure to Respond to the Board).

The Accusation alleged that in April 2021, Roteman was hired by R.H. to design a storage building in Whittier. With a verbal agreement he received a retainer payment of \$3,000. Roteman failed to respond to his client's requests for status updates and when the plans were finally submitted and required corrections, Roteman demanded additional fees. Roteman then failed to respond to the Board's requests for information about the project.

In another project, Roteman entered into a written agreement with C.B. to provide architectural services for a residential addition in Malibu. Despite receiving a payment of \$4,380, Roteman failed to deliver the agreed-upon documents and did not inform C.B. of the reason. Respondent also failed to respond to the Board's information requests.



The Board's Default Decision and Order was issued on March 22, 2023 and became effective on April 21, 2023.

Landscape Architects

There are no disciplinary actions to report.