

DIMENSIONS

VOLUME 26 DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION FALL 2008



New APEL- SCIDLA Executive Director

After 14 years of service to the APELSCIDLA Board, Mark N. Courtney has become the Deputy Director of Licensing and Regulation at DPOR. The APELSCIDLA Board Office has recently welcomed Kathleen "Kate" R. Nobsch as the new Executive Director of the APELSCIDLA Board.

Prior to coming to DPOR to assume the role of Executive Director of the APELSCIDLA Board, Ms. Nobsch served as the Deputy Executive Director for Practitioner Information for the Virginia Board of Medicine at the Department of Health Professions (DHP) for the past eight years.

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(AIM) Board of Directors as the Southern Region Representative.

Before relocating to Virginia in 1999, Kate managed credentialing departments for various health plans and an integrated delivery system in Pittsburgh, Pennsylvania. She received her B.A. in Business/Communication and her M.S. in Professional Leadership (training and development concentration) from Carlow University in



Continuing Education on the Way

The Virginia General Assembly passed a bill during the 2006 legislative session which requires that the APELSCIDLA Board implement a mandatory continuing education program (16 hours of continuing education activities) for architects, professional engineers, and land surveyors (HB1054). The law became effective on July 1, 2006, and the Board initiated the process to promulgate the necessary regulations for the program on September 7, 2006, - and established a committee to develop draft wording for consideration by the Board - which will take approximately 18 to 24 months.

Therefore, at this time, mandatory continuing education is not required and the regulations which will address the details have not yet been created. You may track the development of these regulations via this link - <http://www.townhall.virginia.gov/Action/ViewA>

She is the President of the Council on Licensure, Enforcement and Regulation (CLEAR) and has held a faculty position in CLEAR's Executive Leadership Program for Regulators for the past five years. She also just finished a two-year term on the Administrators in Medicine

New APELSCIDLA Regulations

The Board's new regulations became effective February 1, 2007, and are available for review on our website—

http://www.dpor.virginia.gov/dporweb/ape_reg.pdf

ALL PROFESSIONS PLEASE NOTE THE FOLLOWING CHANGE:

Effective February 1, 2007, the APELSCIDLA Board amended its regulations to include "Lic." or "Cert." (as appropriate) on the seals. The purpose of the change is to assist in easily distinguishing among plans submitted by licensed versus certified professionals, and therefore ascertaining whether the correct design professional is submitting the plans for approval.

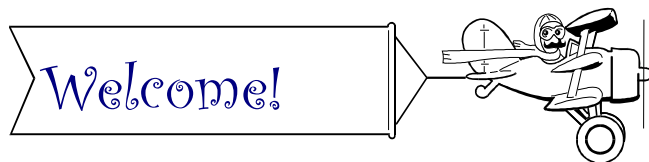
For the large number of professionals who generate their seals from software, the impact should be negligible as the image of the seal need only be modified to include "Lic." or "Cert." (as appropriate). Individuals may still elect to seal using a rubber stamp or embossed seal, and the Board changes the seal image requirements infrequently.

Below is the language of the Board's regulations regarding the seal image (effective February 1, 2007):

18 VAC 10-20-760. Use of seal.

- ...
6. The seal shall conform in detail and size to the design illustrated below and shall be two inches in diameter. The designs below may not be shown to scale:





James R. Boyd

A native of Halifax County, Virginia, Mr. Boyd studied architecture at Herriott-Watt University in Edinburgh, Scotland and the University of Virginia, from which he received a Bachelor of Architecture degree in 1975. Licensed in Virginia and North Carolina, Mr. Boyd is President of Heyward Boyd Architects, PC, of Charlottesville. His design awards include the Frederic Doveton Nichols Award given by the Preservation Alliance of Virginia for the restoration of Greenville, a Greek Revival residence in Culpeper County.

Prior his appointment to the APELSCIDLA Board, Mr. Boyd served the American Institute of Architects in a variety of capacities including Virginia Society AIA Vice-President for Government Affairs, Vir-



Business Registrations

As business registrations are a very important issue, we felt it necessary to revisit this matter.

The *Code of Virginia* requires that any business offering and/or practicing professional services within the Commonwealth of Virginia must be registered with the APELSCIDLA Board. The only exception to this rule is sole proprietorships that do not employ individuals who are required to be licensed.

The structure of the business determines what type of registration is needed. An attorney or CPA can assist in determining the best type of structure for a business if it has not already been established. Please note that in order to practice in Virginia, your business must first be registered with the SCC and then with the Board office. You may contact the Virginia State Corporation Commission (SCC) at (804) 371-9733 to obtain additional information on the various types of businesses.

A business may be structured as a professional corporation, professional limited liability company, or business entity. You may find information on each type of registration in the Board regulations as follows:

PC	Part VII
PLLC	Part IX
Business Entity	Part X

A company that has more than one office offering professional services in VA must obtain a branch office registration for each additional office. The branch office must have a responsible person in charge for each profession practiced.

Please refer to the Board's regulations and/or contact the Board office at (804) 367-8512 for more information. You may also visit the Board's website 24 hours a day <http://www.dpor.virginia.gov/>



New Address for APELSCIDLA Board Office

Just a friendly reminder that the Board office moved to its new location in August of 2007. Please use any of the following methods if you need to contact the Board for licensure or examination assistance:

Physical Address:
9960 Mayland Drive
Suite 400
Richmond, VA 23233
Phone: (804) 367-8512
Fax: (804) 527-4294
E-Mail: apelscidla@dpor.virginia.gov

All forms and licensing information are available 24 hours a day on our website:

Examination Statistics

The following statistics are a compilation of the Virginia candidates who sat for the April 2008, Engineering and Land Surveying examinations.

April 2008 Engineer Exam Results

	# Candidates	# Passing	% Passing
Fundamentals	903	582	64
Principles and Practice	422	205	49

April 2008 Land Surveyor Exam Results

	# Candidates	# Passing	% Passing
Fundamentals	30	14	47
Principles and Practice	31	17	55
Virginia Portion	60	33	55

The following statistics are a compilation of the Virginia candidates who sat for the Architect Registration Examination (ARE) from March to June 2008.

January—June 2008 ARE Results

	# Candidates	# Passing	% Passing
Building Planning	48	39	81
Building Technology	59	52	88
Construction Documents	49	42	86
General Structures	40	31	77
Lateral Forces	37	28	76
Materials & Methods	45	41	91
Mechanical & Electrical Systems	36	25	69
Pre-Design	36	35	97
Site Planning	45	33	73

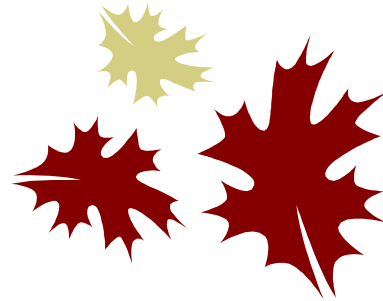
Following are the statistics for the Virginia candidates who took the Landscape Architect Registration Examination (LARE) in March & June 2008:

March 2008 LARE Results

	# Candidates	# Passing	% Passing
Legal & Administrative Aspects of Practice (Section A)	8	5	63
Analytical Aspects of Practice (Section B)	14	12	86
Structural Cons. & Methods & Materials of Const. (Section D)	21	15	71

June 2008 LARE Results

	# Candidates	# Passing	% Passing
Planning & Design (Section C)	14	8	57
Grading, Drainage & Storm Water Management (Section E)	22	10	45



Visit the Town Hall website for up-to-date information on reg actions, meeting information and much much more.

<https://www.townhall.state.va.us/intro.cfm>





Professional Rules of Conduct

The primary obligation of licensees and certificate holders to protect the public is clearly stated in 18 VAC 10-20-690 of the Rules and Regulations. The Rules and Regulations also mandate truthfulness in all matters (18 VAC 10-20-700) and caution regulants about conflict of interest (18 VAC 10-20-710), including the representation of their work to clients and others (18 VAC 10-20-720.2). Licensees and certificate holders are prohibited from engaging in dishonest business practices (18 VAC 10-20-740.A) and from using another's work (18 VAC 10-20-740.D). Regulants are also required to report violations of the Rules and Regulations by their colleagues to the APELSCIDLA Board (18 VAC 10-20-740.B).

A segment of the Rules and Regulations which may not be clearly understood by regulants is 18 VAC 10-20-730 - Competency for assignments. This section places the regulant's responsibility as a licensee or certificate holder above certain business practices.

18 VAC 10-20-730.A restricts the regulant to performing work within the discipline they are licensed or certified to perform. Assignments outside the regulant's field may be accepted "only to the extent that services are restricted to those phases of a project in which the professional is qualified." For example, a landscape architect may enter into a contract with a client to design a non-exempt building, but the architectural portions must be designed by a licensed architect, the engineering systems by a professional engineer, et cetera.

18 VAC 10-20-730.B mandates that the professional must not misrepresent his qualifications and the scope of his responsibility on a project to a prospective or existing client. Licensees and certificate holders are responsible for accurately informing the client about the depth and breadth of each discipline's professional responsibilities as it relates to the delivery of professional services. For example, the client must understand that even as the lead consultant the Landscape Architect is prohibited from making decisions pertaining to the means of egress or to the design of the structure or of the HVAC system. Additionally, 18 VAC 10-20-

730.B requires the licensee or certificate holder to ensure that the best professional judgment is exercised when unlicensed individuals, including employees and consultants, are involved in a project. The professional must remain in "responsible charge" (Code of Virginia 54.1-400 - Definitions.) of the project and may not delegate this responsibility to unlicensed persons.

In addition to the standards set forth in the Rules and Regulations, the licensee or certificate holder is required to adhere to all minimum standards of practice of his own profession (18 VAC 10-20-



How Important is Your Verification?

If you have been licensed for a few years you may have been asked by someone to complete a verification of his or her experience while under your direct supervision. This verification is part of an individual's application for licensure. It is a step that helps the Board determine if an individual is truly qualified and ready to sit for the professional examination.

In a typical application the individual explains their various employment engagements where they were practicing their profession. In each engagement they are asked to provide a detailed accounting of the type of work they performed. For instance, in the PE application, applicants are asked to explain their experience in categories such as: formulating conclusions and recommendations; identifying design objectives; alternative methods and concepts; defining specifications and many others. They are asked to describe their experience in specific terms and provide an identification of how many years/months of experience they gained.

When an applicant has completed their work experience accounting, that portion of the application is then forwarded to those professionals who had direct supervision over time when the experience was gained or can attest to having knowledge of the accuracy of the applicant's statements.

When a licensee is asked to complete the

(Continued on Page 6)

(Continued from Page 5—How Important is Your Verification)

experience verification they become a significant part of the application process. Their role and the statements they make help ensure that the Board meets the first two objectives in its Mission: that only qualified applicants are permitted to take the examinations for licensure and that only competent individuals are granted licensure to practice.

It is a very important part of the process because it is the supervisors who have the best understanding of the applicant's suitability for licensure. If a licensee does not do a thorough job in the verification process and knowingly endorses a candidate for licensure that has not gained the necessary experience, the verifying professional has potentially exposed the public to unnecessary risks and harm. They are also in likely violation of the Rules of Professional Conduct, which could result in disciplinary action by the Board.



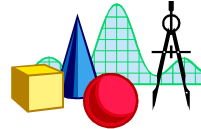
Questions & Answers

QUESTION: *In my practice as a consultant I am frequently required to submit partially finished documents to the local regulatory authority for various reasons. Sometimes it is for planning discussions on how the development will agree with guidelines. Other times it is for preliminary determinations of traffic impacts of utility needs. In all the discussions I have the county staff refer to these drawings as "preliminary" yet they are used as the basis of obtaining advance approvals on various issues. Because I thought they were preliminary I did not seal and stamp them.*

Recently a colleague reminded me that the Board rule on Sealing/Stamping usage defines

any plan submitted to public officials for agency approvals is a "final" document.. It goes on to say that final documents must be signed and sealed. Is he correct?

ANSWER: He is correct. Even though the county is considering the documents you describe as preliminary, the actual use as you described



NCEES Passes Engineering Education Resolution

Education Resolution

At its 87th Annual Meeting held August 13-16 in Minneapolis, the National Council of Examiners for Engineering and Surveying (NCEES) passed a resolution to investigate the potential impact of the additional education requirements adopted by the Council in 2006. The requirement calls for engineering licensure candidates to complete 30 credits of additional coursework in the form of a master's engineering degree or its equivalent before taking the NCEES Principles and Practice of Engineering (PE) exam for licensure.

The resolution describes a number of concerns held by some Member Boards and others in the engineering profession related to implementation of the additional education requirements for licensure. As a result of the adopted resolution, NCEES will charge the 2008-2009 Engineering Education Task Force with providing a written analysis of:

- 1) the potential educational, professional, regulatory, and economic impact of the master's or equivalent requirement; and
- 2) any alternative solutions that could potentially address the challenge of better preparing engineering licensure candidates to enter the profession.

At the Annual Meeting, the Council also passed a motion that will push implementation of the master's or equivalent requirement to 2020 from the originally scheduled 2015.

The full text of the resolution can be found at www.ncees.org. All other motions passed by the Council will appear in the published minutes of the meeting, which will be available in October. s

NCARB Releases Information on ARE 4.0

The Architect Registration Examination (ARE) is continuing the change for the better. In July 2008, NCARB will launch ARE 4.0. This latest version of the exam updates and improves the current format by combining graphic and multiple-choice content. ARE 4.0 integrates the exam format while emphasizing the problem-solving skills architects regularly use in day-to-day practice.

One of NCARB's missions is to safeguard the health, safety, and welfare of the public. The ARE is one way in which NCARB fulfills this mission. The evolution of the ARE responds to the needs of the profession and the public to provide a tool that best assesses a candidate's knowledge, skill, and ability. The planned changes to the ARE have been subject to intense thought, discussion, and planning to ensure they are in the best interest of the profession and the public-at-large. The ARE will continue to evolve with the profession in order to maintain the protection of the public health, safety, and welfare.

ARE 4.0 Basics:

- ARE 4.0 launched in July 2008
- There will be a one-year transition period between July 2008 and June 2009 for candidates currently testing to complete ARE 3.1
- Candidates who do not pass all the ARE 3.1 by the end of June 2009 will be transitioned to ARE 4.0. Depending on their specific progress, a candidate may have to repeat content already passed under ARE 3.1. Candidates should refer to the NCARB web site's "transition candidate" page in the ARE 4.0 section for a chart explaining what divisions candidates will need to take if they do not complete the corresponding division in ARE 3.1
- ARE 4.0 will integrate multiple-choice questions with graphic vignettes, but the overall exam content will remain the same.
- ARE 4.0 will have seven divisions instead of nine.
- ARE 4.0 will also introduce enhancements to the Site Grading and Mechanical & Electrical Plan vignettes.
- This evolution of the ARE has been guided by the 2001 Practice Analysis survey conducted by NCARB that provided a comprehensive analysis

of the architecture profession.

Benefits of the new exam for candidates:

- Seven divisions instead of nine.
- Reduced number of trips to the test center
- Integration of multiple choice and graphic content
- Condensed subject matter—study for a subject all at once
- Slightly less testing time

Seven divisions of ARE 4.0:

- Programming, Planning, & Practice (85 multiple choice + 1 vignette)
- Site Planning & Design (65 multiple choice + 2 vignettes)
- Building Design & Construction Systems (85 multiple choice + 3 vignettes)
- Schematic Design (2 vignettes)
- Structural Systems (125 multiple choice + 1 vignette)
- Building Systems (95 multiple choice + 1 vignette)
- Construction Documents & Services (100 multiple choice + 1 vignette)

NCARB has launched an interactive section of the web site to help explain the new exam structure and ease the transition for candidates. Two charts on its web site explain how ARE 3.1 will transition to ARE 4.0. For example, the Technology division has been integrated into four ARE 4.0 divisions and the vignettes in ARE 3.1 Site Planning have been incorporated into two divisions. Candidates should also note that ARE 3.1's General Structures and Lateral Forces divisions will combine with the Structural Layout vignette from Building Technology to form one division in ARE 4.0.

Candidates currently testing should use the next year and the extra transition year—a total of more than two years—to prepare and complete all remaining divisions of ARE 3.1.

The information currently posted on the Council's web site is just the beginning. The section will continue to be updated over the next two years to address candidate concerns and to better explain



Disciplinary Actions



The following is a summary of actions taken against regulants by the APEL-SCIDLA Board. Although every effort is made to ensure that the information is correct, before making any specific decisions based upon this information, you should check with the Board office to ensure accuracy.

PROFESSIONAL ENGINEERS

FILE NUMBER 2007-00352, Mohammad R. Jafari VIOLATION—Mr. Jafari wrongfully copied answers from another examination candidate at the April 2006, NCEES engineers examination. **BOARD ACTION**—Consent Order imposing \$150.00 in Board costs and requiring Jafari not to re-take the engineering examination for a four year period **REGULATION VIOLATED**—18 VAC 10-20-20.E **EFFECTIVE DATE**—December 12, 2006

FILE NUMBER 2006-00737, Charles Eugene Fullerton VIOLATION—Mr. Fullerton entered into an engineering agreement and failed to complete the jobs required in the agreement **BOARD ACTION**—Final Opinion and Order imposing \$3,000 in fines as well as the revocation of Mr. Fullerton's license **REGULATIONS VIOLATED**—18 VAC 10-20-710.A; 18 VAC 10-20-740.C; and 18 VAC 10-20-795 **EFFECTIVE DATE**—September 7, 2006

FILE NUMBER 2005-03965, Earl F. McKinney VIOLATION—Mr. McKinney failed to notify the Virginia Board that his license had been revoked in another jurisdiction **BOARD ACTION**—Consent Order imposing the voluntary surrender of Mr. McKinney's license **REGULATIONS VIOLATED**—18 VAC 10-20-750 **EFFECTIVE DATE**—June 15, 2006

FILE NUMBER 2006-01875, Hal R. Sanders VIOLATION—Mr. Sanders failed to notify the Virginia Board that his license had been revoked in another jurisdiction **BOARD ACTION**—Consent Order imposing the voluntary surrender of Mr. Sanders' license **REGULATION VIOLATED**—18 VAC 10-20-750 **EFFECTIVE DATE**—June 15, 2006

FILE NUMBER 2007-01880, Carl Edward Duncan VIOLATION—Mr. Duncan submitted plans to his clients for review which were not marked as incomplete, advance, or preliminary work **BOARD ACTION**—Consent Order imposing \$750 in fines **REGULATION VIOLATED**—18 VAC 10-20-760.B.2 **EFFECTIVE DATE**—December 13, 2007

FILE NUMBER 2007-04858, Peter Rabun Seckinger VIOLATION—Mr. Seckinger had a felony conviction resulting in the revocation of the registration in another jurisdiction **BOARD ACTION**—Final Opinion and Order imposing \$1000 in fines as well as probation of his license for the remainder of his court ordered probation **REGULATIONS VIOLATED**—18 VAC 10-20-790.A.2 **EFFECTIVE DATE**—March 19, 2008

FILE NUMBER 2008-02987, Daniel Joseph Randall VIOLATION—Mr. Randall stamped plans prepared by an unlicensed person who was not under his direct control and personal supervision **BOARD ACTION**—Consent Order imposing \$1,150 in fines **REGULATIONS VIOLATED**—18 VAC 10-20-760.A **EFFECTIVE DATE**—June 18, 2008

FILE NUMBER 2008-00846, Suresh Ranjan Baral VIOLATION—Mr. Baral placed his seal on the work of a regulant from another jurisdiction without permission, Mr. Baral failed to affix the date to his stamped plans, Mr. Baral did not have direct control or personal supervision of the calculations he stamped and signed, and Mr. Baral implied by stamping and signing plans prepared by another that he had a working relationship with this company when he had no such relationship **BOARD ACTION**—Consent Order imposing \$2,650 in fines as well as probation of Mr. Baral's professional engineer license for a period of 2 years **REGULATIONS VIOLATED**—18 VAC 10-20-740.D; 18 VAC 10-20-760.B.1; 18 VAC 10-20-760.A; 18 VAC 10-20-770; and 18 VAC 10-20-700.A **EFFECTIVE DATE**—June 18, 2008

ARCHITECTS

FILE NUMBER 2006-01873, Samuel Y. Harris VIOLATION—Mr. Harris failed to notify the Virginia Board of the suspension of his license in another jurisdiction **BOARD ACTION**—Consent Order imposing the revocation of Mr. Harris' license as well as \$150 in Board costs **REGULATIONS VIOLATED**—18 VAC 10-20-750 and 18 VAC 10-20-790.A.2 **EFFECTIVE DATE**—September 7, 2006

FILE NUMBER 2005-02633, Alvah P. Breitweiser VIOLATION—Mr. Breitweiser failed to notify the Virginia Board that his license had been suspended in another jurisdiction **BOARD ACTION**—Final Opinion and Order imposing \$1,500 in fines as well as the revocation of Mr. Breitweiser's license **REGULATIONS VIOLATED**—18 VAC 10-20-750; 18 VAC 10-20-790.A.2; and 18 VAC 10-20-740.B **EFFECTIVE DATE**—September 7, 2006

FILE NUMBER 2005-03617, Donald M. Stansell

VIOLATION—Mr. Stansell failed to notify the Virginia Board that his license had been revoked in another jurisdiction **BOARD ACTION**—Final Opinion and Order imposing \$500 in fines as well as the revocation of Mr. Stansell's license **REGULATIONS VIOLATED**—18 VAC 10-2-0750 and 18 VAC 10-20-740.B **EFFECTIVE DATE**—June 15, 2006

FILE NUMBER 2007-04714, Harold O. Warner VIOLATION—Mr. Warner submitted sketches for review which were not marked as incomplete, advance, or preliminary copies **BOARD ACTION**—Consent Order imposing \$200 in fines **REGULATION VIOLATED**—18 VAC 10-20-760.B.2 **EFFECTIVE DATE**—March 19, 2008

FILE NUMBER 2008-01304, Mark Wade Gibson VIOLATION—Mr. Gibson used specifications which were not his own without written permission from the owner **BOARD ACTION**—Consent Order imposing \$500 in fines **REGULATION VIOLATED**—18 VAC 10-20-740.D **EFFECTIVE DATE**—March 19, 2008

FILE NUMBER 2007-03878, Ahmed H. Hassan VIOLATION—Mr. Hassan submitted "mock up" architectural drawings as required by the contract with his client and failed to seal and sign the plans or identify the plans as incomplete, advance, or preliminary copies **BOARD ACTION**—Consent Order imposing \$600 in fines **REGULATION VIOLATED**—18 VAC 10-20-760.B2 **EFFECTIVE DATE**—June 18, 2008

LAND SURVEYORS

FILE NUMBER 2006-04260, Phillip L. Keyser VIOLATION—Mr. Keyser prepared a "line survey" and entitled the plat "boundary survey" when a current field survey had not been performed **BOARD ACTION**—Consent Order imposing \$750 in fines and \$350 in costs as well as a letter identifying the problems with the plat to the property owners with a copy to the Board and proof of course completion for a one day seminar on boundary law **REGULATION VIOLATED**—18 VAC 10-20-370.D.2.n **EFFECTIVE DATE**—December 12, 2006

FILE NUMBER 2006-03663, C. Phil Wagoner VIOLATION—Mr. Wagoner failed to notify the Virginia Board that his license had been suspended in another jurisdiction **BOARD ACTION**—Consent Order imposing \$250 in fines and \$150 in Board costs **REGULATION VIOLATED**—18 VAC 10-20-750 **EFFECTIVE DATE**—December 12, 2006

FILE NUMBER 2005-03624, Archie J. Dodson, Jr. VIOLATION—Mr. Dodson failed to properly stake the corners and property boundaries for a client

which resulted in a well being built on a neighbor's property **BOARD ACTION**—Consent Order imposing \$500 in fines and \$350 in costs **REGULATION VIOLATED**—18 VAC 10-20-790.A.3 **EFFECTIVE DATE**—September 7, 2006

FILE NUMBER 2006-04100, Michael L. Flynn VIOLATION—Mr. Flynn prepared a survey for a client purchasing a home that did not contain set corners and was therefore improperly prepared **BOARD ACTION**—Consent Order imposing \$450 in fines and \$150 in costs **REGULATIONS VIOLATED**—18 VAC 10-20-370.C.4; 18 VAC 10-20-370.D.2.c; 18 VAC 10-20-370-D.2.k; and 18 VAC 10-20-370.D.2.m **EFFECTIVE DATE**—September 7, 2006

FILE NUMBER 2006-01836, Woodrow W. Perkins VIOLATION—Mr. Perkins improperly prepared a survey that did not contain closed traverse field notes and calculations showing closure of traverse and calculations to balance the traverse **BOARD ACTION**—Consent Order imposing \$350 in fines and \$150 in costs **REGULATIONS VIOLATED**—18 VAC 10-20-370.D.1 and 18 VAC 10-20-370.D.2.c **EFFECTIVE DATE**—September 7, 2006

FILE NUMBER 2006-04227, L. J. Quesenberry VIOLATION—Mr. Quesenberry only used information provided by his client and failed to do proper research for placing a right-of-way access for his client, Mr. Quesenberry misrepresented information about the right-of-way road, and intentionally misled the locality in order to get the plat approved and recorded, and improper wording was used in the "Owner's Statement" as required by the *Code of Virginia* **BOARD ACTION**—Consent Order imposing \$2,150 in fines **REGULATIONS VIOLATED**—18 VAC 10-20-370.B; 18 VAC 10-20-700.A; and 18 VAC 10-20-790.A6 **EFFECTIVE DATE**—June 14, 2007

FILE NUMBER 2006-04226, L. J. Quesenberry VIOLATION—Mr. Quesenberry only used information provided by his client and failed to do proper research for placing a right-of-way access for his client, Mr. Quesenberry misrepresented information about the right-of-way road, and intentionally misled the locality in order to get the plat approved and recorded, and improper wording was used in the "Owner's Statement" as required by the *Code of Virginia* **BOARD ACTION**—Consent Order imposing \$2,150 in fines **REGULATIONS VIOLATED**—18 VAC 10-20-370.B; 18 VAC 10-20-700.A; and 18 VAC 10-20-790.A6 **EFFECTIVE DATE**—June 14, 2007

FILE NUMBER 2007-01934, Douglas R. Meredith,

Jr.

VIOLATION—Mr. Meredith submitted traverse closure information showing a closure of one part in 6,894 which is below the specified permissible error ratio of one part in 10,000 specified by the Board for a rural area field traverse **BOARD ACTION**—Consent Order imposing \$1,150 in fines as well as 8 hours of continuing education **REGULATION VIOLATED**—18 VAC 10-20-370.C3 **EFFECTIVE DATE**—June 14, 2007

FILE NUMBER 2007-01883, David L. Deputy

VIOLATION—Mr. Deputy failed to register his corporation with the Board, a plat prepared by Mr. Deputy was not sealed and was not identified as incomplete, advance, or preliminary, Mr. Deputy also failed to flag lot lines as required by contract **BOARD ACTION**—Consent Order imposing \$1,200 in fines **REGULATIONS VIOLATED**—§ 54.1-411 of the *Code of Virginia*, 18 VAC 10-20-760.B, and 18 VAC 10-20-710.A **EFFECTIVE DATE**—June 14, 2007

FILE NUMBER 2007-02119, William Stuart Dunn

VIOLATION—Mr. Dunn failed to note the location of each monument set on the subdivision plat submitted, also Mr. Dunn failed to show prominent or well known objects or areas which are informative, including distance to nearest road intersection; source for meridian not shown on plat; plat did not show tax map designation or geographical parcel identification number; location of each monument set was not shown; and no statement was provided on the plat that acknowledged that it is based on a current field survey **BOARD ACTION**—Consent Order imposing \$900 in fines as well as proof of course completion on land boundary surveying practice and/or Virginia law and regulations **REGULATIONS VIOLATED**—18 VAC 10-20-370.C.4 and 18 VAC 10-20-370.D.2 **EFFECTIVE DATE**—September 13, 2007

FILE NUMBER 2006-04492, David E. Delew

VIOLATION—Mr. Delew prepared a plat that did not meet the standards set forth for land boundary surveys performed in the Commonwealth; Mr. Delew failed to clearly note inconsistencies found in research of common boundaries between the land being surveyed and the adjoining land; Mr. Delew failed to follow the minimum field procedures and did not have any field notes; no monumentation was set and noted on the plat; Mr. Delew did not provide any evidence of using any mathematical routines that produce closures and mathematical results that can be compared with descriptions and date of record; Mr. Delew submitted a plat which did not include the owner of record and deed book reference where the acquisition was recorded; Mr. Delew presented a plat

which did not contain prominent or well known objects or areas which are informative as the location of the land boundary survey such as roads, creeks, ties to monuments, etc; the north arrow on Mr. Delew's plat did not indicate the course of meridian used for the survey; the plat did not show a reference bearing and distance to a property corner of an adjoining owner or other prominent object; Mr. Delew's plat did not describe each monument found and each monument set by Delew; Mr. Delew's plat did not clearly state and the title did not clearly depict that the plat did not represent a current land boundary survey; Mr. Delew submitted two plats which were not signed and dated; and plats were not clearly identified as incomplete, advance, or preliminary copies **BOARD ACTION**—Consent Order imposing \$4,850 in fines as well as probation of his license for 2 years and proof of successful completion of a course covering the Board's rules and regulations and/or land boundary surveying **REGULATIONS VIOLATED**—18 VAC 10-20-370.A; 18 VAC 10-20-370.B (2 counts); 18 VAC 10-20-370.C.1 (2 counts); 18 VAC 10-20-370.C.2 (2 counts); 18 VAC 10-20-370.C.3.a (2 counts); 18 VAC 10-20-370.C.3.b (2 counts); 18 VAC 10-20-370.C.4; 18 VAC 10-20-370.D.1; 18 VAC 10-20-370.D.2.b; 18 VAC 10-20-370.D.2.d; 18 VAC 10-20-370.D.2.j; 18 VAC 10-20-370.D.2.k; 18 VAC 10-20-D.2.m; 18 VAC 10-20-370.D.2.n; 18 VAC 10-20-370.D.2.o; 18 VAC 10-20-760.B.1; and 18 VAC 10-20-760.B.2 (2 counts) **EFFECTIVE DATE**—September 13, 2007

LANDSCAPE ARCHITECTS**FILE NUMBER 2007-04062, Donald Albert Nesmith**

VIOLATION—Mr. Nesmith failed to disclose in writing to his client that he was being paid a fee by a construction company for providing landscape consulting services during the course of construction on the client's property **BOARD ACTION**—Consent Order imposing \$900 in fines **REGULATION VIOLATED**—18 VAC 10-20-710.B **EFFECTIVE DATE**—December 13, 2007

BUSINESSES**FILE NUMBER 2006-04501, Greenway Engineering, Inc.**

VIOLATION—Greenway Engineering entered into a contract in July 2004 to perform work for a client which was to be completed within 8 to 12 weeks and after 20 weeks from the date the contract was signed no work had been completed, the job was not completed until July 19, 2006, 2 years late **BOARD ACTION**—Consent Order imposing \$150 in fines and

\$150 in costs **REGULATION VIOLATED**—18 VAC 10-20-710.A **EFFECTIVE DATE**—December 12, 2006

FILE NUMBER 2007-03466, Zannino Engineering, Inc.

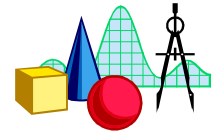
VIOLATION—Zannino failed to provide direct control and personal supervision over the detail prepared by their seal on a detail which was inaccurate for the purpose for which it was intended and omitted relevant required design elements **BOARD ACTION**—Consent Order imposing \$1,150 in fines **REGULATIONS VIOLATED**—18 VAC 10-20-760.A **EFFECTIVE DATE**—March 19, 2008

FILE NUMBER 2008-00624, Martin Bertrand and Land Pro & Associates, LLC

VIOLATION—Martin Bertrand and Land Pro & Associates, LLC, may have been offering to provide land surveying services while not licensed by, and the business not registered with, the Board **BOARD ACTION**—Cease and Desist Order **EFFECTIVE DATE**—December 13, 2007s



2009
NCEES

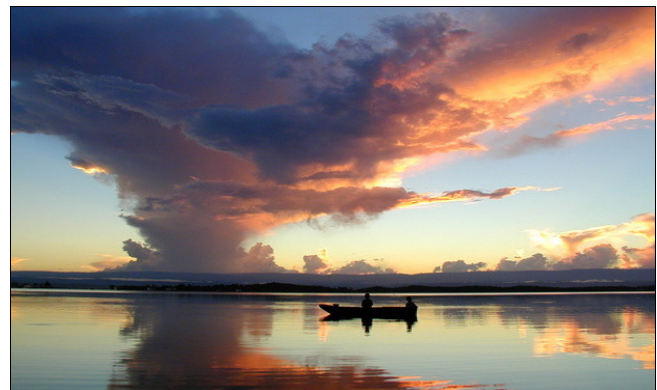


NE ZONE MEETING

The Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects will be hosting the 2009 NCEES Northeast Zone Meeting, which will be held at the Norfolk Waterside Marriott in Norfolk, Virginia. The meeting will be April 16-18, 2009.

The meeting will begin with registration on Thursday, April 16, 2009, as well as the Colonial States meeting. The first business session of the meeting will begin on Friday, April 17, 2009, and the awards luncheon will also be held on the 17th. The meeting will conclude on Saturday, April 18, 2009, with the second business session and another Colonial States meeting.

The National Council of Examiners for Engineering and Surveying is a national non-profit organization composed of engineering and surveying licensing boards representing U.S. states, territories, and the District of Columbia. An accredited standards developer with the American National Standards Institute, NCEES develops, scores, and administers the examinations used for engineering and surveying licensure throughout the United States. NCEES also provides services facilitating professional mobility for licensed engineers and surveyors. Its headquarters is located in Clemson, SC.s



EXAMINATION SCHEDULE

PROFESSIONAL ENGINEER & LAND SURVEYOR EXAM DATES

<u>Exam Date</u>	<u>Application Due Date</u>	<u>Exam Fee Due Date</u>
4/24/09	12/19/08	3/20/09
10/23/09	6/26/09	9/18/09

ENGINEER-IN-TRAINING & SURVEYOR-IN-TRAINING EXAM DATES

<u>Exam Date</u>	<u>Application Due Date</u>	<u>Exam Fee Due Date</u>
4/25/09	12/19/08	3/20/09
10/24/09	6/26/09	9/18/09

LANDSCAPE ARCHITECT EXAM DATES

<u>Exam Dates</u>	<u>Application Due Date</u>	<u>Exam Fee Due Date</u>
For Sections C & E Only		
6/8/09 and 6/9/09	2/9/09	5/11/09
12/7/09 AND 12/8/09	8/10/09	11/9/09
For Sections A, B, & D Only		
Contact CLARB	Contact CLARB	Contact CLARB
Contact CLARB	Contact CLARB	Contact CLARB

Notes:

- **ARCHITECTS:** The Architectural Registration Examination is given year-round; therefore, there are no deadlines. The architect applications are reviewed on a continuous basis.
- **INTERIOR DESIGNERS:** The interior designers examination is administered by CIDA. You may reach them by dialing (202) 721-0220.

MOVING? PLEASE NOTIFY THE BOARD OFFICE OF YOUR NEW ADDRESS.

Name: _____

Profession: _____

License Number: _____

Old Address: _____

New Address: _____
 (P.O. Box must be accompanied by your physical address)

Signature: _____

Date: _____

Mail to:

APELSCIDLA Board, Department of Professional & Occupational Regulation,
9960 Mayland Drive, Suite 400, Richmond, VA 23233

CALENDAR OF EVENTS

Oct	28	Architects Section	May	14	Landscape Architects Section
	30	Interior Designers Section		20	Land Surveyors Section
Nov	4	Professional Engineers Section	June	25	APELSCIDLA Board
	6	Landscape Architects Section	July	28	Architects Section
	19	Land Surveyors Section		30	Interior Designers Section
Dec	10	APELSCIDLA Board	Aug	5	Professional Engineers Section
Feb	4	Architects Section		6	Landscape Architects Section
	5	Interior Designers Section		19	Land Surveyors Section
	10	Professional Engineers Section	Sept	15	APELSCIDLA Board
	12	Landscape Architects Section	Oct	28	Architects Section
	18	Land Surveyors Section		29	Interior Designers Section
Mar	31	APELSCIDLA Board	Nov	5	Professional Engineers Section
May	5	Architects Section		12	Landscape Architects Section
	7	Interior Designers Section		17	Land Surveyors Section
	12	Professional Engineers Section	Dec	16	APELSCIDLA Board

APELSCIDLA BOARD MEMBERS

<u>Architects</u> James R. Boyd John S. Clark, Jr. J. Everette Fauber, III	<u>Prof. Engineers</u> Stanley C. Harris Nico De León Wiley V. "Bif" Johnson, III	<u>Land Surveyors</u> John R. McAden Nancy McIntyre ** W. R. Stephenson, Jr.	<u>Landscape Arch.</u> Vaughn B. Rinner William H. Spell	<u>Interior Designers</u> Lorri B. Finn Cameron C. Stiles *
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* Board President, ** Board Vice-President

IMPORTANT TELEPHONE NUMBERS

Licensing or Applications	(804) 367-8512 or -8506	Examination Questions	(804) 367-8569
Board Administration	(804) 367-8514	Complaints	(804) 367-8504

IMPORTANT WEB SITE AND E-MAIL ADDRESSES

APELSCIDLA Web Site: <http://www.dpor.virginia.gov> E-mail: APELSCIDLA@dpor.virginia.gov

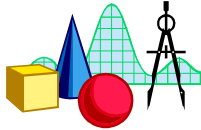
NCARB:	http://www.ncarb.org	CLARB:	http://www.clarb.org
NCEES:	http://www.ncees.org	NCIDQ:	http://www.ncidq.org



All Regulators



Architects



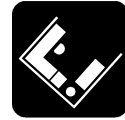
Professional Engineers



Land Surveyors



Landscape Architects



Interior Designers



9960 Mayland Drive
 Suite 400
 Richmond, VA 23233

Change of Address? Notify the Board Office in Writing.