



MSBOA News

November 2022

See the articles below for official news from the Mississippi State Board of Architecture (MSBOA) regarding the regulation of architecture, landscape architecture, and certified interior design.

Construction Administration

The Board has recently become aware of projects in which the architect of record provided limited construction administration services, which could jeopardize the life, health and property of the public. MSBOA Rule 3.2.16 defines “construction administration” as including, but not limited to, the following:

- Construction site visits at intervals appropriate to the contractor’s operations; and
- Processing shop drawings, samples, and other submittals required of the contractor by the terms of construction contract documents; and
- Notifying an owner and any building official of any code violations or substantial deviations from the technical submissions which could constitute a hazard to the public.

Rule 3.2.16 requires architects to notify the building official, owner, client, and contractor in writing if the architect has not been engaged, or is no longer engaged, to perform construction administration services. The Board also advises that this notification be provided if the architect is providing limited construction administration services. This provides the building official with notice so the building official may compel the owner to provide someone to perform those services if the building official so chooses.

Design Consultants

The Board is aware of a growing trend in which out-of-state architects who are not licensed in Mississippi serve as the “design architect” for projects sealed by a Mississippi-licensed “architect of record.” Licensees are advised that there is no provision in Mississippi’s laws or rules allowing unlicensed consultants to provide architecture-related services to a Mississippi-licensed architect; in such cases the unlicensed consultant must pursue licensure in Mississippi as detailed in MSBOA Rule 3.2.8.

Also, the architect of record must ensure that they comply with the responsible control requirements outlined in MSBOA Rule 4.5.2 in order to seal the construction documents. Failure to do so could result in disciplinary action. Rule 4.5.2 requires, among other things, that the following conditions be met:

- There must be direct contact between the client and the architect or the architect’s employee, so long as the architect has the right to control and direct the employee in the material details of how the work is to be performed; and
- The architect must supervise, direct, and be involved in the preparation of documents and have input into and full knowledge of their preparation prior to completion; and
- The architect must review the final documents; and
- The architect must have the authority to, and does, make any necessary and appropriate changes to the documents; and
- Review, or review and correction, of technical submissions after they have been prepared by others outside of the architect’s employ does not constitute the exercise of responsible control because the reviewer has neither control over nor detailed professional knowledge of the content of such submissions throughout their preparation.

Governor Appoints Members

Governor Tate Reeves recently appointed or reappointed two members to the Board of Architecture and its Committees:

Board of Architecture

Larry W. Bishop, Brandon

Landscape Architecture Advisory Committee

Robert Mercier, Tupelo (replacing Jon Milstead)

Welcome to our new members, and thank you to those who have served in the past!

A complete list of Board and Committee members is available on the Board’s [website](#).

Passes

Governor Tate Reeves signed a Good Samaritan bill this year ([HB 1351](#)) that provides liability protection to architects and engineers who are asked to assist and volunteer following a declared disaster.

Mississippi was one of only a few states in the U.S. that did not have a Good Samaritan law established. The

legislation allows architects and engineers licensed in U.S. or Canadian jurisdictions to provide uncompensated safety assessment services (defined as inspection and evaluation of any structure or building related to structural integrity or nonstructural elements affecting life, safety and habitability) at the request of or with the approval of a public official within 90 days of a declared emergency (unless extended by an executive order). Architectural or engineering services beyond safety assessment services, such as design of repairs, demolition plans, or preparation of construction documents, must be undertaken by an architect or engineer licensed in Mississippi. The act, which has been codified as *Miss. Code Ann.* § 11-75-1, took effect on July 1, 2022.



NCARB and CIDQ Release Joint Report

In December 2021, the National Council of Architectural Registration Boards (NCARB) and the Council for Interior Design Qualification (CIDQ) released a joint report exploring similarities and differences between the essential knowledge, skills, and tasks required for competency in the architecture and interior design professions. A key finding of the report is that the professions of architecture and interior design, while similar in practice and required knowledge, are unique and distinct disciplines that both have an important role in protecting the health, safety, and welfare of the public within the built environment. Read more [here](#).

New LARE Blueprint Coming in December 2023

Earlier this year, the Council of Landscape Architectural Registration Boards (CLARB) announced that the content and structure of the Landscape Architect Registration Examination (LARE) will be changing in December 2023. The changes are the result of a recent Job/Task Analysis conducted by CLARB to ensure that the content of the LARE remains legally defensible and relevant. The new LARE blueprint will include the following four sections:

- Inventory, Analysis, and Project Management; and
- Planning and Design; and
- Construction Documentation and Administration; and
- Grading, Drainage, and Stormwater Management

The LARE will remain unchanged through August 2023. [Click here](#) for more information.

Recent Disciplinary Actions

Every effort is made to ensure that the following information is correct. Before making any decision based on this information, you should contact the MSBOA.

Brian Pitts, Architect #2966

Pearl, Mississippi

Violation: Failure to obtain continuing education hours in conformance with the continuing education rules; failure to report continuing education deficiency on renewal applications.

Penalty: Public reprimand and payment of \$4,500 fine.

Consent Agreement: April 12, 2022

HAPPY HOLIDAYS FROM MSBOA!

The mission of the Mississippi State Board of Architecture is to serve the State of Mississippi by protecting and preserving the life, health and property of the Mississippians and others who live, work, and play in the built environment through the regulation of the professions of architecture, landscape architecture and certified interior design.

Mississippi State Board of Architecture

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