

TEXAS BOARD OF ARCHITECTURAL EXAMINERS

Board Meeting Agenda

TBAE Board Room

505 E. Huntland Drive, Suite 370

Austin, Texas

Thursday, November 21, 2024

10:00 a.m. – Conclusion

1. Preliminary Matters
 - a. Call to order Darren James
 - b. Roll call Joyce Smith
 - c. Excused and unexcused absences Darren James
 - d. Determination of a quorum
 - e. Recognition of guests
 - f. Chair's opening remarks
 - g. Public comments

2. **Approval of August 22, 2024 Board Meeting Minutes (Action)** Darren James

3. **Update on NCARB Initiatives from CEO Mike Armstrong, Including the Competency Standard and Pathways to Practice (Information)** Darren James

4. **Executive Director Report (Information)** Lance Brenton
 - a. Summary of Executive Accomplishments
 - b. Income Statement/Scholarship Fund: Presentation on FY 2024 Expenditures/Revenues
 - c. Income Statement/Scholarship Fund: Presentation on FY 2025

5. **Annual Report – FY2024 (Trend Analysis) (Information)** Glenn Garry

6. **Enforcement Cases (Action)** Pim Mayo

Review and possibly adopt staff's recommendation in the following enforcement cases:

 - a. **Continuing Education Cases:**

Case No. 196-24A	Beardslee, Scott Andrew	Arch. No. 19840
Case No. 153-24A	Carrasco, Carmen Beatriz	Arch. No. 13928
Case No. 162-24L	Fernandez, Albert B., Jr.	L.A. 1218
Case No. 193-24I	Foux, Lori Lynn	R.I.D. No. 10138
Case No. 189-24L	Jones, Traci L.	L.A. No. 1572
Case No. 151-24A	Lao, Benito Sia	Arch. No. 7388
Case No. 191-24I	Lewis, Lacey Hickman	R.I.D. No. 11100
Case No. 154-24L	McCaskill, David K.	L.A. No. 793
Case No. 190-24I	Nguyen, Maria T.	R.I.D. No. 12556

*The Board may meet in closed session pursuant to
TEX. GOV'T CODE ANN. §551.071(1) to confer with legal counsel.*

7. **Proposed Amendments for Adoption (Action)** Pim Mayo
 Consideration of proposed amendments to 22 Tex. Admin. Code §§ 1.41 and 3.41, relating to the experience requirement which architect and landscape architect applicants must complete before being authorized to sit for the licensing exam.
8. **Reports on National Regulatory Boards and Board Member and Staff Committee Service (Information)** Darren James
9. **Board Officers Election and Committee Assignments (Action)** Darren James
10. **Report on Past Conferences and Meetings (Information)** Darren James
 Sept. 6-8 2024 LRGV-AIA Conference
 Sept. 16-21 CLARB/ASLA Licensure Summit and Annual Meeting
 Oct. 3-5 TxA Annual Conference & Design Expo
 Oct. 18-19 NCARB Member Board Chairs and Executives Leadership Summit
 Oct. 23-27 NOMA Annual Conference
 Nov. 8-9 CIDQ Annual Business Meeting
11. **Report on Upcoming Conferences and Meetings (Information)** Darren James
 Feb. 12-14 IIDA Shift 2025
 Feb. 27 Member Board Executive Workshop
 Feb. 28-Mar. 1 NCARB Regional Summit
 Apr. 23-25 ASLA Texas Conference
 June 19-21 NCARB Annual Business Meeting
12. **Board Member Comments/Future Agenda Items (Information)** Darren James
13. **Upcoming Board Meetings (Information)** Darren James
 Thursday, February 20, 2025
 Tuesday, June 10, 2025
 Thursday, August 21, 2025
 Thursday, November 20, 2025
14. **Adjournment** Darren James

NOTE: *Items may not necessarily be considered in the order they appear on the agenda.*

- ◆ *The Chair of the Board will be present and preside over the meeting from the location identified in this agenda. The open portions of the meeting will be open to the public at that location. Note that some Board members may attend the meeting by videoconference call.*
- ◆ *Executive session for advice of counsel may be called regarding any agenda item under the Open Meetings Act, Government Code §551.*
- ◆ *Action may be taken on any agenda item.*

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS

Persons with disabilities who plan to attend this meeting and who need auxiliary aid or services are required to call (512) 305-8548 at least five (5) workdays prior to the meeting so that appropriate arrangements can be made.

FREQUENTLY USED ACRONYMS

ACSA	Association of Collegiate Schools of Architecture
ADA	Americans with Disabilities Act
AIA	American Institute of Architects
AREFAF	Architect Registration Examination Financial Assistance Fund (Scholarship)
ASID	American Society of Interior Designers
ASLA	American Society of Landscape Architects
ARE	Architect Registration Examination
AXP	Architectural Experience Program
BOAT	Building Officials Association of Texas
CACB	Canadian Architectural Certification Board
CIDA	Council for Interior Design Accreditation (Formerly FIDER)
CIDQ	Council for Interior Design Qualification
CLARB	Council of Landscape Architectural Registration Boards
GAA	General Appropriations Act
GRF	General Revenue Fund
IDCEC	International Design Continuing Education Council
IDEC	Interior Design Educators Council
IIDA	International Interior Design Association
LARE	Landscape Architect Registration Examination
MBE	Member Board Executive (within NCARB)
NAAB	National Architectural Accrediting Board
NCARB	National Council of Architectural Registration Boards
NCEES	National Council of Examiners for Engineering and Surveying
OAG	Office of the Attorney General
SOAH	State Office of Administrative Hearings
SORM	State Office of Risk Management
TAID	Texas Association for Interior Design
TAS	Texas Accessibility Standards
TASB	Texas Association of School Boards
TBPELS	Texas Board of Professional Engineers and Land Surveyors
TxA	Texas Society of Architects
TSPE	Texas Society of Professional Engineers

TEXAS BOARD OF ARCHITECTURAL EXAMINERS
Minutes of August 22, 2024, Board Meeting
Centennial Building, 505 E. Huntland Dr., Ste. 350
Austin, TX 78752
10:00 a.m. until completion of business

AGENDA ITEMS	DESCRIPTIONS																										
1A. Call to Order	Mr. James called the meeting to order at 10:00 a.m.																										
1B. Roll Call	<p>Ms. Smith called the roll.</p> <p><u>Present Board Members</u></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Darren L. James</td> <td style="width: 50%;">Chair, Architect</td> </tr> <tr> <td>Rosa G. Salazar</td> <td>Vice-Chair, Registered Interior Designer</td> </tr> <tr> <td>Joyce J. Smith</td> <td>Secretary/Treasurer, Public Member</td> </tr> <tr> <td>Jennifer Walker</td> <td>Architect</td> </tr> <tr> <td>Tim A. Bargainer</td> <td>Landscape Architect</td> </tr> <tr> <td>Fernando Trevino</td> <td>Public Member</td> </tr> <tr> <td>Eva M. Read-Warden</td> <td>Architect</td> </tr> <tr> <td>Justin S. Hiles</td> <td>Architect</td> </tr> <tr> <td>Michael A. Ebbeler, Jr.</td> <td>Public Member</td> </tr> </table>	Darren L. James	Chair, Architect	Rosa G. Salazar	Vice-Chair, Registered Interior Designer	Joyce J. Smith	Secretary/Treasurer, Public Member	Jennifer Walker	Architect	Tim A. Bargainer	Landscape Architect	Fernando Trevino	Public Member	Eva M. Read-Warden	Architect	Justin S. Hiles	Architect	Michael A. Ebbeler, Jr.	Public Member								
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1C. Excused and Unexcused Absences	None.																										
1D. Determination of a Quorum	Mr. James determined a quorum was present.																										
1E. Recognition of Guests	<p>Mr. James acknowledged the following guests and members of TBAE staff in the audience:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Caitlin Alexander</td> <td style="width: 50%;">Texas Society of Architects;</td> </tr> <tr> <td>Becky Walker</td> <td>Texas Society of Architects;</td> </tr> <tr> <td>Jennifer Briggs</td> <td>Texas Society of Architects;</td> </tr> <tr> <td>Jack Stamps</td> <td>TBAE Managing Investigator;</td> </tr> <tr> <td>Jennifer Hogan</td> <td>TBAE Accounting;</td> </tr> <tr> <td>Nelly Clayton</td> <td>TBAE Accounting;</td> </tr> <tr> <td>Sabrina Jones</td> <td>TBAE HR;</td> </tr> <tr> <td>Dale Dornfield</td> <td>TBAE IT Manager;</td> </tr> <tr> <td>Mike Alvarado</td> <td>TBAE Registration Manager;</td> </tr> <tr> <td>Jessica Ramirez</td> <td>TBAE Executive Assistant;</td> </tr> <tr> <td>Susan Millsapps</td> <td>TBAE Legal Assistant;</td> </tr> <tr> <td>Pim Mayo</td> <td>TBAE General Counsel; and</td> </tr> <tr> <td>Lance Brenton</td> <td>TBAE Executive Director.</td> </tr> </table>	Caitlin Alexander	Texas Society of Architects;	Becky Walker	Texas Society of Architects;	Jennifer Briggs	Texas Society of Architects;	Jack Stamps	TBAE Managing Investigator;	Jennifer Hogan	TBAE Accounting;	Nelly Clayton	TBAE Accounting;	Sabrina Jones	TBAE HR;	Dale Dornfield	TBAE IT Manager;	Mike Alvarado	TBAE Registration Manager;	Jessica Ramirez	TBAE Executive Assistant;	Susan Millsapps	TBAE Legal Assistant;	Pim Mayo	TBAE General Counsel; and	Lance Brenton	TBAE Executive Director.
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1F. Chair's Opening Remarks	Mr. James welcomed everyone to the August Board Meeting, thanked the full Board for their presence at the meeting, and expressed																										

	<p>appreciation for the guests for their attendance and passion. Mr. James highlighted appreciation for Mr. Stamps and everything he has done for the agency, which will be addressed in greater detail later in the meeting.</p>
<p>1G. Public Comments</p>	<p>Mr. James asked for public comments. No public comments were offered.</p>
<p>2. Approval of May 23, 2024, Board Meeting Minutes</p>	<p>A MOTION WAS MADE AND SECONDED (Bargainer/Hiles) TO APPROVE THE MAY 23, 2024, BOARD MEETING MINUTES.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p>
<p>3. Executive Director's Report</p> <p>3A. Summary of Executive Accomplishments</p>	<p>Mr. James invited Mr. Brenton to deliver the Executive Director's report.</p> <p>Mr. Brenton referred the Board to the Staff Accomplishments that begin on page 18 of the Board materials and referred to those materials as a supplement to his verbal and PowerPoint presentation.</p> <p>Mr. Brenton highlighted a few topics.</p> <ol style="list-style-type: none"> 1. Staffing Activities <ul style="list-style-type: none"> • Mr. Brenton discussed the agency's continued implementation of succession planning and efforts to fill positions within the agency. Those vacancies have occurred due to four retirements in the fiscal year, and cascading vacancies resulting from the promotion of existing employees to replace retirees. In particular, he discussed the hiring of a new managing investigator and legal assistant. • Mr. Brenton said the agency would be working over the next quarter to hire an assistant general counsel, investigator, and registration specialist. Once these three positions are filled, we will have completed the transition phase as it relates to staffing. • Ms. Smith asked Mr. Brenton to provide the Board with an updated organizational chart once the agency is fully staffed.

	<p>2. Success at NCARB Annual Meeting</p> <ul style="list-style-type: none">• Mr. Brenton summarized the history of NCARB’s regional realignment process and the final resolution that was discussed at the TBAE meeting in May. Under that proposal, Texas would remain in its region, which was a big improvement compared to the original proposal considered at the regional meeting. Two factors that helped implement those changes were (1) Board member attendance at the regional meeting, where the Board shared its point of view from multiple perspectives and made its presence felt; and (2) sustained contact with NCARB leadership following the regional meeting advocating for changes to the initial proposal, which was ultimately successful.• Mr. James emphasized the importance of Board member participation in this effort.• Mr. Brenton noted the resolution was voted down 29-22. <p>3. Server Project</p> <ul style="list-style-type: none">• Mr. Brenton updated the Board on the effort to replace the agency servers, which failed just before the May Board meeting. He discussed IT’s efforts to maintain operations while vendors were researched and selected.• Ultimately, Mr. Brenton approved a project to purchase three servers, a data array, and a back-up device. He said the new servers have more than twice the processing capability that we had before, in addition to being more reliable and resilient.• The procurement was completed in late-June. The servers and storage array were installed in mid-July. Since then, we have been migrating our virtual machines to the hardware, which is ongoing. Next week, we will install the back-up device, and the lion’s share of the work for the project will be completed.• Mr. Brenton said the initial estimate for the cost of the project was \$100,000, which ended up at \$122,000 for hardware. He discussed two additional impacts on FY24 expenditures - \$10,000 to pay for operating systems on the new cores, and an increased cost for VMware that the agency would have incurred regardless of whether the servers failed.• Mr. Brenton thanked the IT Department – Dale, Matthew, and Hunter – who have put in extra hours to complete the project.
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	<p>4. Organization of Staff Presentations to Schools and Professional Groups</p> <ul style="list-style-type: none">• At the budget presentation in May, Mr. Brenton requested strategic funding to support additional staff presentations to schools and professional groups. To get an early start on this effort, he detailed a centralized effort by staff to proactively contact educational and professional contacts to get them on the schedule in a way that increases efficiency in the use of travel resources. <p>5. Building Officials Association of Texas (BOAT) Annual Meeting</p> <ul style="list-style-type: none">• Mr. Brenton said Mr. Stamps and Mr. Ramirez attended this meeting. He emphasized the importance of TBAE’s relationship with the building officials. He noted they are a vital source of high quality complaints for two reasons: (1) generally, they are referring non-registrant cases, plan stamping cases, and standard of practice cases – case types that are highly related to the health, safety, and welfare; and (2) given their familiarity with the law, if a building official files a complaint, it is likely that a violation has occurred.• Given the importance of this relationship, Mr. Brenton wanted Mr. Stamps and Mr. Ramirez to attend this year ahead of Mr. Stamps’ retirement.• Mr. Brenton invited Mr. Stamps to provide a summary of the meeting. Mr. Stamps echoed Mr. Brenton’s comments. He said Mr. Ramirez made a lot of contacts at the meeting. <p>6. Employee Evaluation policy</p> <ul style="list-style-type: none">• Mr. Brenton worked with the agency HR Specialist to make two changes to the policy. First, a formalization of goal setting in which every employee will have two or three specific goals to work on throughout the year. Second, an emphasis on mid-year evaluations, which will be used to check in on goal achievement. Mr. Brenton said employees’ goals include updating policies, retiring old IT systems, caseload management in the Legal department, cross-training, and succession planning.
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7. Agency Trends

- In response to Board requests at the previous Board meeting, Mr. Brenton provided an in-depth presentation on TBAE registration trends, with an emphasis on the number of in-state versus out-of-state registrants and comparisons between Texas and benchmark states, including New York, California, Tennessee, and Florida. Generally, the long term trends demonstrate steady growth in the number of architects and landscape architects, steady losses in the number of registered interior designers, a steady decrease in the proportion of registrants who are in-state versus out-of-state across the three professions, and that these observations are generally in line with the benchmark states.
- Mr. Brenton also addressed trends in continuing education audits and disciplinary actions and the number of ARE scholarships approved across the previous six years.
- Mr. James asked if the agency has been tracking what is effective in promoting the scholarship. Mr. Alvarado responded that TBAE has been successful in informing examinees of the scholarship program while staffing booths at conferences and making presentations to schools. However, he said that many of those examinees end up at firms that pay for employees' exams, so they end up not being eligible for the scholarship. Mr. Brenton said staff would try to remain creative in getting the word out to potential recipients.
- In response to further inquiry from Mr. James, Mr. Alvarado confirmed that he includes information about the scholarship in all presentations to colleges and universities.
- Mr. Hiles asked whether staff has any knowledge of an increase in the number of firms supporting their employees by paying for exams. Mr. Brenton responded that staff did not have any data on that, but that this type of firm support is widespread.

Mr. Brenton directed the Board to the report on Enforcement numbers on page 22 of the Board materials. He noted that 196 cases were opened while 103 cases were referred to the Legal Department and 90 cases were dismissed. That means that the Enforcement Department is generally keeping up with incoming work.

Ms. Walker and Mr. James expressed it was helpful to see the agency trends laid out in graphic form.

<p>3B. Operating Budget/Scholarship Fund: Presentation on Expenditures/Revenue through July 31, 2024</p>	<p>Ms. Read-Warden asked about the registered interior designer numbers on page 21, specifically why the test score column is at zero. Mr. Alvarado and Mr. Brenton clarified that this is a result of a statutory change from 2017, under which RID candidates complete all the CIDQ eligibility requirements with CIDQ prior to filing any kind of application with TBAE. As such, TBAE does not track examination scores as they occur for RID candidates.</p> <p>Ms. Salazar asked how that change impacted the use of resources by the agency. Mr. Brenton responded that those resources were reallocated to increasing registration counts for architect and landscape architect registration needs. As a drawback, Mr. Brenton noted that this change resulted in TBAE losing contact with potential registrants during their education and training. He shared his belief that the earlier TBAE has contact with candidates, the better they will understand what TBAE is, what our role is in registration, and our requirements for eligibility. He noted that CLARB advocates for this sort of "direct application" procedure.</p> <p>Mr. Brenton referred the Board to the FY24 Income Statement on page 23 of the Board materials and provided an update of the current state of the agency's finances and budgetary line items. Mr. Brenton noted changes to the format based on Board feedback, specifically providing the most up-to-date financial information, even if it does not align with the end of a quarter, and presenting actual revenues and expenditures as a percentage of what was budgeted.</p> <p>Mr. Brenton summarized the current state of revenues and expenditures. Mr. Brenton highlighted that "Licenses & Fees," is largely on track with what was observed in the previous year, and he expects it to be within 1% of the previous year. On the other hand, "Interest" income exploded. In the past 15 years, interest was mostly an afterthought but high interest rates over the past few years have led to large increases.</p> <p>Mr. Brenton also discussed "Salaries and Wages," where on one hand there have been vacancies and positions filled at lower salaries than their predecessors, but on the other hand there were retirement payouts of unused vacation time. Overall, this item is on schedule with what was expected.</p> <p>Mr. Brenton noted the large surplus in "Professional Fees." He said much of this surplus is money that is dedicated to experts who review practice-related cases. We are low on these expenditures as of the end of July; any outstanding balances will be paid by the end of the fiscal year. There are also surpluses for IT because certain software that had been budgeted was not purchased. "Materials and Supplies" is running</p>
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	<p>in the red due to a much needed reorganization of office space by adding a new cubicle that allows all non-IT staff to fit in the main space.</p> <p>“Board/Staff Training and Conference Fees” will be much closer to the budgeted amount by the end of the month, as IT and the attorneys participate in training in addition to an all-staff training session on communication and team building. Mr. Brenton noted it has been a year of transition with a lot of new people in new positions, which comes with new communication pathways. He hopes the session will be a mix of learning and fun and provide a good base for progress in the upcoming year.</p> <p>“Operating Expenditures” is also in the red due to paying 15 months of insurance rather than the standard 12. This was addressed at the May Board Meeting. The state negotiated the policy to include a few months in addition to a full year, so it came out to a 25% increase in the insurance cost.</p> <p>Mr. Brenton said “SWCAP” has provided another surprise in that the agency received a credit and did not have to pay anything in the current year. Mr. Brenton noted that he attempted to make contacts to determine what the SWCAP payment would be for the upcoming year, but he was unable to reach anyone. Therefore, he recommended budgeting the same as FY2024, which is based on what TBPELS pays.</p> <p>Mr. Bargainer asked if other agencies encounter this same predicament when attempting to budget for SWCAP. Mr. Brenton explained that the inability to determine an amount is largely because we are still in a transition period away from using state office space. Once we are fully out of that transition, payment will be more predictable.</p> <p>Ms. Read-Warden asked for clarification on the SWCAP abbreviation, and the TBAE Accounting staff explained that it stands for Statewide Cost Allocation Plan.</p> <p>Mr. Brenton noted that the fund balance will be reduced by \$510,000 once the “General Revenue Payment” is paid at the end of the year. Ms. Smith asked where the \$122,000 for the server project is allocated in the budget. Mr. Brenton clarified that the full expense of the server project had not yet been expended, but is included in the “Materials and Supplies – IT/IS” for the projections labeled “FY2024 Expected Year End” on page 25 of the Board notebook.</p> <p>Mr. Brenton referred to the Scholarship Fund information on page 24 of the Board materials and provided a summary of income and expenditures.</p>
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4. FY25 Proposed Budget and Review of Agency Policy EA-015

Mr. Brenton referred the Board to the FY25 Proposed Budget on page 25 of the Board materials. He summarized the budget, his line-item projections for the fiscal year, and how he arrived at those projections. Mr. Brenton also highlighted targeted funding requests that were intended to address specific strategic plan action items, as follows:

1. "Increasing public and professional awareness of TBAE's mission, activities, and services." This strategic goal serves two, distinct purposes: (1) ensuring voluntary compliance with the law by candidates and nonregistrants and (2) informing the public, including prospective registrants, of the requirements for registration.

The increased funding will be directed to updating the website with a web designer, as recommended by Mr. James, and staff travel to make presentations. Presentations generally discuss the path to registration; however, they should also include information on how to stay compliant with laws enforced by the Board. This second objective is a new emphasis moving forward.

Mr. James asked whether the budget includes additional funding for Board member travel. Mr. Brenton said it does. He reiterated the success TBAE had at the regional meeting, which was built on Board member attendance. He emphasized the increased interest Board members have expressed in participating in national council activities and said he wants to encourage those efforts to the greatest extent possible.

2. "Review the current use of technology ... by the agency ... to improve operational efficiency, effectiveness, and customer service." Mr. Brenton explained that the target of this request is improving staff's work from home capabilities. He noted that work from home is no longer a pandemic response, it's an ongoing reality. To increase the agency's effectiveness, he is requesting funding to improve phone capabilities from home and purchase peripherals such as docking stations and additional monitors.
3. "Ensure that ... leadership succession planning [is] strong." Mr. Brenton emphasized the agency's successful implementation of internal succession in a very busy year for retirements. Mr. Brenton explained the agency has been able to rely upon succession because TBAE is a great place to work and salaries are competitive compared to other state employers. As a result, TBAE rarely loses employees to other state agencies. This allows TBAE to retain employees and foster the next generation of leadership. The target of this strategic funding

	<p>request is to provide for one-time merit increases for qualifying employees in September.</p> <p>Ms. Smith noted previous discussions on the agency fund balance – what was the appropriate level? She suggested that the agency’s experience with the server failure provided a good case for maintaining a healthy fund balance. Mr. Brenton briefly summarized the fund balance policy and his interpretation of the rules. Mr. James requested that his conversation take place during the next part of this agenda item.</p> <p>A MOTION WAS MADE AND SECONDED (Read-Warden/Smith) TO APPROVE THE PROPOSED FY 2025 BUDGET AS PRESENTED.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p> <p>Mr. Brenton referred the Board to the Reserve Fund Balance Policy on pages 26-27 of the Board materials. Mr. Brenton explained that the policy requires the agency to maintain a minimum of eight months of funding. However, once the fund balance reaches twelve months of funding, the policy requires the Executive Director to offer recommendations for sustainable fee reductions. Mr. Brenton said the agency is nearing that point. Mr. Brenton clarified that this is a policy and is not subject to statutory law so the policy can be changed if desired.</p> <p>Mr. Brenton noted that, while the Board continues to see growth in registration-related revenue, this growth has been slowing over time. He said it is possible that agency expenses would outpace registration-related revenue in the current year. While interest income has been more than enough to cover any potential shortfall, this has not been a meaningful finding source in the past and should not be relied upon in the future. Given that the growth of expenses may soon outpace that of revenues, Mr. Brenton suggested it could be an inopportune time to consider fee reductions.</p> <p>Mr. Brenton reported that after reviewing annual reports from seven sister SDSI agencies, four have a fund balance greater than TBAE’s, as a percentage of yearly expenditures. However, two agencies are substantially lower, specifically the Engineer Board and the Credit Union Department. As one example of the magnitude of cost that major projects can entail, Mr. Brenton noted that one agency is in the process of building up its fund balance to replace its licensing system, which will cost \$6,000,000 over three years. With this background information, Mr. Brenton asked the Board for their thoughts: Are they happy with the acceptable range of the fund balance, or would they be</p>
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	<p>comfortable decreasing fees if it appears that expenditures are on a path to exceed registration-related income?</p> <p>Mr. Bargainer asked what other agencies have done to reduce their fee structures. Mr. Brenton noted that one agency got into trouble after it maintained a fund balance well in excess of annual costs, while failing to provide adequate customer service.</p> <p>Mr. Hiles agreed that we do not want to be in the position where we reduce fees, followed by a drop in registration numbers or substantial decrease in interest rates. Mr. Hiles suggested the Board maintain a minimum of eight months and a maximum of fourteen months of fund balance.</p> <p>Mr. James noted that the current policy was adopted by a previous Board so it is up to this Board to determine if the policy should be changed.</p> <p>Mr. Brenton emphasized that the Board is not in violation of the fund balance policy at the present time. However, it is difficult creating a budget when the margins are so close and \$5,000-\$10,000 one way or the other may cause the Board to exceed the maximum fund balance according to policy.</p> <p>Ms. Read-Warden clarified that it sounds like the Board is not in imminent danger at this point, but modifying the policy would give the Board additional leeway.</p> <p>Mr. Brenton said it is worthwhile to consider what would be a meaningful reduction for registrants. For example, a 5% reduction at the present time would be \$140,000, which would create an immediate budget deficit if the Board were to make that change right now.</p> <p>Mr. Bargainer asked if the Board runs into unfunded mandates or legislative changes that result in unforeseen costs. Mr. Brenton responded that the Board is technically entirely unfunded since it does not receive funding from the legislature. But apart from that, Mr. Brenton said he is unaware of any incoming mandate from the legislature that would have a big impact on the budget.</p> <p>Mr. Bargainer suggested it is not necessary to make any changes at this time, though he appreciates the proactive discussion. He said one option, in addition to considering sustainable reductions in fees, could be creating a sub-fund to save for special projects. But either way, the Board has time.</p>
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	<p>Mr. James agreed that the Board has time for further consideration and requested Board members think about the policy for future discussion.</p> <p>Mr. Brenton summarized the options as (1) leaving the policy as-is, under which the Board would compare the fund balance at the end of the fiscal year to the approved expenditures for the coming year; (2) amend the policy to state that fee decreases would not be required if the Board has adopted a deficit budget for the coming year; (3) creating a dedicated special projects fund; or (4) wait and see. Mr. James noted Mr. Hiles earlier suggestion of increasing the maximum fund balance to fourteen months of funding.</p>
<p>5. Consideration of Draft Amendments for Proposal Consideration of draft amendments to Board Rules 1.41 and 3.41, relating to experience requirements before testing for architects and landscape architects.</p>	<p>Mr. James invited Ms. Mayo to address the next agenda item.</p> <p>Ms. Mayo referred the Board to the summary and associated Board materials for this rulemaking action beginning on page 28 of the Board materials. She summarized those materials, provided staff's recommendation, and invited any questions or comments from the Board.</p> <p>Mr. Bargainer highlighted that this rule change would adopt the same standard for architects and landscape architects.</p> <p>Mr. James clarified that NCARB model law is not an edict, but it is up to each Board's discretion to adopt the model.</p> <p>Ms. Read-Warden shared her support for the draft rule. She noted that it is taking longer for candidates to become registered so this change, which will allow candidates to start the process earlier, will help to address the issue without lowering the overall standard that is required at registration.</p> <p>Ms. Smith asked what the next steps entail. Mr. Brenton responded that the motion on page 30 would trigger a rulemaking process which includes a notice and comment period for the proposed rules, then the rules would be on the agenda for adoption at the November meeting.</p> <p>A MOTION WAS MADE AND SECONDED (Bargainer/Walker) TO APPROVE THE DRAFT AMENDMENTS TO 22 TEX. ADMIN. CODE §§ 1.41 AND 3.41 FOR PUBLICATION AND PROPOSAL IN THE TEXAS REGISTER, WITH AUTHORITY FOR THE GENERAL COUNSEL TO MAKE EDITORIAL CHANGES AS NECESSARY TO CLARIFY RULE AND BOARD INTENT AND TO COMPLY WITH THE FORMATTING REQUIREMENTS OF THE TEXAS REGISTER.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p>

<p>6. Enforcement Cases</p>	<p>Mr. James asked Ms. Mayo to present the enforcement cases for Board consideration.</p> <p>Gilkeson, Tag (Case No. 201-22N) Ms. Mayo directed the Board to the written materials for the case beginning on page 41 and provided a summary of the case as well as staff's recommendation.</p> <p>Mr. Bargainer and Ms. Read-Warden asked questions about the timing of the violations and clarified that Respondent's business is now registered and associated with a licensed architect.</p> <p>A MOTION WAS MADE AND SECONDED (Walker/Bargainer) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$1,000 AND WHICH ORDERS THE RESPONDENT TO CEASE AND DESIST ANY AND ALL VIOLATIONS OF OCCUPATIONS CODE CHAPTER 1051 AND BOARD RULES, AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED July 16, 2024.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p> <p>Shue, Gregory Todd (Case No. 142-24A) Ms. Mayo directed the Board to the written materials for the case beginning on page 42 and provided a summary of the case as well as staff's recommendation.</p> <p>A MOTION WAS MADE AND SECONDED (Hiles/Trevino) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$1,000 AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED July 19, 2024.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p>																		
<p>6A. Registrant/Non-Registrant Cases:</p>	<p>Ms. Mayo directed the Board to written materials for the continuing education cases on pages 43-51, which contain summaries of the cases as well as staff's recommendations.</p> <p>A MOTION WAS MADE AND SECONDED (Read-Warden/Walker) TO ACCEPT STAFF'S RECOMMENDATION FOR DISCIPLINE IN THE FOLLOWING CONTINUING EDUCATION CASES:</p> <table border="0" data-bbox="552 1638 1331 1864"> <tr> <td>Case No. 185-24A</td> <td>Andras, James Elliott Sr.</td> <td>Arch. #30082</td> </tr> <tr> <td>Case No. 192-24A</td> <td>Andras, Kristen R.</td> <td>Arch. #26932</td> </tr> <tr> <td>Case No. 163-24A</td> <td>Edwards, Michael</td> <td>Arch. #20195</td> </tr> <tr> <td>Case No. 157-24I</td> <td>Gibbs, Rebecca Anne</td> <td>RID #11310</td> </tr> <tr> <td>Case No. 188-24A</td> <td>Hathaway, John George</td> <td>Arch. #19870</td> </tr> <tr> <td>Case No. 183-24I</td> <td>Miller, Tracy Annette</td> <td>RID #9669</td> </tr> </table>	Case No. 185-24A	Andras, James Elliott Sr.	Arch. #30082	Case No. 192-24A	Andras, Kristen R.	Arch. #26932	Case No. 163-24A	Edwards, Michael	Arch. #20195	Case No. 157-24I	Gibbs, Rebecca Anne	RID #11310	Case No. 188-24A	Hathaway, John George	Arch. #19870	Case No. 183-24I	Miller, Tracy Annette	RID #9669
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<p>6B. Continuing Education Cases:</p>																			

	<p>Case No. 118-24A Steer, Donald Allen Arch. #18140 Case No. 184-24A Tohill, John Anthony Arch. #12592 Case No. 220-22I Wallis, Melissa Noel RID #11788</p> <p>THE MOTION PASSED UNANIMOUSLY.</p>
<p>7. Designation of Voting Delegate for 2024 CLARB Annual Meeting</p>	<p>A MOTION WAS MADE AND SECONDED (Walker/Smith) TO DESIGNATE TIM A. BARGAINER, AS THE TEXAS VOTING DELEGATE TO THE CLARB 2024 ANNUAL MEETING.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p>
<p>8. Resolutions for Honoring Jackie Blackmore and Jack W. Stamps</p>	<p>Mr. James noted the upcoming retirements of Jack W. Stamps and Jackie Blackmore and said the Board would consider the adoption of resolutions in their honor.</p> <p>First, Mr. James addressed the retirement of Mr. Stamps and read the following proposed resolution into the record:</p> <p>“Be It Known that Jack W. Stamps has distinguished himself by his many years of dedicated service to all the people who live, work, and play in the built environment of the State of Texas; and</p> <p>WHEREAS, Mr. Stamps is a native Texan, born and raised in the City of San Antonio in Bexar County; and</p> <p>WHEREAS, Mr. Stamps began his public service to the State of Texas in 1968 as a State Trooper and Narcotics Agent in Guadalupe County, Texas; and</p> <p>WHEREAS, Mr. Stamps won election to the office of Constable, Bexar County Precinct Four for two terms, serving from 1980 to 1988 and graduated from the Federal Bureau of Investigation National Academy in Quantico, Virginia; and</p> <p>WHEREAS, Mr. Stamps then served as Training Academy Manager for the Bexar County Sheriff’s Office, as Investigator for the Office of the Attorney General, and as Chief Investigator at the State Board for Educator Certification, and</p> <p>WHEREAS, Mr. Stamps joined the Texas Board of Architectural Examiners as Investigator in 2002, and was promoted to Managing investigator in 2005; and</p> <p>WHEREAS, Mr. Stamps is a bona fide TBAE celebrity and icon, having educated Texas design professionals in rules and statutes while</p>

	<p>strapped into a Fender Stratocaster and having been featured in shirtless skateboard-riding photos published in Licensing News, and WHEREAS, Mr. Stamps is known in the office to be a kind, gregarious, and beloved friend to all; and</p> <p>WHEREAS, Mr. Stamps has served his community in the Church of Conscious Harmony, and</p> <p>WHEREAS, Mr. Stamps plans to spend his retirement with his wife, Jackie, and his four children, eight grandchildren, and great grandchild, and will continue to play gigs with his band, The Cave Dwellers (est. 1966), now, therefore, be it</p> <p>RESOLVED that the Texas Board of Architectural Examiners, in formal meeting assembled this 22nd day of August, 2024, does publicly acknowledge its appreciation of outstanding service to the state of Texas and have voted unanimously for this RESOLUTION OF APPRECIATION to Jack W. Stamps, and have caused a copy of this Resolution to be included within the minutes of this Board.”</p> <p>Mr. James thanked Mr. Stamps for his service and invited him to address the meeting. Mr. Stamps stated this is the best agency he’s ever worked for; all of the Board members and executive directors have been magnificent. He thanked the Board for their support and stated that he is ready for retirement.</p> <p>Mr. James invited any other comments. Mr. Brenton stated it is impossible to put into words what Jack has meant to this agency. When professionals think of the Board, they think of Jack. Mr. Stamps’ presentations are both entertaining and informative; even though they may address dry subjects, they are laugh-out-loud funny. And that’s just a glimpse of what staff get to experience every day in the office. Jack is a joyful friend and the office will not be the same without him. Mr. Brenton thanked Mr. Stamps for his service to the Board and the state of Texas.</p> <p>THE RESOLUTION WAS ADOPTED BY ACCLAMATION.</p> <p>Next, Mr. James addressed the retirement of Ms. Blackmore and read the following proposed resolution into the record:</p> <p>“Be It Known that Jackie Blackmore has distinguished herself by her many years of dedicated service to all the people who live, work, and play in the built environment of the State of Texas; and</p> <p>WHEREAS, Ms. Blackmore is a native Texan, born in the City of San Antonio in Bexar County; and</p>
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	<p>WHEREAS, Ms. Blackmore subsequently grew up in the City of Austin, in Travis County; and</p> <p>WHEREAS, Ms. Blackmore graduated from Lyndon Baines Johnson High School in Austin; and</p> <p>WHEREAS, Ms. Blackmore began her dedicated career as a public servant to the State of Texas in 1990 at the Texas Real Estate Commission; and</p> <p>WHEREAS, Ms. Blackmore joined the Texas Board of Architectural Examiners in 1996, the same year Dwayne “The Rock” Johnson began his professional wrestling career, and</p> <p>WHEREAS, Ms. Blackmore’s tenure at the Board has spanned 28 years, three TBAE office locations, three Executive Directors, untold thousands of phone conversations with prospective Texas design professionals, and dozens of Dwayne “The Rock” Johnson films; and</p> <p>WHEREAS, Ms. Blackmore has participated in the review and approval of applications for the great majority of TBAE’s current registrants, and is therefore widely known amongst our customers to be helpful, kind, and patient; and</p> <p>WHEREAS, Ms. Blackmore is a dedicated public servant, an exceptional professional colleague, and a cherished friend who always can smell what The Rock is cookin’, now, therefore, be it RESOLVED that the Texas Board of Architectural Examiners, in formal meeting assembled this 22nd day of August, 2024, does publicly acknowledge its appreciation of outstanding service to the state of Texas and have voted unanimously for this RESOLUTION OF APPRECIATION to Jackie Blackmore, and have caused a copy of this Resolution to be included within the minutes of this Board.”</p> <p>THE RESOLUTION WAS ADOPTED BY ACCLAMATION.</p> <p>Mr. Brenton noted that while Jack has been the face of the organization, Jackie is very much the voice of the organization. She has been at the agency longer than anyone else and it’s not a stretch to say that at one time or another she has talked to most of our registrants on the phone or in person. Invariably, those customers have nothing but kind things to say about her. She will be missed.</p>
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<p>9. Executive Director Annual Performance Evaluation</p> <p>A. Report on findings based upon performance evaluation</p> <p>B. Identify strategic goals for Executive Director</p> <p>C. Consider and possibly act upon any personnel action that may be proposed by the Board</p>	<p>Mr. James requested a motion to enter into executive session to discuss personnel issues, specifically the executive director annual performance evaluation under the authority of Tex. Gov't Code §551.074. (Bargainer/Walker)</p> <p>The Board entered into executive session at 12:16 p.m.</p> <p>The Board reconvened in open session at 12:46 p.m.</p> <p>Mr. James addressed Mr. Brenton and stated that the Board is very happy with his performance and excited that he accepted the role and embraced the position with eloquence and passion. The Board appreciates the renewed energy, focus on training and developing staff, succession planning, and cross-training. The Board thanks Mr. Brenton for following up on Board questions from previous meetings and using charts to provide information. They also appreciate his focus on financials and detailed explanation of budget line items. Mr. James encouraged Mr. Brenton to get more involved on a national level so his voice is elevated with committees and larger groups. Mr. James expressed that the Board is impressed by Mr. Brenton's emphasis on outreach and education at institutions across the state as well as his focus on strategic thought, demonstrated by his efforts to tie the budget to the strategic plan.</p> <p>A MOTION WAS MADE AND SECONDED (Hiles/Walker) TO INCREASE THE EXECUTIVE DIRECTOR'S SALARY BY 7% IN ADDITION TO A ONE-TIME MERIT BONUS OF 5%.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p>
<p>10. Approval of the Proposed 2025 Board Meeting Dates</p>	<p>Mr. James identified the following proposed 2025 board meeting dates:</p> <p>Thursday, February 20, 2025 Tuesday, June 10, 2025 Thursday, August 21, 2025 Thursday, November 20, 2025</p> <p>A MOTION WAS MADE AND SECONDED (Smith/Salazar) TO APPROVE THE DESIGNATED MEETING DATES.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p>

<p>11. Reports on National Regulatory Boards and Board Member and Staff Committee Service</p>	<p>Mr. James invited Mr. Brenton to share his report.</p> <p>Mr. Brenton stated that he has been selected to serve on the NCARB Professional Conduct Committee, which considers disciplinary action for NCARB certificate holders. Usually, this involves the consideration of state disciplinary actions, but there is also exam cheating, which comes with much more serious ramifications. Mr. Brenton said he is excited about the experience. He has already attended one in-person meeting in Washington, and moving forward there will be one videoconference meeting each month. Mr. Brenton has also applied to be on the Member Board Executive Committee for CLARB.</p> <p>Ms. Smith stated that she is serving on the NCARB Examination Committee. Out of fifteen members, she is the only public member. The committee meets monthly, there already have been two meetings, with an upcoming 2-day meeting scheduled in Washington D.C. Ms. Smith continued that it is very interesting, she is learning a lot, but she must be limited in her remarks because the exam information is confidential.</p> <p>Mr. James stated that he is on the Region 3 Education Committee but they haven't met since the Annual Business Meeting.</p> <p>Ms. Read-Warden asked what the other NCARB committees are, and Mr. Brenton answered that they include conduct, exam, competency, alternate paths, experience, and others among probably ten active committees. This is in addition to ad hoc committees. Mr. Brenton informed the Board that applications open in February, and he will pass that information on to the Board members, so they have the opportunity to volunteer for next year.</p> <p>Ms. Salazar stated that she is still serving on the ICOR practice overlap committee, and it is going well. The committee recently met in July in Dallas and it has been interesting discussion. She said her group is now in the phase of sharing the work with different organizations for feedback.</p>
<p>12. Report on Conferences and Meetings</p>	<p>Mr. James invited the Board members to report on conferences and meetings.</p> <p>Beginning with the AIA National Conference (June 5-8), Mr. James attended this conference and remarked it was beneficial. In particular, he was excited by the level of participation by young people.</p> <p>Mr. James, Mr. Ebbeler, Ms. Smith, Ms. Salazar, and Mr. Hiles attended the NCARB Annual Business Meeting (June 13-15). Mr. Ebbeler began by thanking Mr. Brenton and everyone who graciously helped make his</p>

	<p>first conference a successful one. Mr. Ebbeler was intrigued by the AI breakout sessions, which discussed a new and important topic that applies to so many professions. The main takeaway for him is that AI will not replace architects, but it may replace those who don't use it. In other words, it is incumbent on the professionals to add this capability to their skillset. Mr. Ebbeler said he asked the architects at his table if they felt threatened by AI, and they all said yes.</p> <p>Mr. Hiles added that NCARB did a good job of bringing forward topics we should be thinking about – AI, examination, alternate paths to licensure, competency. He said the breakout sessions were outstanding and timely, and the networking sessions were very helpful. Mr. Hiles commended Mr. Brenton for speaking up on issues and stated that he represented Texas well. Mr. Hiles also noted that Julie Hildebrand, the Board's former Executive Director, received a well-deserved award at the President's Dinner.</p> <p>Ms. Salazar added that NCARB does a great job in scheduling interesting, enlightening sessions. NCARB is an inspiring forward-thinking leader in the industry, always asking important questions like where are we now, how do we adjust and change?</p> <p>Mr. James added that he likes how NCARB brings in sympathetic, symbiotic organizations such as CLARB, CIDQ, and NOMA. He appreciates how NCARB thinks about the entire ecosystem of the industry and how the organizations work together.</p> <p>Ms. Smith added that public members are treated really well by NCARB, with many opportunities to provide input from their perspectives. Mr. Ebbeler agreed that NCARB felt his perspective was valuable.</p> <p>Mr. Brenton stated that each resolution passed with the exception of the regional realignment. Mr. Brenton left the conference with the impression that, over the next two to three year horizon, alternative paths, professional competencies, and practice overlap will be very important topics for the Board. He encouraged the Board to look out for communications from NCARB, CLARB, and CIDQ on those topics to keep themselves educated. Mr. Brenton stated that he enjoyed spending time with the Board members. Mr. Brenton echoed the compliments toward NCARB. He said they are a smart, hard-working, forward-looking organization, and that our Board should be active in expressing our viewpoint about how those formidable abilities may be best deployed.</p> <p>Ms. Salazar was unable to attend the ASID Texas Chapter's Celebrating Design Texas 2024 (July 18-19), but Board staff member Glenn Garry</p>
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	attended and made a presentation, which went really well. Mr. Garry also made a presentation to Gensler around the same time, and he was very happy with the results.
13. Report on Upcoming Conferences and Meetings	<p>Mr. James informed the Board of upcoming conferences and added that the NOMA Conference is in Baltimore on October 23.</p> <p>2024 LRGV-AIA Conference – Sept. 6-8 CLARB/ASLA Licensure Summit and Annual Meeting – Sept. 16-21 TxA Annual Conference & Expo – Oct. 3-5 NCARB Chairs and Executives Leadership Summit – Oct. 18-19 CIDQ Annual Business Meeting – Nov. 8-9</p> <p>Mr. James invited Mr. Brenton to add information, and Mr. Brenton provided there will be three Board members attending the CLARB/ASLA meeting. Additionally, five staff members will attend the TxA Annual Conference & Expo, where staff will make a CE presentation and Mr. James and Mr. Brenton will participate in the new architects convocation. Mr. Brenton and Mr. James are also attending the NCARB Member Board Chair Member Board Executive Summit in Fargo in October. Mr. Brenton and Ms. Salazar are attending CIDQ in November.</p>
14. Board Member Comments/Future Agenda Items	Mr. James asked if the Board members had any comments or suggestions on future agenda items. No suggestions were received.
15. Upcoming Board Meeting	Mr. James noted the upcoming Board Meeting on Thursday, November 21, 2024.
14. Adjournment	The meeting adjourned at 1:12 p.m.

APPROVED BY THE BOARD:

DARREN L. JAMES, FAIA
Chair
TEXAS BOARD OF ARCHITECTURAL EXAMINERS

TBAE Staff Accomplishments: November 2024 Board Meeting

August

- Building Officials Association of Texas Annual Conference – Enforcement
- Texas Interagency Networking Group Executive Meeting – ED
- Update on the Development of an Electronic Information Resources Accessibility Policy – ED, Communications, and IT
- CLARB Leadership Development Series – ED
- NCARB Professional Conduct Committee Meeting – ED
- Texas State Human Resources Association Meeting – HR
- Board Meeting
- UT Law Conference: Essential Employment Law – Legal
- Staff Wide Training: Communication and Team-Building
- AIA Austin Emerging Professionals Roundtable – Registration
- Interviews for Assistant General Counsel Position – ED and Legal

September

- Presentation to AIA Lower Rio Grande Valley – Enforcement
- ASLA/CLARB Licensure Summit and CLARB Annual Meeting
- Presentation to UT Architecture and Landscape Architecture Programs – Registration and Enforcement
- Presentation to UT Arlington Architecture, Landscape Architecture, and Interior Design Programs – Registration and Enforcement
- Meeting with Arlington Building Official – Enforcement and Registration
- Presentation to UTSA Interior Design Program – Communications
- ASLA/CLARB Licensure Summit and CLARB Annual Meeting
- UT Law Administrative Law CLE – Legal
- Interviews for Licensing Specialist – Registration
- Appointment to CLARB MBE Committee – ED
- Information Security Monthly Meeting – ED and IT
- Exploratory Meeting on Office Space – ED
- Meeting to Discuss Licensing System Modifications – ED, Registration, and IT
- Onboarding New Assistant General Counsel
- Revisions to Agency RACI Document – ED

October

- Onboarding Licensing and Permit Specialist and Training Promoted Registration Employees
- Review of Agency Continuing Operations Plan – ED and HR
- Development of Procedures for Reviewing and Maintaining Agency Policies – ED and EA
- CLARB New Volunteer Orientation Meeting – ED

- Presentation to Prairie View A&M Architecture Program – Registration and Enforcement
- TxA Annual Meeting, Convocation, and Staff Presentation – ED, Registration, Enforcement, Communications
- Meeting with Houston Building Official – Enforcement and Registration
- Interviews for Investigator Position – ED and Enforcement
- CLARB MBE Committee Meeting
- NCARB Chairs and Executives Leadership Summit – ED
- Submission of TBAE Annual Financial Report
- Meeting with McAllen Building Official – Enforcement and Registration
- Presentations to South Texas College and Texas Southmost College Architecture Programs – Registration and Enforcement
- Presentation to Delmar College Architecture Program – Registration and Enforcement
- Meeting with Corpus Christi Building Official – Enforcement and Registration
- Meeting with CLARB Staff: CLARB's Project to Improve Website – ED and Communications
- Information Security Monthly Meeting – ED and IT

November

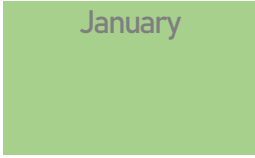
- Submission of SDSI Annual Report
- Onboarding New Investigator
- Presentation to San Antonio College Architecture – Registration and Enforcement
- Presentation to Sam Houston State Interior Design – Communications
- Presentation to Dallas College Architecture – Registration and Enforcement
- Meeting with Dallas Building Official – Enforcement and Registration
- Presentation to Texas A&M Architecture School – Registration and Enforcement
- NCARB Professional Conduct Committee Meeting – ED
- CIDQ Annual Meeting
- Texas Interagency Networking Group Executive Meeting
- Meeting with NCARB Visting Contingent – ED
- TBAE Board Meeting
- CLARB MBE Committee Meeting
- State E-Records Conference – EA, Legal, IT
- Information Security Monthly Meeting – ED and IT

December

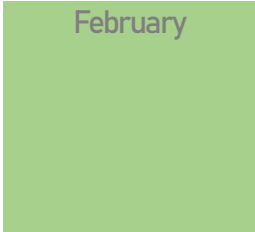
- Office of the Attorney General Open Government Conference – EA and Legal
- Advanced Administrative Law CLE – ED
- NCARB Professional Conduct Committee Meeting – ED



- Texas Interagency Networking Group Executive Meeting - ED
- CLARB MBE Committee Meeting - ED



- NCARB Professional Conduct Committee Meeting - ED
- Texas Interagency Networking Group Executive Meeting - ED
- CLARB MBE Committee Meeting - ED
- NCARB Region 3 Pre-NCARB Board Meeting Brief



- NCARB Professional Conduct Committee Meeting - ED
- Texas Interagency Networking Group Executive Meeting - ED
- CLARB MBE Committee Meeting - ED
- IIDA Shift
- Midpoint Evaluations and Check-in on Agency Goals
- NCARB Regional Meeting and MBE Workshop

Applicants		New Registrants		Registrants (active)		The Rest	
213 Fiscal Year to Date	+13 (200) Year-over-Year	161 FYTD	-3 (164) YOY	20838 As of month ended	+336 (20502) YOY	A survey of the Registration Division's additional accomplishments and activities	
By-examination applications received FYTD, by profession: Architect: 88 LA: 19 RID: 8 Subtotal: 115		By-examination registrations issued FYTD, by profession: Architect: 43 LA: 24 RID: 9 Subtotal: 76		Architects Resident: 8906 Nonresident: 6175 Subtotal: 15081		723 Exam results received FYTD 607 Arch 0 RID 116 LA	
Reciprocal applications received FYTD, by profession: Architect: 81 LA: 14 RID: 3 Subtotal: 98		Reciprocal registrations issued FYTD, by profession: Architect: 82 LA: 3 RID: 0 Subtotal: 85		RIDs Resident: 3574 Nonresident: 314 Subtotal: 3888		277 Continuing Education audits conducted FYTD	14 Referred to Investigations FYTD
About this report: November 1, 2024 FYTD: Fiscal Year to Date. Compares current data to that of the beginning of the current fiscal year. YOY: Year-over-Year. Compares current data to that of 12 months prior.				Landscape Architects Resident: 1243 Nonresident: 626 Subtotal: 1869		1 Scholarship applications approved FYTD	
				All registrants Resident: 13723 Nonresident: 7115 Total: 20838		34 Certificates of Standing issued FYTD	

Cases Opened		Cases Dismissed		Days to Investigate a Case		Cases Resolved <small>(as of November 7, 2024)</small>	
36 <small>Fiscal Year to Date</small>	+5 <small>Year-over-Year</small>	13 <small>FYTD</small>	+4 <small>YOY</small>	55 <small>November 2024</small>	55 <small>FY Average to Date</small>	2 <small>Warning by Executive Director</small>	1 <small>Voluntary Surrender</small>
18 <small>Case(s) referred to Legal</small>		Dismissal details TDLR: 12 *Other: 1 <small>*e.g. No evidence; not a violation.</small>		Context Typical target: 105-400 <small>(2022-23)</small> SDSI avg. actual: 110 <small>(2018)</small>		0 <small>Disciplinary Action by Board</small>	4 <small>*Notice of Violation</small>
						0 <small>*Complaint Filed at SOAH</small>	0 <small>*Informal Conference</small>

*Matters are ongoing and not yet resolved

Customer Service		Newsletter		Employee Engagement		Contact volume <small>(to front desk alone)</small>	
22,891 <small>Customers surveyed</small>	1,117 <small>Responses</small>	85% <small>Read at least half (2018)</small>	21,000+ <small>Recipients</small>	448 _{/500} <small>Most recent score (2024)</small>	419 <small>Avg. score since 2010</small>	547 <small>Calls Fiscal Year to Date</small>	230 <small>Emails (April)</small>
92% <small>Customer satisfaction (2024)</small>		“Disciplinary Actions” <small>Most-read topic (2018)</small>		Strengths: Strategic Workplace Supervision	Weaknesses: Pay Benefits Information Systems	Avg. monthly calls FYTD: 274	Avg. monthly emails FYTD: 115

**Texas Board of Architectural Examiners
2024 Income Statement**

	FY2024 Budget	FY2024 Income Statement Sept 1, 2023 - August 31, 2024	FY2024 Percentage Earned/Spent Sept 1, 2023 - August 31, 2024
Total Beginning Fund Balance		3,492,280.18	
Revenues:			
Licenses & Fees	\$ 3,140,000	\$ 3,248,254	103.45%
Business Registration Fees	\$ 160,000	\$ 167,715	104.82%
Late Fee Payments	\$ 175,000	\$ 169,944	97.11%
Other	\$ -	\$ 4,325	
Interest	\$ 50,000	\$ 194,782	389.56%
Convenience Fees	\$ 79,000	\$ 82,291	104.17%
Draw on Fund Balance		\$ -	
Total Revenues	\$ 3,604,000	\$ 3,867,310	107.31%
Expenditures:			
Salaries and Wages	\$ 1,883,000	\$ 1,881,802	99.94%
Payroll Related Costs	\$ 659,000	\$ 613,911	93.16%
Professional Fees and Services	\$ 30,000	\$ 15,071	50.24%
Professional Fees and Services - IT/IS	\$ 20,000	\$ 14,630	73.15%
Board Travel	\$ 20,000	\$ 19,842	99.21%
Staff Travel	\$ 26,000	\$ 27,440	105.54%
Materials and Supplies	\$ 8,000	\$ 12,488	156.10%
Materials and Supplies - Postal	\$ 11,000	\$ 11,155	101.41%
Materials and Supplies - IT/IS	\$ 25,000	\$ 159,305	637.22%
Communication and Utilities	\$ 60,000	\$ 46,157	76.93%
Repairs and Maintenance	\$ 3,000	\$ -	0.00%
Rentals and Leases - Equipment and Space	\$ 14,000	\$ 13,535	96.68%
Rentals and Leases - Office Space	\$ 148,000	\$ 146,799	99.19%
Printing and Reproduction	\$ 7,000	\$ 7,815	111.65%
Membership Dues (Other)	\$ 17,000	\$ 16,294	95.85%
Board/Staff Training and Conference Fees (Other)	\$ 36,000	\$ 36,749	102.08%
Operating Expenditures (Other)	\$ 23,000	\$ 26,987	117.33%
Convenience Fees	\$ 79,000	\$ 82,635	104.60%
SWCAP Payment (Other)	\$ 25,000	\$ -	0.00%
GR Payment (Other)	\$ 510,000	\$ 510,000	100.00%
Total Expenditures	\$ 3,604,000	\$ 3,642,614	101.07%
Excess/ (Deficiency) of Rev over Exp.	-	224,696	6.23%
Total Ending Fund Balance		\$ 3,716,976	
<i>FY 25 Funding for 8 months</i>		\$ 2,495,086	
<i>FY 25 Funding for 12 months</i>		\$ 3,724,009	

FY 23 Balance Pending Transfers	\$ 710.00
Administrative Penalties Collected	\$ 69,130.00
Transferred to Comptroller	\$ (69,840.00)
Balance Pending Transfer	\$ -

**Texas Board of Architectural Examiners
Fiscal Year 2024 Income Statement
Scholarship Fund**

FY 2024 Income Statement Sept 1, 2023 - Aug 31, 2024	
ARE Grant Fund Beginning Balance	117,360.37
Revenues:	
FY23 Transferred in FY24	
ARE Grant Licensing Fees	\$ 25,845.00
Interest	\$ 6,098.33
FY24 Pending Transfer	\$ (4,440.00)
Expenditures:	
ARE Grant Payments	\$ (13,500.00)
Trust Fees	\$ (187.26)
Fund Balance Ending	\$ 131,176.44

Number of Scholarships Awarded

27

Frequency per Fiscal Year----September 30, January 31, and May 31

**Texas Board of Architectural Examiners
2025 Income Statement**

	FY2025 Budget	FY2025 Income Statement Sept 1, 2024 - Oct 31, 2024	FY2025 Percentage Earned/Spent Sept 1, 2024 - Oct 31, 2024
Total Beginning Fund Balance		3,631,320.21	
Revenues:			
Licenses & Fees	\$ 3,175,000	\$ 514,526	16.21%
Business Registration Fees	\$ 170,000	\$ 24,705	14.53%
Late Fee Payments	\$ 170,000	\$ 29,955	17.62%
Other	\$ -	\$ 360	
Interest	\$ 134,000	\$ 28,889	21.56%
Convenience Fees	\$ 83,000	\$ 13,329	16.06%
Draw on Fund Balance		\$ -	
Total Revenues	\$ 3,732,000	\$ 611,764	16.39%
Expenditures:			
Salaries and Wages	\$ 1,920,000	\$ 317,679	16.55%
Payroll Related Costs	\$ 670,000	\$ 90,560	13.52%
Professional Fees and Services	\$ 30,000	\$ 3,424	11.41%
Professional Fees and Services - IT/IS	\$ 35,000	\$ 1,089	3.11%
Board Travel	\$ 30,000	\$ 4,276	14.25%
Staff Travel	\$ 33,000	\$ 5,887	17.84%
Materials and Supplies	\$ 12,500	\$ 3,241	25.93%
Materials and Supplies - Postal	\$ 12,000	\$ 3,450	28.75%
Materials and Supplies - IT/IS	\$ 48,505	\$ 818	1.69%
Communication and Utilities	\$ 61,300	\$ 4,603	7.51%
Repairs and Maintenance	\$ 3,000	\$ -	0.00%
Rentals and Leases - Equipment and Space	\$ 15,000	\$ 2,716	18.10%
Rentals and Leases - Office Space	\$ 151,204	\$ 33,906	22.42%
Printing and Reproduction	\$ 7,500	\$ 190	2.53%
Membership Dues (Other)	\$ 17,000	\$ 10,024	58.96%
Board/Staff Training and Conference Fees (Other)	\$ 36,000	\$ 1,825	5.07%
Operating Expenditures (Other)	\$ 24,000	\$ 1,978	8.24%
Convenience Fees	\$ 83,000	\$ 6,307	7.60%
SWCAP Payment (Other)	\$ 25,000	\$ -	0.00%
GR Payment (Other)	\$ 510,000	\$ -	0.00%
Total Expenditures	\$ 3,724,009	\$ 491,973	13.21%
Excess/ (Deficiency) of Rev over Exp.	7,991	119,791	3.18%

Current Fund Balance	\$ 3,751,111
<i>Funding for 8 months</i>	\$ 2,495,086
<i>Funding for 12 months</i>	\$ 3,724,009

FY 24 Balance Pending Transfers	\$ -
Administrative Penalties Collected	\$ 5,940.00
Transferred to Comptroller	\$ -
Balance Pending Transfer	\$ 5,940.00

**Texas Board of Architectural Examiners
Fiscal Year 2025 Income Statement
Scholarship Fund**

	FY 2025 Income Statement Sept 1, 2024 - Oct 31, 2024
ARE Grant Fund Beginning Balance	131,176.44
Revenues:	
FY24 Transferred in FY25	
ARE Grant Licensing Fees	\$ 4,122.00
Interest	\$ 1,090.05
FY25 Pending Transfer	\$ (4,122.00)
Expenditures:	
ARE Grant Payments	\$ (9,500.00)
Trust Fees	\$ (33.13)
Fund Balance Ending	\$ 122,733.36

Number of Scholarships Awarded

19

Frequency per Fiscal Year----September 30, January 31, and May 31

TEXAS BOARD OF ARCHITECTURAL EXAMINERS

ANNUAL FINANCIAL REPORT

For The Year Ended August 31, 2024

*Lance Brenton,
Executive Director*



October 16, 2024

Honorable Greg Abbott, Governor
Honorable Glenn Hegar, Texas Comptroller
Jerry McGinty, Director, Legislative Budget Board
Lisa Collier, State Auditor

Ladies and Gentlemen:

We are pleased to submit the Annual Financial Report of the Texas Board of Architectural Examiners for the year ended August 31, 2024, in compliance with the Texas Government Code Annotated, Section 2101.011, and in accordance with the requirements established by the Texas Comptroller of Public Accounts.

Due to the statewide requirements embedded in **Governmental Accounting Standards Board (GASB) 34**, the Comptroller of Public Accounts does not require the accompanying annual financial report to comply with all the requirements in this statement. The financial report will be considered for audit by the State Auditor as part of the audit of the State of Texas *Annual Comprehensive Financial Report (ACFR)*; therefore, an opinion has not been expressed on the financial statements and related information contained in this report.

If you have any questions, please contact Jennifer Hogan at (512) 305-8542 or Nelly Clayton at (512) 305-9041.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lance Brenton', is written over a light blue horizontal line.

Lance Brenton,
Executive Director

TABLE OF CONTENTS

I.	Combined Financial Statements	1
	A. Exhibit I - Combined Balance Sheet/Statement of Net Assets - Governmental Funds	2
	B. Exhibit II - Combined Statement of Revenues, Expenditures, and Changes in Fund Balances/Statement of Activities – Governmental Funds	3
II.	Notes to the Financial Statements	4-11
III.	Combining Financial Statements	12
	A. Exhibit A-1 - Combining Balance Sheet – All General and Consolidated General Revenue	13
	B. Exhibit A-2 - Combining Statement of Revenues Expenditures and Changes in Fund Balances/Statement of Activities–All General and Consolidated General Rev. Funds	14

**Combined
Financial
Statements**

UNAUDITED

Texas Board of Architectural Examiners (459)
 Exhibit I — Combined Balance Sheet/
 Statement of Net Position—Governmental Funds
 August 31, 2024

Combined Balance Sheet/Statement of Net Position	General Funds	Governmental Funds Total	Capital Assets Adjustments	Long-Term Liabilities Adjustments	Statement of Net Position
ASSETS					
Current Assets:					
Cash and Cash Equivalents (Note 3)					
Cash in State Treasury	186,028.11	186,028.11			186,028.11
Short Term Investments (Note 3)	3,884,846.01	3,884,846.01			3,884,846.01
Capital Assets (Note 2):					
Non-Depreciable or Non-Amortizable					
Depreciable or Amortizable, Net			1,009,319.61		1,009,319.61
Other Non-Current Assets					
Total Assets	<u>4,070,874.12</u>	<u>4,070,874.12</u>	<u>1,009,319.61</u>		<u>5,080,193.73</u>
DEFERRED OUTFLOWS OF RESOURCES					
Deferred Outflows of Resources (Note 28)					
Total Deferred Outflows of Resources					
LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES					
Current Liabilities:					
Payables from:					
Accounts	\$ 122,362.04	\$ 122,362.04	\$	\$	\$ 122,362.04
Investment Trade					
Other Intergovernmental					
Payroll	185,904.61	185,904.61			185,904.61
Employees' Compensable Leave (Note 5)				106,210.46	106,210.46
Right to Use Lease Obligations (Note 5, 8)				140,091.10	140,091.10
Other Current Liabilities				981.51	981.51
Non-Current Liabilities					
Interfund Payable					
Employees' Compensable Leave (Note 5)				100,410.99	100,410.99
Right to Use Lease Obligations (Note 5, 8)				800,196.30	800,196.30
Assets Held for Others	110.82	110.82			110.82
Other Non-Current Liabilities					
Total Liabilities	<u>308,377.47</u>	<u>308,377.47</u>		<u>1,147,890.36</u>	<u>1,456,267.83</u>
Fund Financial Statement					
Fund Balances (Deficits):					
Nonspendable					
Restricted					
Committed	3,884,846.01	3,884,846.01			3,884,846.01
Assigned					
Unassigned	(122,349.36)	(122,349.36)			(122,349.36)
Total Fund Balances	<u>3,762,496.65</u>	<u>3,762,496.65</u>			<u>3,762,496.65</u>
Total Liabilities, Deferred Inflows of Resources and Fund Balances	<u>4,070,874.12</u>	<u>4,070,874.12</u>			
Government-Wide Statement of Net Position					
Net Position					
Net Investment in Capital Assets			1,009,319.61		1,009,319.61
Unrestricted				(1,147,890.36)	(1,147,890.36)
Total Net Position			<u>1,009,319.61</u>	<u>(1,147,890.36)</u>	<u>3,623,925.90</u>

Texas Board of Architectural Examiners (459)
Exhibit II — Combined Statement of Revenues, Expenditures and Changes in Fund Balances/
Statement of Activities — Governmental Funds
For the Fiscal Year Ended August 31, 2024

Combined Statement of Revenues, Expenditures and Changes in Fund Balances/Statement of Activities - Governmental Funds	General Funds	Governmental Funds Total	Capital Assets Adjustments GAAP Fund 9998	Long-Term Liabilities Adjustments GAAP Fund 9997	Statement of Activities
REVENUES*					
License, Fees & Permits (PR)	3,524,926.87	3,524,926.87			3,524,926.87
Interest and Other Investment Income (GR)	200,880.09	200,880.09			200,880.09
Sales of Goods and Services (PR)	4,325.00	4,325.00			4,325.00
Other (GR)	82,290.66	82,290.66			82,290.66
Total Revenues	<u>3,812,422.62</u>	<u>3,812,422.62</u>	0	0	<u>3,812,422.62</u>
EXPENDITURES					
Salaries and Wages	1,881,801.96	1,881,801.96		(88,084.91)	1,793,717.05
Payroll Related Costs	613,911.07	613,911.07			613,911.07
Professional Fees and Services	29,914.66	29,914.66			29,914.66
Travel	47,281.66	47,281.66			47,281.66
Materials and Supplies	60,015.23	60,015.23			60,015.23
Communication and Utilities	46,139.00	46,139.00			46,139.00
Repairs and Maintenance					
Rentals and Leases	13,516.17	13,516.17			13,516.17
Printing and Reproduction	7,815.15	7,815.15			7,815.15
Other Expenditures	179,420.48	179,420.48			179,420.48
Debt Service:					
Principal - Leases	133,914.94	133,914.94		(133,914.94)	
Principal - Subscriptions					
Principal - Other General Long Term Debt					
Interest	12,902.94	12,902.94		(139.79)	12,763.15
Other Financing Fees					
Capital Outlay	122,933.26	122,933.26	(122,933.26)		
Depreciation and Amortization Expense			159,656.60		159,656.60
Total Expenditures/Expenses	<u>3,149,566.52</u>	<u>3,149,566.52</u>	<u>36,723.34</u>	<u>(222,139.64)</u>	<u>2,964,150.22</u>
Excess (Deficiency) of Revenues over (under) Expenditures	662,856.10	662,856.10	(36,723.34)	222,139.64	848,272.40
OTHER FINANCING SOURCES (USES)					
Transfer In	3,563,310.37	3,563,310.37			3,563,310.37
Transfer Out	(4,073,310.37)	(4,073,310.37)			(4,073,310.37)
Increase in Obligations - Leases					
Total Other Financing Sources (Uses)	<u>(510,000.00)</u>	<u>(510,000.00)</u>	0	0	<u>(510,000.00)</u>
Net Change in Fund Balances/Net Position	<u>152,856.10</u>	<u>152,856.10</u>			<u>338,272.40</u>
Fund Financial Statement - Fund Balances					
Fund Balances, September 1, 2023	3,609,640.55	3,609,640.55			3,609,640.55
Restatements					
Fund Balances, September 1, 2023, as Restated	<u>3,609,640.55</u>	<u>3,609,640.55</u>			<u>3,609,640.55</u>
Appropriations Lapsed					
Fund Balances, August 31, 2024	<u>\$ 3,762,496.65</u>	<u>\$ 3,762,496.65</u>			<u>\$ 3,947,912.95</u>
Government-Wide Statement of Net Position					
Net Position/Net Change in Net Position			(36,723.34)	222,139.64	
Net Position, September 1, 2023			1,046,042.95	(1,370,030.00)	(323,987.05)
Restatements					
Net Position, September 1, 2023, as Restated			<u>1,046,042.95</u>	<u>(1,370,030.00)</u>	<u>(323,987.05)</u>
Net Position, August 31, 2024	<u>\$</u>	<u>0</u>	<u>\$ 1,009,319.61</u>	<u>\$ (1,147,890.36)</u>	<u>\$ 3,623,925.90</u>

**Notes
To The
Financial
Statements**

NOTES TO THE FINANCIAL STATEMENTS

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES—Not Required

NOTE 2: CAPITAL ASSETS

The Summary of Changes in **Capital Assets** and **Intangible Right to Use (RTU)** for the year ended August 31, 2024, is presented below.

Capital Assets – Governmental Activities

PRIMARY GOVERNMENT					
Category	Balance 9/1/2023	Adjustments	Additions	Deletions	Balance 8/31/24
GOVERNMENTAL ACTIVITIES					
Depreciable Assets					
Furniture and Equipment	91,780.43		122,933.26		214,713.69
Total Depreciable Assets at Historical Cost	91,780.43	0.00	122,933.26	0.00	214,713.69
Less Accumulated Depreciation for:					
Furniture and Equipment	(77,011.56)		(12,332.10)		(89,343.66)
Total Accumulated Depreciation	(77,011.56)	0.00	(12,332.10)	0.00	(89,343.66)
Depreciable Assets, Net	14,768.87	0.00	110,601.16	0.00	125,370.03
Governmental Activities Capital Assets, Net	14,768.87	0.00	110,601.16	0.00	125,370.03

Intangible Right to Use Assets – Governmental Activities

PRIMARY GOVERNMENT					
Category	Balance 9/1/2023	Adjustments	Additions	Deletions	Balance 8/31/24
GOVERNMENTAL ACTIVITIES					
Intangible Right to Use (RTU) Assets – Amortizable:					

Buildings and Building Improvements	1,325,923.08	0.00	0.00	0.00	1,325,923.08
Total Amortizable Intangible RTU Assets	1,325,923.08	0.00	0.00	0.00	1,325,923.08
Less Accumulated Amortization for:					
Buildings and Building Improvements	(294,649.00)		(147,324.50)		(441,973.50)
Total Accumulated Amortization RTU Assets	(294,649.00)	0.00	(147,324.50)	0.00	(441,973.50)
Amortizable RTU Assets, Net	1,031,274.08	0.00	(147,324.50)	0.00	883,949.58
Governmental Activities RTU Assets, Net	1,031,274.08	0.00	(147,324.50)	0.00	883,949.58

NOTE 3: DEPOSITS, INVESTMENTS, & REPURCHASE AGREEMENTS

Deposits of Cash in Bank

As of August 31, 2024, the carrying amount of deposits was zero.

Governmental Activities

Cash in Bank – Carrying Value	\$ 000.00
Cash in Bank per AFR	\$ 000.00
Governmental Funds Current Assets Cash in Bank	\$ 000.00
Cash in Bank per AFR	\$ 000.00

Investments

As of August 31, 2024, the carrying value and fair value of investments are as presented below.

Governmental Activities	Carrying Value	Fair Value
Miscellaneous Investments:		
Repurchase Agreements (Texas Treasury Safekeeping Trust)	\$ 3,884,846.01	\$ 3,884,846.01
Totals	\$ 3,884,846.01	\$ 3,884,846.01

Both cash in bank balances and repurchase agreements are held in the Texas Treasury Safekeeping Trust, where minimal risks are assumed by the agency.

NOTE 4: SHORT-TERM DEBT—Not Applicable

NOTE 5: SUMMARY OF LONG-TERM LIABILITIES

Changes in Long-Term Liabilities

The following changes occurred in liabilities during the fiscal year ended August 31, 2024:

Governmental Activities	Balance 09/01/2023	Additions	(Reductions)	Other Changes	Balance 08/31/2024	Amounts Due Within One Year	Due Thereafter
Right to Use Lease Obligations	1,074,202.34		133,914.94		940,287.40	140,091.10	800,196.30
Employees Compensable Leave	294,706.36	194,805.87	282,890.77	(0.01)	206,621.45	106,210.46	100,410.99
Total Governmental Activities	1,368,908.70	194,805.87	416,805.71	(0.01)	1,146,908.85	246,301.56	900,607.29

Employees' Compensable Leave

If a state employee had continuous employment with the state for at least six months, the state employee is entitled to be paid for all unused vacation time accrued in the event of the employee's resignation, dismissal, or separation from state employment. Expenditures for accumulated annual leave balances are recognized in the period paid or taken in governmental fund types. For these fund types, the liability for unpaid benefits is recorded in the statement of net position. Both an expense and a liability for business-type activities are recorded in the proprietary funds as benefits accrue to employees. No liability is recorded for non-vesting employees accumulating rights to receive sick pay benefits. This obligation is usually paid from the same funding source(s) from which the employee's salary or wage compensation was paid.

NOTE 6: BONDED INDEBTEDNESS—Not Applicable

NOTE 7: CAPITAL LEASES--Not Applicable

NOTE 8: LEASES/SBITAs

Leases – Lease Liability

Included in the expenditures reported in the financial statements are the following amounts of lease rent paid or due under noncancelable lease liability for our building space lease for 10 years:

Fund Type	Amount
Local Operating	\$ 146,817.88

Future Lease Payments Year Ended August 31, 2024

Primary Government			
Governmental Activities			
Year	Principal	Interest	Total Future Min. Lease Payments
2025	\$ 140,091.10	\$ 11,131.29	\$ 151,222.39
2026	\$ 146,443.76	\$ 9,315.27	\$ 155,759.03
2027	\$ 153,014.54	\$ 7,417.30	\$ 160,431.84
2028	\$ 159,795.49	\$ 5,449.31	\$ 165,244.80
2029	\$ 166,837.74	\$ 3,364.38	\$ 170,202.12
2030 - 2034	\$ 174,104.77	\$ 1,203.37	\$ 175,308.14
Totals	\$ 940,287.40	\$ 37,880.92	\$ 978,168.32

NOTE 9: EMPLOYEES RETIREMENT PLANS-Not Required

NOTE 10: DEFERRED COMPENSATION--Not Required

NOTE 11: POST EMPLOYMENT HEALTH CARE AND LIFE INSURANCE BENEFITS—Not Required

NOTE 12: INTERFUND BALANCES

As explained in Note 1 on Interfund Activities and Balances there are numerous transactions between funds and agencies. At year-end amounts to be received or paid are reported as:

- Interfund Receivables or Interfund Payables
- Due From Other Agencies or Due to Other Agencies
- Due From Other Funds or Due to Other Funds
- Transfers In or Transfers Out.
- Legislative Transfers In or Legislative Transfers Out

The agency experienced routine transfers with other state agencies, which were consistent with the activities of the fund making the transfer. Repayment of interfund balances will occur within one year from the date of the financial statement.

Individual balances and activity at August 31, 2024, follows:

Total Operating Transfers	<u>Operating Transfers-In</u>	<u>Operating Transfers-Out</u>
<u>GAAP Fund 1010, Fund 1010</u>		
Agy 902, GAAP Fund 0001, Fund 0001		\$ 510,000.00
Agy 459, GAAP Fund 1010, Fund 2859	\$ 3,549,810.37	
<u>GAAP Fund 1010, Fund 2859</u>		
Agy 459, GAAP Fund 1010, Fund 1010		\$ 3,549,810.37
Agy 459, GAAP Fund 1010, Fund 3859		\$ 13,500.00
<u>GAAP Fund 1010, Fund 3859</u>		
Agy 459, GAAP Fund 1010, Fund 2859	\$ 13,500.00	
	_____	_____
Total Transfers	<u>\$ 3,563,310.37</u>	<u>\$ 4,073,310.37</u>

NOTE 13: CONTINUANCE SUBJECT TO REVIEW

The Texas Board of Architectural Examiners is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the Board is abolished and this Act expires September 1, 2033. If abolished, the Board may continue until September 1, 2034 to close out its operations.

NOTE 14: ADJUSTMENT OF FUND BALANCES/NET ASSETS

Not Applicable

NOTE 15: CONTINGENT LIABILITIES

Not Applicable

NOTE 16: SUBSEQUENT EVENTS

Not Applicable

NOTE 17: RISK MANAGEMENT

Not Applicable

NOTE 18: MANAGEMENT DISCUSSION AND ANALYSIS

Not Applicable

NOTE 19: THE FINANCIAL REPORTING ENTITY & JOINT VENTURE

Not Applicable

NOTE 20: STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

Not Applicable

NOTE 21:

Not Applicable

NOTE 22: DONOR-RESTRICTED ENDOWMENTS

Not Applicable

NOTE 23: SPECIAL OR EXTRAORDINARY ITEMS

Not Applicable

NOTE 24: DISAGGREGATION OF RECEIVABLE AND PAYABLE BALANCES

Not Applicable

NOTE 25: TERMINATION BENEFITS

Not Required

NOTE 26: SEGMENT INFORMATION

Not Required

NOTE 27: SERVICE CONCESSION ARRANGEMENTS

Not Required

NOTE 28: DEFERRED OUTFLOWS OF RESOURCES AND DEFERRED INFLOWS OF RESOURCES

Not Required

NOTE 29: TROUBLED DEBT RESTRUCTURING

Not Required

NOTE 30: NON-EXCHANGE FINANCIAL GUARANTEES

Not Required

NOTE 31: TAX ABATEMENTS

Not Required

NOTE 32: GOVERNMENTAL FUND BALANCES

Not Required

**Combining
Financial
Statements**

Texas Board of Architectural Examiners (459)
 Exhibit A-1 — Combining Balance Sheet—
 All General and Consolidated Funds
 August 31, 2024

Combining Balance Sheet	Operating Fund GAAP Fund 1010 Agy Fund 1010	Local Fund TTSTC GAAP Fund 1010 Agy Fund 2859	Total
ASSETS			
Current Assets:			
Cash and Cash Equivalents			
Cash in State Treasury	186,028.11		186,028.11
Short Term Investments		3,884,846.01	3,884,846.01
Other Non-Current Assets			
Total Assets	<u>186,028.11</u>	<u>3,884,846.01</u>	<u>4,070,874.12</u>
DEFERRED OUTFLOWS OF RESOURCES			
Deferred Outflows of Resources			
Total Deferred Outflows of Resources			
LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES			
Liabilities			
Current Liabilities:			
Payables from:			
Accounts	\$ 122,362.04	\$	\$ 122,362.04
Payroll	185,904.61		185,904.61
Assets Held for Others	110.82		110.82
Other Non-Current Liabilities			
Total Liabilities	<u>308,377.47</u>		<u>308,377.47</u>
Fund Balances (Deficits):			
Nonspendable			
Restricted			
Committed		3,884,846.01	3,884,846.01
Assigned			
Unassigned	(122,349.36)		(122,349.36)
Total Fund Balances	<u>(122,349.36)</u>	<u>3,884,846.01</u>	<u>3,762,496.65</u>
	186,028.11	3,884,846.01	4,070,874.12
Total Liabilities, Deferred Inflows of Resources and Fund Balances			

* GAAP Fund is noted as (XXXX), USAS D23 U/F (XXXX)

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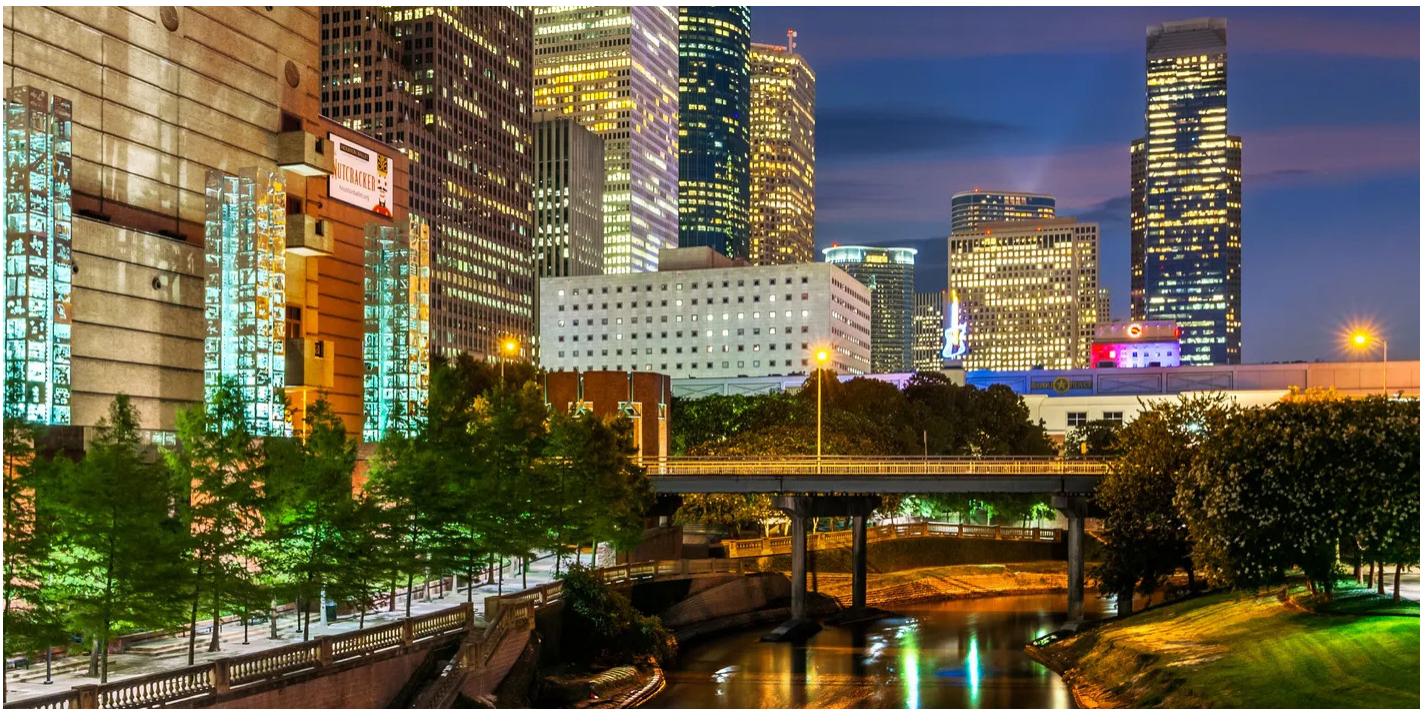
Texas Board of Architectural Examiners (459)
 Exhibit A-2 — Combining Statement of Revenues, Expenditures and Changes in Fund Balances —
 All General and Consolidated Funds
 For the Fiscal Year Ended August 31, 2024

Combining Statement of Revenues, Expenditures and Changes in Fund Balances	Operating Fund GAAP Fund 1010 Agy Fund 1010	Local Fund-Operating GAAP Fund 1010 Agy Fund 2859	Scholarship Fund GAAP Fund 1010 Agy Fund 3859	Total
REVENUES**				
License, Fees & Permits (PR)		3,524,926.87		3,524,926.87
Interest and Other Investment Income (PR)		200,880.09		200,880.09
Sales of Goods and Services (PR)		4,325.00		4,325.00
Other		82,290.66		82,290.66
Total Revenues	0	3,812,422.62	0	3,812,422.62
EXPENDITURES				
Salaries and Wages	1,881,801.96			1,881,801.96
Payroll Related Costs	613,911.07			613,911.07
Professional Fees and Services	29,914.66			29,914.66
Travel	47,281.66			47,281.66
Materials and Supplies	60,015.23			60,015.23
Communication and Utilities	46,139.00			46,139.00
Repairs and Maintenance				
Rentals and Leases	13,516.17			13,516.17
Printing and Reproduction	7,815.15			7,815.15
Other Expenditures	162,664.22	3,256.26	13,500.00	179,420.48
Debt Service:				
Principal - Leases	133,914.94			133,914.94
Principal - Subscriptions				
Interest	12,902.94			12,902.94
Other Financing Fees				
Capital Outlay	122,933.26			122,933.26
Total Expenditures	3,132,810.26	3,256.26	13,500.00	3,149,566.52
Excess (Deficiency) of Revenues over Expenditures	(3,132,810.26)	3,809,166.36	(13,500.00)	662,856.10
OTHER FINANCING SOURCES (USES)				
Transfer In (into USAS)	\$ 3,549,810.37	\$	\$ 13,500.00	\$ 3,563,310.37
Transfer Out	(510,000.00)	(3,563,310.37)		(4,073,310.37)
Increase in Obligations - Leases				
Increase in Obligations - Subscriptions				
Other Financing Sources				
Legislative Financing Uses				
Total Other Financing Sources (Uses)	3,039,810.37	(3,563,310.37)	13,500.00	(510,000.00)
Net Change in Fund Balances	(92,999.89)	245,855.99	0	152,856.10
Fund Financial Statement - Fund Balances				
Fund Balances, September 1, 2023	(29,349.47)	3,638,990.02		3,609,640.55
Restatements				
Fund Balances, September 1, 2023, as Restated	(29,349.47)	3,638,990.02	0	3,609,640.55
Appropriations Lapsed				
Fund Balances, August 31, 2024	\$ (122,349.36)	\$ 3,884,846.01	\$ 0	\$ 3,762,496.65



TEXAS Board of
Architectural Examiners
Architects • Landscape Architects • Registered Interior Designers

ANNUAL REPORT ON TRENDS: 2024



For the past several years, TBAE staff have compiled and presented annual trends and data to the Board during its autumn meeting. Once again, we are pleased this year to do the same, with an eye toward succinctness and ease of understanding. And as always, it is the agency's intention to provide this report not only to the Board, but to the agency's stakeholders, interested parties, and to the people who live, work, and play in the built environment of Texas.

As a result, you will find clear and simple representations of agency performance and

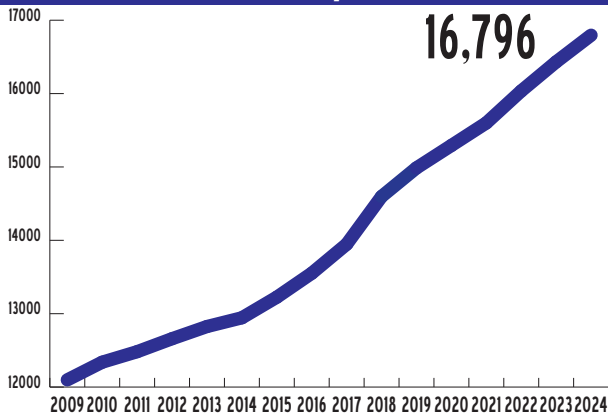
noteworthy trends, organized into color-coded groupings by broad topic. Content accented in blue touches on registration and licensing. Red content touches on enforcement-related topics. Finally, green content regards the agency's financial and administrative operations.

The graphical representations in this report are crafted to illuminate agency trends concisely and simply. We hope you find this report enlightening and useful, and as always, we're available to answer questions. Be well and stay safe, this year and every year.

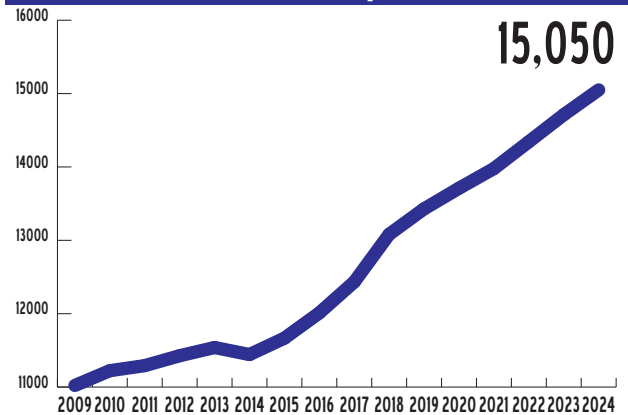
Architect registrants



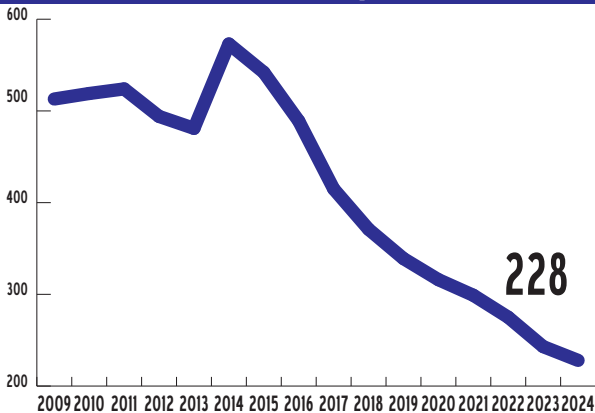
All Architects by Fiscal Year



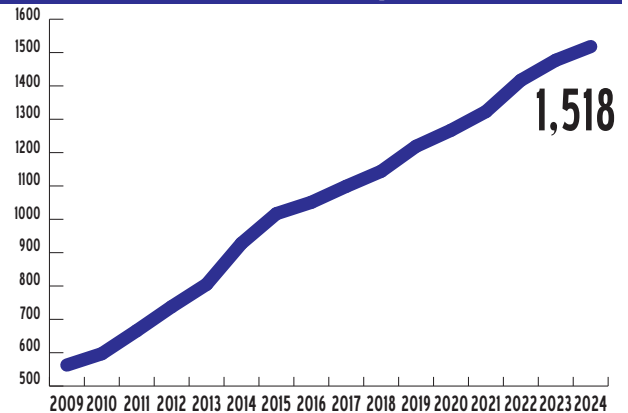
Active Architects by Fiscal Year



Inactive Architects by Fiscal Year



Emeritus Architects by Fiscal Year

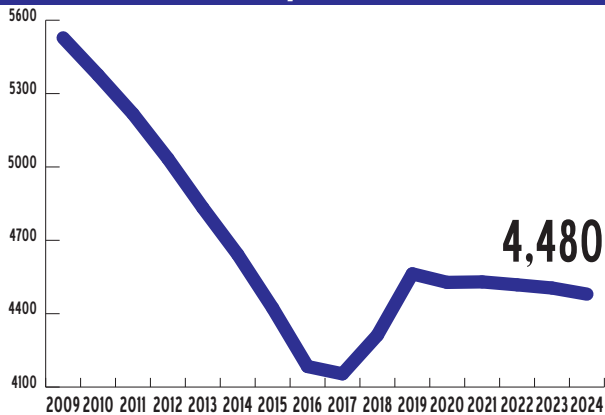


Data for the graphs above come from the agency's in-house database. These visuals are intended to provide an idea of recent trends at a glance, rather than in great detail.

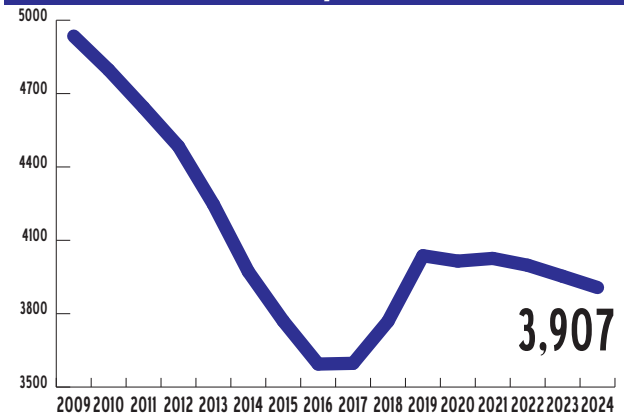
RID registrants



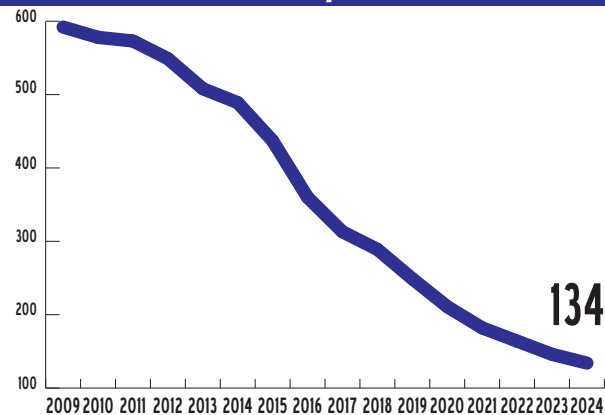
All RIDs by Fiscal Year



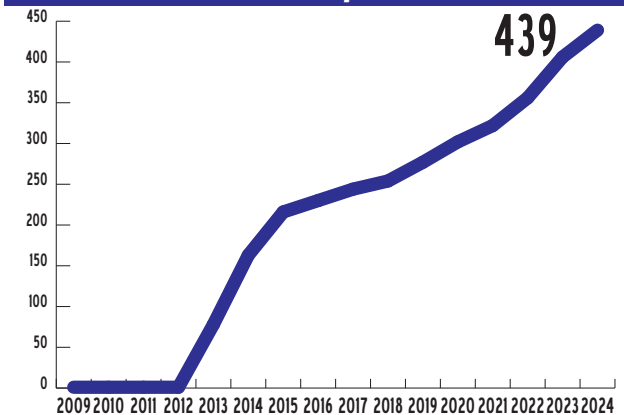
Active RIDs by Fiscal Year



Inactive RIDs by Fiscal Year



Emeritus RIDs by Fiscal Year

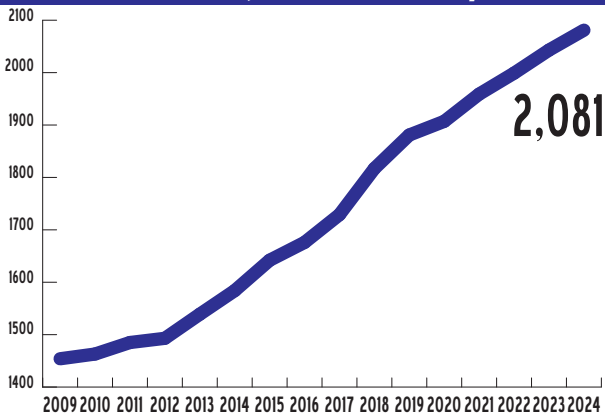


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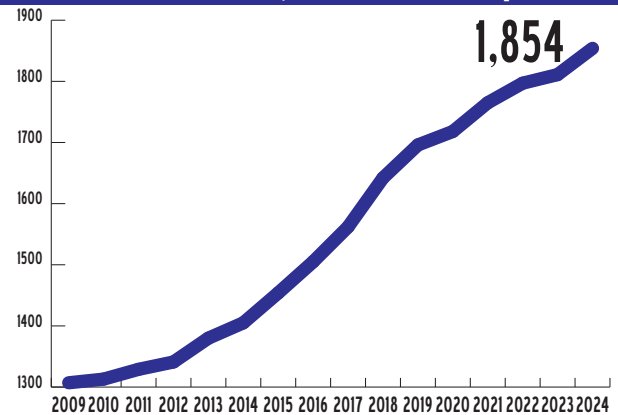
Landscape architect registrants



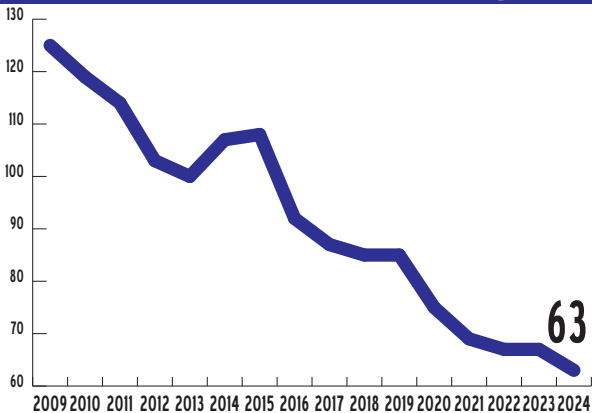
All Landscape Architects by FY



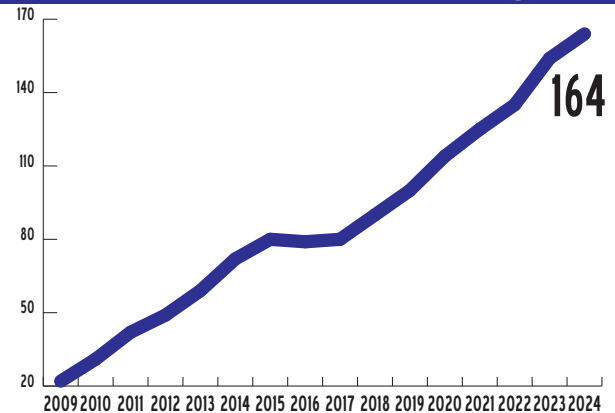
Active Landscape Architects by FY



Inactive Landscape Architects by FY

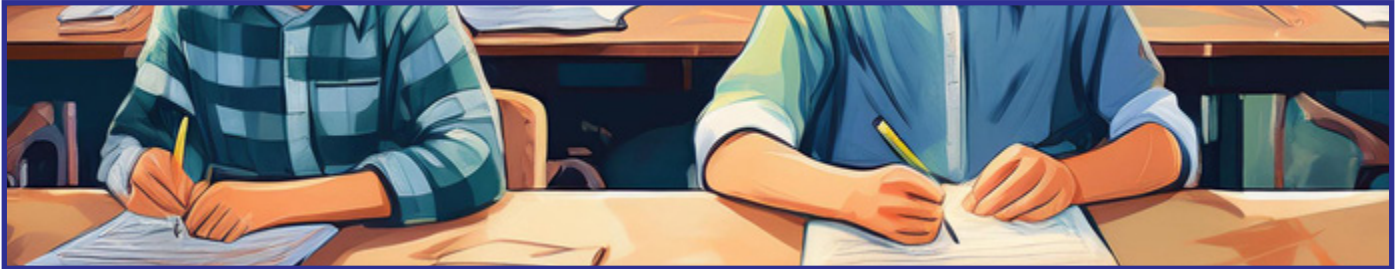


Emeritus Landscape Architects by FY

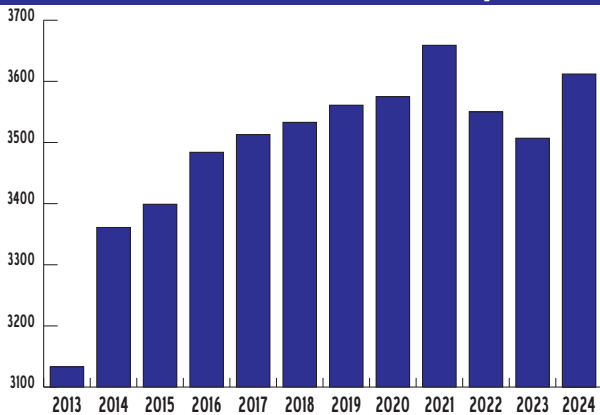


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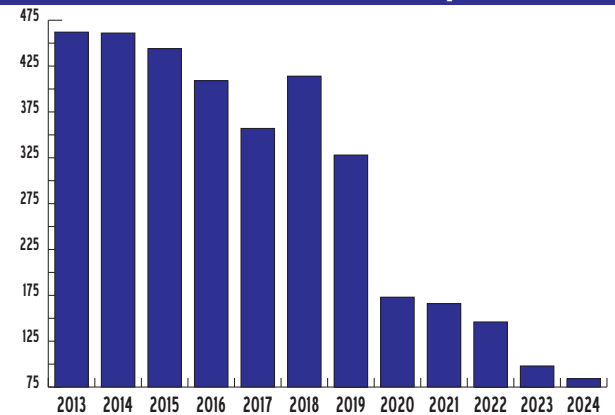
Exam Candidates



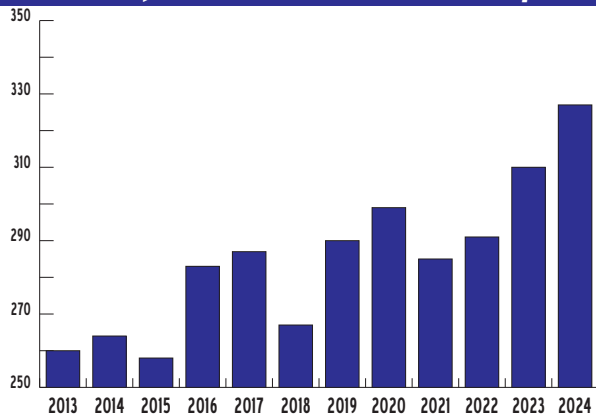
Architect exam candidates by FY



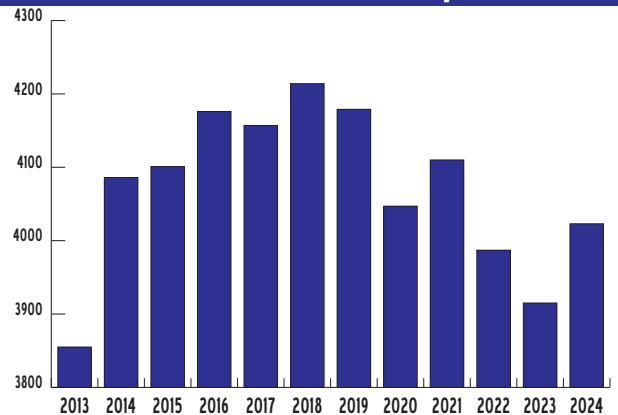
RID exam candidates by FY



Landscape Architect exam cand. by FY



All exam candidates by FY

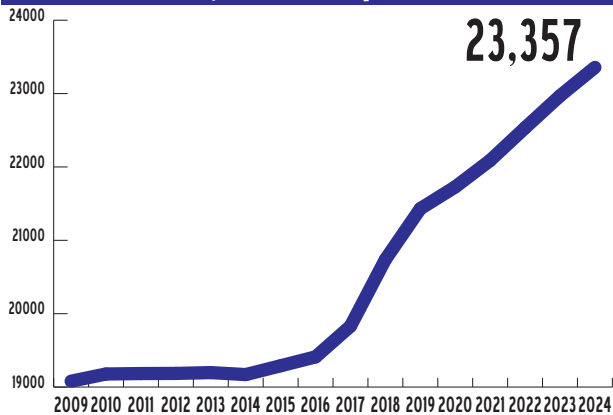


Data for the graphs above come from the agency's in-house database. These visuals are intended to provide an idea of recent trends at a glance, rather than in great detail.

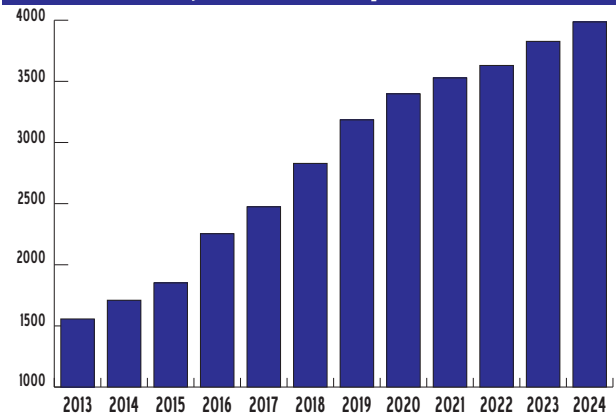
Licensing odds & ends



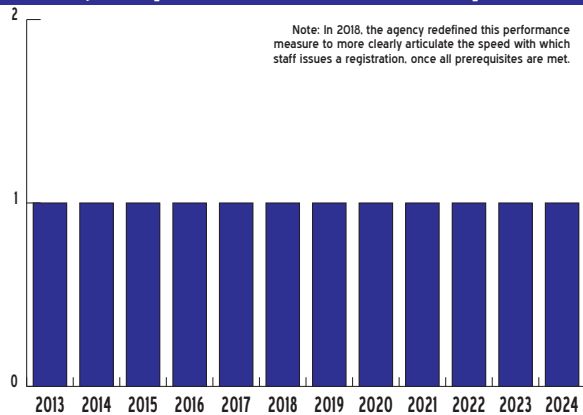
Total Registrants by Fiscal Year



Firm registrations by Fiscal Year



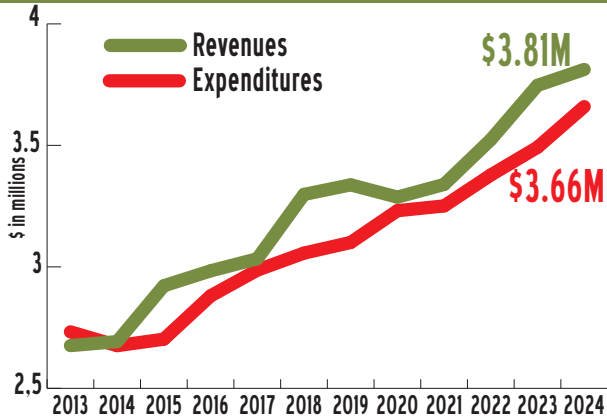
Avg. days to issue a license by FY



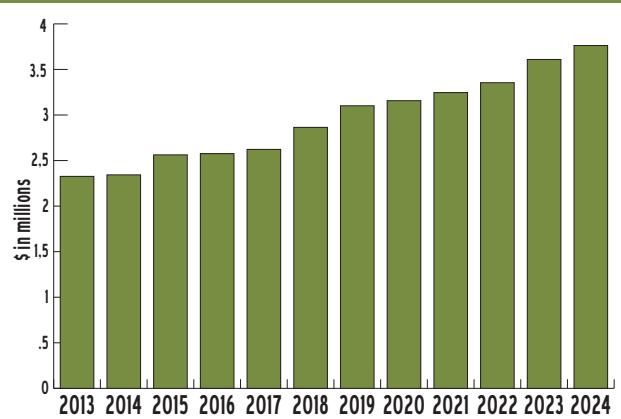
Data for the graphs on this page come from various agency sources. These visuals are intended to provide an idea of recent trends at a glance, rather than in great detail.

Staffing, Finance, Administration

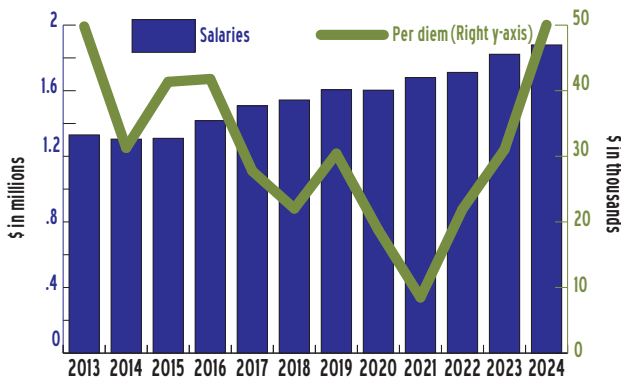
Revenues and expenditures by FY



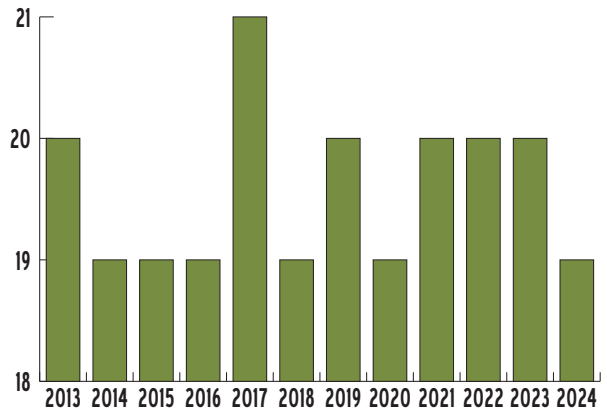
Fund balance by Fiscal Year



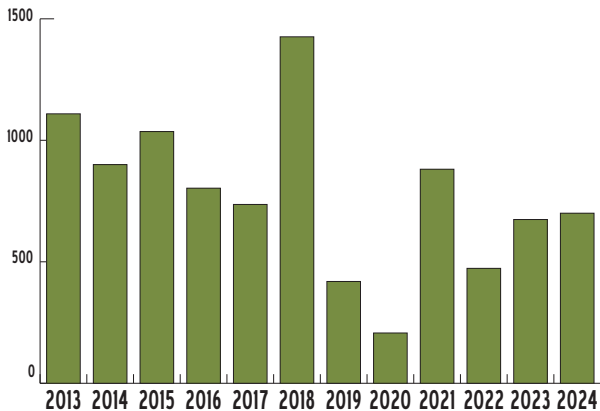
Salaries and per diem by FY



Full-time employees by FY



Communications impressions by FY

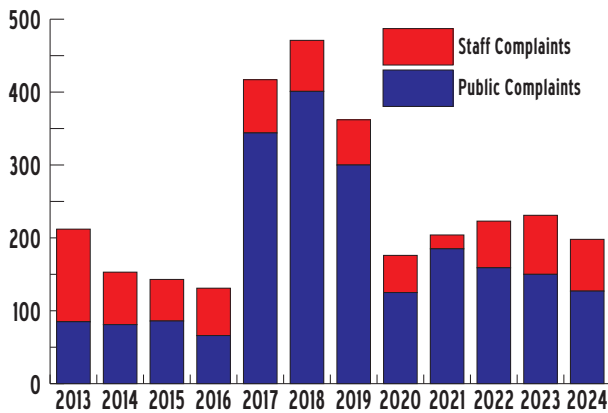


Data for the graphs on this page come from multiple agency sources. These visuals are intended to provide an idea of recent trends at a glance, rather than in great detail.

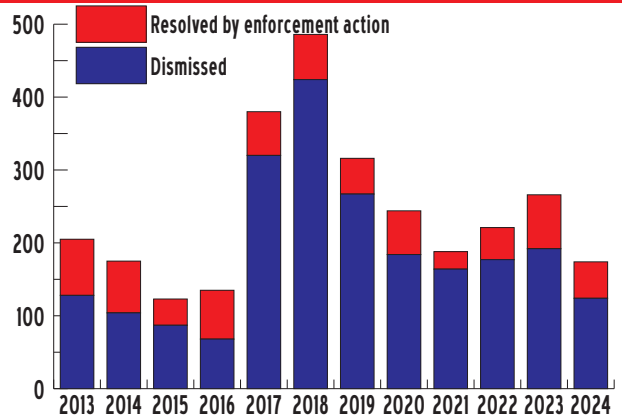
Investigations and Enforcement



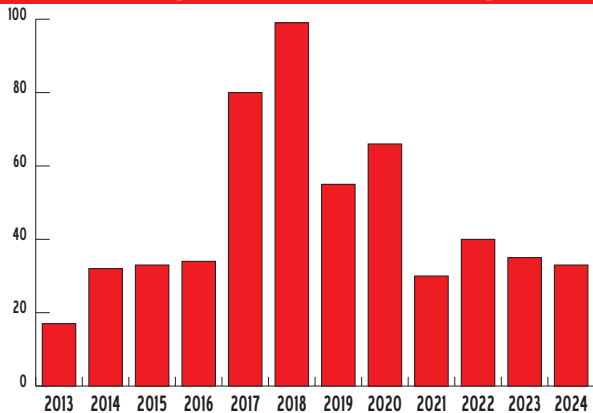
Complaints from the public/staff



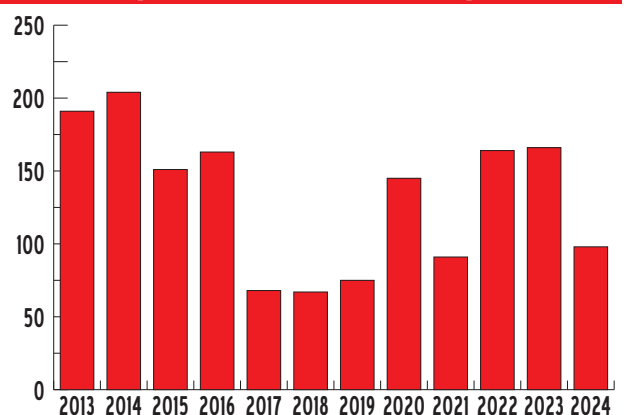
Cases Dismissed/Acted Upon



Voluntary compliance cases by FY

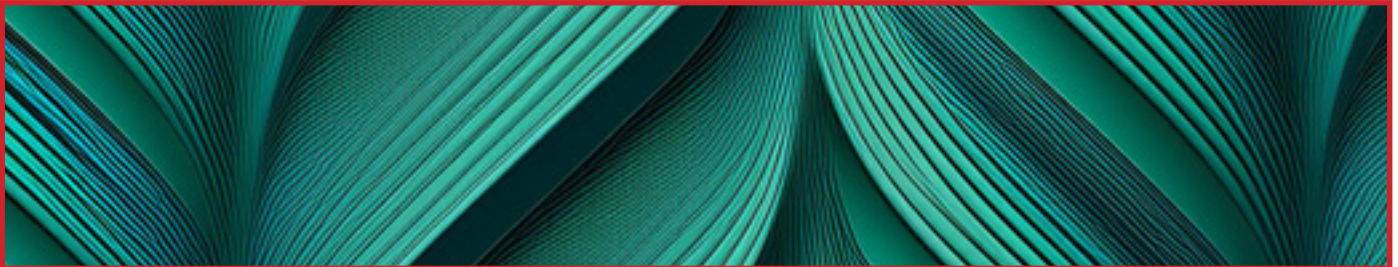


Days to case resolution by FY

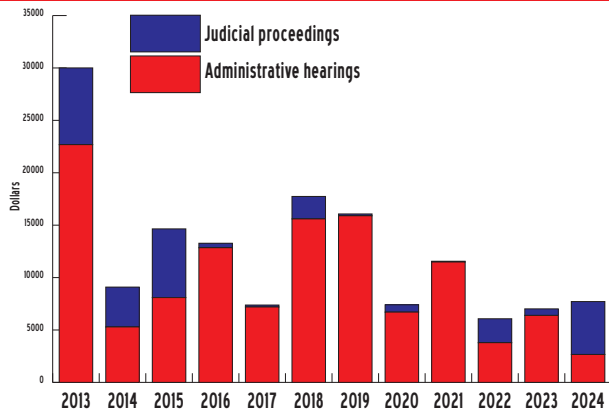


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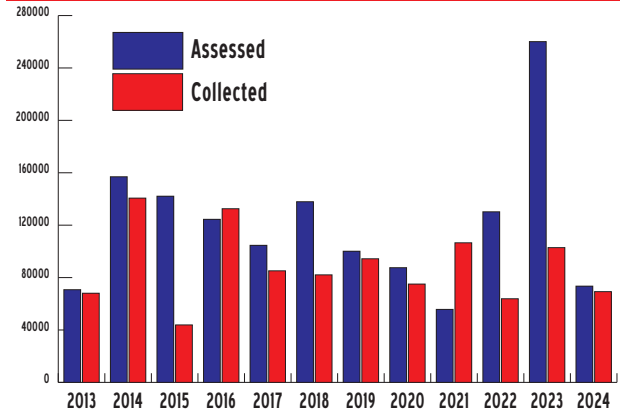
Investigations and Enforcement



Litigation costs by Fiscal Year



Administrative penalties by FY in \$



Data for the graphs above come from the agency's in-house database. These visuals are intended to provide an idea of recent trends at a glance, rather than in great detail.



TEXAS Board of Architectural Examiners
 Architects ■ Landscape Architects ■ Registered Interior Designers

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**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED
ENFORCEMENT ACTION**

This is an internal document summarizing disciplinary action to be considered by the Texas Board of Architectural Examiners (“the Board”). This document is prepared to inform, advise and assist the Board in addressing this matter.

Case Number: 196-24A
Respondent: Scott Andrew Beardslee
Location of Respondent: Austin, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Scott Andrew Beardslee (hereafter “Respondent”) is registered as an architect in Texas with registration number 19840.
- On June 17, 2024, Respondent was notified by the Board that he was being audited for compliance with the continuing education requirements for the audit period of January 1, 2023 through December 31, 2023.
- Based upon the results of a continuing education audit, it was determined that Respondent could produce acceptable documentation for the completion of only four hours of qualifying continuing education credit during the audit period of January 1, 2023 through December 31, 2023.
- Respondent claimed nine hours of supplemental continuing education that were completed after the audit period ended.

Applicable Statutory Provisions and Rules:

- By failing to maintain a detailed record of continuing education activities for the audit period of January 1, 2023 through December 31, 2023, Respondent violated 22 Tex. Admin. Code § 1.69. The standard administrative penalty for failing to maintain a detailed record of continuing education activities is \$100 per hour of deficiency.
- Respondent’s completion of supplemental continuing education has been considered as a mitigating factor in support of a reduced administrative penalty. 22 Tex. Admin. Code § 1.165(f)(6).

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$400** as set forth in the Report and Notice of Violation dated August 30, 2024.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED ENFORCEMENT ACTION**

This is an internal document summarizing disciplinary action to be considered by the Texas Board of Architectural Examiners (“the Board”). This document is prepared to inform, advise, and assist the Board in addressing this matter.

Case Number:	153-24A
Respondent:	Carmen Beatriz Carrasco
Location of Respondent:	Studio City, CA
Instrument:	Report and Notice of Violation

Findings:

- Carmen Beatriz Carrasco (hereafter “Respondent”) is registered as an architect in Texas with registration number 13928.
- Based upon the results of a continuing education audit, it was determined that Respondent could produce acceptable documentation for the completion of only four hours of qualifying continuing education credit during the audit period of January 1, 2022 through December 31, 2022.
- Respondent claimed eight hours of supplemental continuing education that were completed after the audit period ended.
- Previously, on February 16, 2017, the Board issued an Order to Respondent in Case No. 059-16A based on findings that Respondent failed to maintain a detailed record of continuing education activities. Under the terms of the Order, Respondent was ordered to pay an administrative penalty of \$700.

Applicable Statutory Provisions and Rules:

- By failing to maintain a detailed record of continuing education activities for the audit period of January 1, 2022 through December 31, 2022, Respondent violated 22 Tex. Admin. Code § 1.69. The standard administrative penalty for failing to maintain a detailed record of continuing education activities is \$100 per hour of deficiency.
- Respondent’s completion of supplemental continuing education has been considered as a mitigating factor in support of a reduced administrative penalty. 22 Tex. Admin. Code § 1.165(f)(6).

Action Recommended by Executive Director:

- The standard penalty for a first-time violation of these rules is \$800, or \$400 with supplemental continuing education. However, since Respondent has previously been subject to discipline for failure to comply with the continuing education requirements, Respondent is subject to increased penalties under 22 Tex. Admin. Code §§ 1.177(5) and 1.232(k). Therefore, the Executive Director recommends that the Board enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$1,000** as set forth in the Report and Notice of Violation dated July 19, 2024.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED ENFORCEMENT ACTION**

This is an internal document summarizing disciplinary action to be considered by the Texas Board of Architectural Examiners (“the Board”). This document is prepared to inform, advise, and assist the Board in addressing this matter.

Case Number:	162-24L
Respondent:	Albert B. Fernandez, Jr.
Location of Respondent:	San Antonio, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Albert B. Fernandez, Jr. (hereafter “Respondent”) is registered as a landscape architect in Texas with registration number 1218.
- Based upon the results of a continuing education audit, it was determined that Respondent failed to complete qualifying continuing education during the audit period of January 1, 2023 through December 31, 2023.
- Respondent failed to respond to two written requests for information from Board staff during this continuing education audit.

Applicable Statutory Provisions and Rules:

- By failing to timely complete 12 hours of qualifying continuing education credit hours during the audit period, Respondent violated 22 Tex. Admin. Code § 3.69. The standard administrative penalty for this violation is \$100 per hour of deficiency.
- By failing to respond to two written requests for information from Board staff within 30 days, Respondent violated 22 Tex. Admin. Code § 3.171. Each violation is subject to a standard administrative penalty of \$250, totaling \$500.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$1,700** as set forth in the Report and Notice of Violation dated July 18, 2024.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED ENFORCEMENT ACTION**

This is an internal document summarizing disciplinary action to be considered by the Texas Board of Architectural Examiners (“the Board”). This document is prepared to inform, advise, and assist the Board in addressing this matter.

Case Number:	193-24I
Respondent:	Lori Lynn Foux
Location of Respondent:	Lumberton, TX
Instrument:	Report and Notice of Violation

Findings:

- Lori Lynn Foux (hereafter “Respondent”) is registered as a registered interior designer in Texas with registration number 10138.
- Based upon the results of a continuing education audit, it was determined that Respondent could produce acceptable documentation for the completion of only four hours of qualifying continuing education credit during the audit period of January 1, 2023 through December 31, 2023.
- Respondent claimed eight hours of supplemental continuing education that were completed after the audit period ended.

Applicable Statutory Provisions and Rules:

- By failing to maintain a detailed record of continuing education activities for the audit period of January 1, 2023 through December 31, 2023, Respondent violated 22 Tex. Admin. Code § 5.79. The standard administrative penalty assessed for this violation is \$100 per hour of deficiency.
- Respondent’s completion of supplemental continuing education has been considered as a mitigating factor in support of a reduced administrative penalty. 22 Tex. Admin. Code § 5.175(f)(6).

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$400** as set forth in the Report and Notice of Violation dated August 30, 2024.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED ENFORCEMENT ACTION**

This is an internal document summarizing disciplinary action to be considered by the Texas Board of Architectural Examiners (“the Board”). This document is prepared to inform, advise, and assist the Board in addressing this matter.

Case Number:	189-24L
Respondent:	Traci L. Jones
Location of Respondent:	Honey Grove, TX
Instrument:	Report and Notice of Violation

Findings:

- Traci L. Jones (hereafter “Respondent”) is registered as a landscape architect in Texas with registration number 1572.
- Based upon the results of a continuing education audit, it was determined that Respondent completed only four hours of qualifying continuing education credit during the audit period of January 1, 2023 through December 31, 2023.
- When renewing their annual registration, Respondent falsely certified compliance with continuing education requirements when they had not completed sufficient continuing education to make this certification.
- Respondent claimed 8.5 hours of supplemental continuing education that were completed after the audit period ended.

Applicable Statutory Provisions and Rules:

- By failing to timely complete 12 hours of qualifying continuing education credit hours during the audit period, Respondent violated 22 Tex. Admin. Code § 3.69. The standard administrative penalty assessed for this violation is \$100 per hour of deficiency.
- By falsely certifying compliance with continuing education requirements when renewing their annual registration, Respondent violated 22 Tex. Admin. Code § 3.69. The standard administrative penalty for this violation is \$500.
- Respondent’s completion of supplemental continuing education has been considered as a mitigating factor in support of a reduced administrative penalty. 22 Tex. Admin. Code § 3.175(f)(6).

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$900** as set forth in the Report and Notice of Violation dated July 29, 2024.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED ENFORCEMENT ACTION**

This is an internal document summarizing disciplinary action to be considered by the Texas Board of Architectural Examiners (“the Board”). This document is prepared to inform, advise, and assist the Board in addressing this matter.

Case Number:	151-24A
Respondent:	Benito Sia Lao
Location of Respondent:	Southlake, TX
Instrument:	Revised Report and Notice of Violation

Findings:

- Benito Sia Lao (hereafter “Respondent”) is registered as an architect in Texas with registration number 7388.
- Based upon the results of a continuing education audit, it was determined that Respondent could produce acceptable documentation for the completion of only four hours of qualifying continuing education credit during the audit period of January 1, 2022 through December 31, 2022.
- Respondent claimed eight hours of supplemental continuing education that were completed after the audit period ended

Applicable Statutory Provisions and Rules:

- By failing to maintain a detailed record of continuing education activities for the audit period of January 1, 2022 through December 31, 2022, Respondent violated 22 Tex. Admin. Code § 1.69. The standard administrative penalty for failing to maintain a detailed record of continuing education activities is \$100 per hour of deficiency.
- Respondent’s completion of supplemental continuing education has been considered as a mitigating factor in support of a reduced administrative penalty. 22 Tex. Admin. Code § 1.165(f)(6).

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$400** as set forth in the Revised Report and Notice of Violation dated July 29, 2024.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED ENFORCEMENT ACTION**

This is an internal document summarizing disciplinary action to be considered by the Texas Board of Architectural Examiners (“the Board”). This document is prepared to inform, advise, and assist the Board in addressing this matter.

Case Number:	191-24I
Respondent:	Lacey Hickman Lewis
Location of Respondent:	Round Rock, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Lacey Hickman Lewis (hereafter “Respondent”) is registered as a registered interior designer in Texas with registration number 11100.
- Based upon the results of a continuing education audit, it was determined that Respondent completed only four hours of qualifying continuing education credit during the audit period of January 1, 2023 through December 31, 2023.
- When renewing their annual registration, Respondent falsely certified compliance with continuing education requirements when they had not completed sufficient continuing education to make this certification.
- Respondent claimed eight hours of supplemental continuing education that were completed after the audit period ended.

Applicable Statutory Provisions and Rules:

- By failing to timely complete 12 hours of qualifying continuing education credit hours during the audit period, Respondent violated 22 Tex. Admin. Code § 5.79. The standard administrative penalty for this violation is \$100 per hour of deficiency.
- By falsely certifying compliance with continuing education requirements when renewing their annual registration, Respondent violated 22 Tex. Admin. Code §5.79. The standard administrative penalty for this violation is \$500.
- Respondent’s completion of supplemental continuing education has been considered as a mitigating factor in support of a reduced administrative penalty. 22 Tex. Admin. Code § 5.175(f)(6).

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$900** as set forth in the Report and Notice of Violation dated August 30, 2024.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED ENFORCEMENT ACTION**

This is an internal document summarizing disciplinary action to be considered by the Texas Board of Architectural Examiners (“the Board”). This document is prepared to inform, advise, and assist the Board in addressing this matter.

Case Number:	154-24L
Respondent:	David K. McCaskill
Location of Respondent:	Richardson, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Revised Report and Notice of Violation

Findings:

- David K. McCaskill (hereafter “Respondent”) is registered as a landscape architect in Texas with registration number 793.
- Based upon the results of a continuing education audit, it was determined that Respondent could produce acceptable documentation for the completion of only eight hours of qualifying continuing education credit during the audit period of January 1, 2021 through December 31, 2021.
- Respondent claimed two hours of supplemental continuing education that were completed after the audit period ended.

Applicable Statutory Provisions and Rules:

- By failing to maintain a detailed record of continuing education activities for the audit period of January 1, 2021 through December 31, 2021, Respondent violated 22 Tex. Admin. Code § 3.69. The standard administrative penalty for failing to maintain a detailed record of continuing education activities is \$100 per hour of deficiency.
- Respondent’s completion of supplemental continuing education has been considered as a mitigating factor in support of a reduced administrative penalty. 22 Tex. Admin. Code § 3.165(f)(6).

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$300** as set forth in the Revised Report and Notice of Violation dated October 3, 2024.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED ENFORCEMENT ACTION**

This is an internal document summarizing disciplinary action to be considered by the Texas Board of Architectural Examiners (“the Board”). This document is prepared to inform, advise, and assist the Board in addressing this matter.

Case Number:	190-241
Respondent:	Maria T. Nguyen
Location of Respondent:	Austin, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Maria T. Nguyen (hereafter “Respondent”) is registered as a registered interior designer in Texas with registration number 12556.
- Based upon the results of a continuing education audit, it was determined that Respondent completed only five hours of qualifying continuing education credit during the audit period of January 1, 2023 through December 31, 2023.
- When renewing their annual registration, Respondent falsely certified compliance with continuing education requirements when they had not completed sufficient continuing education to make this certification.
- Respondent claimed 7.5 hours of supplemental continuing education that were completed after the audit period ended.

Applicable Statutory Provisions and Rules:

- By failing to timely complete 12 hours of qualifying continuing education credit hours during the audit period, Respondent violated 22 Tex. Admin. Code § 5.79. The standard administrative penalty for this violation is \$100 per hour of deficiency.
- By falsely certifying compliance with continuing education requirements when renewing their annual registration, Respondent violated 22 Tex. Admin. Code § 5.79. The standard administrative penalty for this violation is \$500.
- Respondent’s completion of supplemental continuing education has been considered as a mitigating factor in support of a reduced administrative penalty. 22 Tex. Admin. Code § 5.175(f)(6).

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$850** as set forth in the Report and Notice of Violation dated August 30, 2024.

Proposed Amendments to Rules 1.41 and 3.41
Relating to Examination Experience Requirements

Summary

Recently, NCARB adopted changes to its Model Law and Regulations that are intended to allow potential architects an earlier opportunity to begin taking the Architect Registration Examination (ARE). Due to statutory limitations, TBAE is unable to implement the exact policy adopted by NCARB. However, the Board may consider the adoption of an alternative policy to increase testing flexibility for architects and landscape architects through proposed amendments to 22 Tex. Admin. Code §§ 1.41 and 3.41, as detailed below.

The proposed amendments were submitted to the governor’s office and no modifications were received. The proposed rules were published in the October 18, 2024, edition of the Texas Register¹, and no comments have been received as of November 15, 2024. Staff recommends that the Board adopt the proposed rule amendments.

Background

At the NCARB Annual Meeting in June, NCARB membership adopted Resolution 2024-04, which modified NCARB’s Model Law and Regulations (MLR)² regarding exam eligibility.

Previously, Section R301.3 of the MLR stated that, to qualify to begin taking the ARE, an applicant was required to demonstrate either 1) Graduation from an a NAAB-accredited school or equivalent; or 2) Active enrollment in an NCARB-accepted Integrated Path to Licensure (IPAL) program in a NAAB-accredited school. However, this requirement was eliminated under the changes adopted by NCARB under Resolution 2024-04.

Now, the MLR grants an applicant eligibility to begin testing once the applicant has achieved 1) Graduation from a state or federally regulated high school; or 2) Completion of a state or federally recognized high school equivalency program. The MLR does not require the applicant to have completed any amount of architectural experience prior to beginning testing. Note that this change to the MLR only addresses eligibility to begin testing. It does not impact the eligibility requirement at licensure, which remains graduation from NAAB-accredited degree, completion of the Architectural Experience Program (AXP), and completion of all six sections of the ARE.

According to the sponsors’ statement of support for the resolution, this policy is intended to increase flexibility for applicants and maximize the probability that applicants remain on the path to licensure. The sponsors found that applicants may have the experience and knowledge necessary to pass sections of the examination prior to degree completion. Furthermore, the sponsors found that NCARB’s new practice examinations successfully simulate the exam experience and give

¹ 49 Tex. Reg. 8469 (22 Tex. Admin. Code § 1.41) and 49 Tex. Reg. 8470 (22 Tex. Admin. Code § 3.41) (proposed October 18, 2024).

² The NCARB MLR is not binding upon this or any other state. Rather, this document serves as a guide containing draft statutory and regulatory language for use as a template by NCARB’s Member Boards.

applicants a cost-free indicator of their readiness to take individual divisions of the actual exams. Furthermore, the sponsors determined that the elimination of the five-year rolling clock policy provided further justification for allowing applicants to begin testing earlier, because the decision of whether to register for additional sections of the exam would be governed by readiness, rather than a five-year countdown from the date of first success.

As for landscape architecture, the model law and rules are provided by CLARB. The CLARB model laws and rules for landscape architects are similar to NCARB's MLR as it pertains to eligibility begin testing; while CLARB provides detailed recommendations for experience, education, and examination at the *time of licensure*; it does not recommend minimum experience and educational requirements to begin testing.

CLARB staff have indicated their support for our Board eliminating minimum experience requirements prior to testing. According to data submitted by CLARB, jurisdictions that require experience prior to allowing an applicant to sit for the exam do not observe meaningfully better performance on the exam. Rather, these jurisdictions have marginally worse performance on Sections 2 and 3, marginally better performance on Section 1, and equivalent performance on Section 4.

Current TBAE Laws and Rules

Exam eligibility is addressed in the Board's enabling legislation. Under Tex. Occ. Code § 1051.705, a person may apply for the architectural examination if the person: 1) is a graduate of a recognized university or college of architecture approved by the Board; and 2) has satisfactory experience in architecture, in an office or offices of one or more legally practicing architects, as prescribed by Board rule.

Similarly, under Tex. Occ. Code §1052.154, a person may apply for the landscape architectural examination if the applicant: 1) is a graduate of a landscape architecture educational program recognized and approved by the Board; and 2) has satisfactory experience in landscape architecture as required by Board rule.

The Board rules have interpreted these statutes in Rules 1.41 (architects) and 3.41 (landscape architects). Under both rules, the Board had interpreted that applicants must have completed the relevant educational requirements prior to approval to take the examination. However, with respect to experience, the Board has interpreted the statute to allow an applicant to apply for the examination after completing only six months of the total of two years or 3,640 hours of experience required for registration as an architect or landscape architect, respectively.

This interpretation is based on the comparison between the statutes' very specific language requiring graduation prior to application, and the more subjective standard for experience, which is "satisfactory" as determined by board rule.

Therefore, the Board is unable to fully implement NCARB's new policy, which would allow applicants to begin testing with only a high school degree or equivalent. However, the Board does have more discretion in determining the appropriate level of experience that is required prior to

testing. If the Board is in agreement with the NCARB sponsors that examinees should be given greater flexibility on examination timing, then you may consider reducing or eliminating the experience requirement prior to testing.

Proposed Amendments

The proposed amendments encompass the following rules:

- Rule 1.41
 - For architect applicants, the proposed rule would eliminate the requirement that applicants complete six months of full-time experience working under the direct supervision of a licensed architect prior to being approved to take the exam.
 - The proposed rule would retain the requirements that, prior to being approved to take the exam, an architect applicant must:
 - complete educational requirements for licensure;
 - enroll in Architectural Experience Program (AXP) by establishing a council record with NCARB; and
 - submit the required application materials to the Board.
 - The proposed rule would not change the requirement that, prior to becoming registered, an architect applicant must complete the Architectural Experience Program (AXP).
- Rule 3.41
 - For landscape architect applicants, the proposed rule would eliminate the requirement that applicants complete six months of full-time experience working under the direct supervision of a licensed landscape architect prior to being approved to take the exam.
 - The proposed rule would retain the requirements that, prior to being approved to take the exam, a landscape architect applicant must:
 - complete the educational requirements for registration; and
 - submit the required application materials to the Board.
 - The proposed rule would not change the requirement that, prior to becoming registered, a landscape architect applicant must complete at least 3,640 hours of experience in accordance with Rule 3.191.

Staff's Recommended Motion

Move to approve the proposed amendments to 22 Tex. Admin. Code §§ 1.41 and 3.41, as published in the Texas Register, for final adoption.

PROPOSED AMENDMENTS

RULE §1.41 Requirements

- (a) Every Applicant for architectural registration by examination in Texas must successfully complete all sections of the Architect Registration Examination (ARE).
- (b) The Board may approve an Applicant to take the ARE only after the Applicant has completed the educational requirements for architectural registration by examination in Texas, ~~[has completed at least six (6) months of full-time experience working under the direct supervision of a licensed architect,]~~ has enrolled in the Architectural Experience Program (AXP) by establishing a council record with NCARB, and has submitted the required application materials.
- (c) An Applicant may take the ARE at any official ARE testing center but must satisfy all Texas registration requirements in order to obtain architectural registration by examination in Texas.
- (d) Each Candidate must achieve a passing score in each division of the ARE. Scores from individual divisions may not be averaged to achieve a passing score.
- (e) An examination fee may be refunded as follows:
- (1) The application fee paid to the Board is not refundable or transferable.
 - (2) The Board, on behalf of a Candidate, may request a refund of a portion of the examination fee paid to the national examination provider for scheduling all or a portion of the registration examination. A charge for refund processing may be withheld by the national examination provider. Refunds of examination fees are subject to the following conditions:
 - (A) A Candidate, because of extreme hardship, must have been precluded from scheduling or taking the examination or a portion of the examination. For purposes of this subsection, extreme hardship is defined as a serious illness or accident of the Candidate or a member of the Candidate's immediate family or the death of an immediate family member. Immediate family members include the spouse, child(ren), parent(s), and sibling(s) of the Candidate. Any other extreme hardship may be considered on a case-by-case basis.
 - (B) A written request for a refund based on extreme hardship must be submitted not later than thirty (30) days after the date the examination or portion of the examination was scheduled or intended to be scheduled. Documentation of the extreme hardship that precluded the applicant from scheduling or taking the examination must be submitted by the Candidate as follows:
 - (i) Illness: verification from a physician who treated the illness.
 - (ii) Accident: a copy of an official accident report.
 - (iii) Death: a copy of a death certificate or newspaper obituary.
 - (C) Approval of the request and refund of the fee or portion of the fee by the national examination provider.
 - (3) An examination fee may not be transferred to a subsequent examination.

PROPOSED AMENDMENTS

RULE §3.41 Requirements

(a) Every Applicant for landscape architectural registration by examination in Texas must successfully complete all sections of the Landscape Architect Registration Examination (LARE).

(b) The Board may approve an Applicant to take the LARE only after the Applicant has completed the educational requirements for landscape architectural registration by examination in Texas [~~has completed at least six (6) months of full-time experience working under the direct supervision of a licensed landscape architect,~~] and has submitted the required application materials.

(c) An Applicant may take the LARE at any official LARE testing center but must satisfy all Texas registration requirements in order to obtain landscape architectural registration by examination in Texas.

(d) Each Candidate must achieve a passing score in each division of the LARE. Scores from individual divisions may not be averaged to achieve a passing score.

(e) An examination fee may not be refunded. A portion of an examination fee may be reapplied to a subsequent examination as follows:

(1) A Candidate, because of extreme hardship, must have been precluded from scheduling or taking the examination or a portion of the examination. For purposes of this subsection, extreme hardship is defined as a serious illness or accident of the Candidate or a member of the Candidate's immediate family or the death of an immediate family member. Immediate family members include the spouse, child(ren), parent(s), and sibling(s) of the Candidate. Any other extreme hardship may be considered on a case-by-case basis.

(2) A written request to reapply the examination fee based on extreme hardship must be submitted not later than thirty (30) days after the date of the scheduled examination or portion of the examination. Documentation of the extreme hardship that precluded the applicant from scheduling or taking the examination must be submitted by the Candidate as follows:

(A) Illness: verification from a physician who treated the illness.

(B) Accident: a copy of an official accident report.

(C) Death: a copy of a death certificate or newspaper obituary.

(3) The national examination provider must approve the request.



Organizational Chart
(Revised November 2024)

