

**STATE OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
CALIFORNIA ARCHITECTS BOARD**

**INITIAL STATEMENT OF REASONS**

**Hearing Date:** May 9, 2013

**Subject Matter of Proposed Regulations:** Broadly Experienced Foreign Architect (BEFA)

**Section(s) Affected:** Title 16, California Code of Regulations (CCR), Section 121

**Specific Purpose of each adoption, amendment, or repeal:**

**Section 121 – Form of Examinations; Reciprocity**

1. Problem being addressed: Candidates who are licensed in a foreign country other than Canada or the United Kingdom and who hold a current and valid Certificate issued by the National Council of Architectural Registration Boards' (NCARB) Broadly Experienced Foreign Architect (BEFA) Program are ineligible to take the California Supplemental Examination (CSE) and subsequently licensure. This creates an inequality among candidates who wish to pursue licensure eligibility in California through foreign reciprocity with an NCARB Certificate.
2. Anticipated benefits from this regulatory action: The proposal will establish a pathway to licensure for additional foreign licensed architectural candidates. This proposal will grant applicants from foreign countries who have been issued an NCARB Certificate by having successfully completed the BEFA Program eligibility to take the CSE.

**Factual Basis/Rationale**

The Board is mandated to protect the public health, safety, and welfare, and like other regulatory programs under the Department of Consumer Affairs (DCA), is authorized to establish eligibility requirements for applicants of a professional license.

The Board's existing regulations contain an inequality related to foreign licensed architects by only permitting candidates licensed as an architect in Canada who hold a current and valid NCARB Certification or those licensed in the United Kingdom who hold a current and valid NCARB Certification issued on or before December 31, 1996 to be eligible for licensure upon passing the CSE. Accepting the NCARB Certificate issued through the successful completion of the BEFA Program would grant applicants from

foreign countries eligibility to take the CSE and subsequently licensure.

### Underlying Data

The Board relied on the following documents in its proposal:

- NCARB Certificate Guidelines, July 2012 edition

### Business Impact

This regulation will not have a significant adverse economic impact on businesses.

### Economic Impact Assessment

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because it only affects architect applicants.
- It will not create new business or eliminate existing businesses within the State of California because it only affects architect applicants.
- It will not affect the expansion of businesses currently doing business within the State of California because it only affects architect applicants.
- This regulatory proposal does not affect the health and welfare of California residents because it only affects architect applicants.
- This regulatory proposal does not affect worker safety because it only affects architect applicants.
- This regulatory proposal does not affect the state's environment because it only affects architect applicants.

### Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

### Consideration of Alternatives

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.