

## Informational Bulletin: Most Common Violations of the Architects Practice Act

The Board's Enforcement Unit investigates as many as 500 complaints per year alleging violations of the Architects Practice Act. The most common violations are:

- Misuse of the term "Architect"

Under [BPC 5536](#), an unlicensed designer may not use the word architect or any term confusingly similar to the word architect in their job title or advertising. [CCR 134](#) specifically prohibits the use of the word architect or architecture in a business name or its description of services unless a licensee is either an owner, officer, or employee, in management control of all of the firm's professional services. See [Bulletin: Responsible Control Within Design and Design-Build Firms](#).

- Practice without a license/device

Under [BPC 5536](#), an unlicensed designer may not prepare plans for a project that is not exempt from licensing requirements under [BPC 5537](#), unless they are employed by a licensee and practicing under their immediate supervision as described in [CCR 151](#). See [Bulletin: Design Limitations](#).

- Continuing Education Audit Incompliance

A licensee can be cited or disciplined for failing to comply with the continuing education requirements specified in [BPC 5600.05](#), for failing to maintain records of their CE courses, or for providing false or misleading information about their compliance.

- Written contract violations

A licensee must have a written contract when providing architectural services to a client. The contract must be executed prior to commencing work and should include each of the 8 items required under [BPC 5536.22](#).

- Signature/Stamp on plans and unauthorized practice

Under [BPC 5582.1](#), a licensee may not sign or stamp plans that were not prepared by them or under their responsible control.

- Negligence or Willful Misconduct

A licensee is guilty of professional negligence if they fail to apply the technical knowledge and skill which is ordinarily applied by California architects of good standing under similar circumstances and conditions. See [BPC 5584](#) and [CCR 160\(b\)](#).

A licensee commits willful misconduct in the practice of architecture when they violate a provision of their agreement with a client and make no reasonable effort to address the conduct or omission. See [BPC 5584](#) and [CCR 150](#).