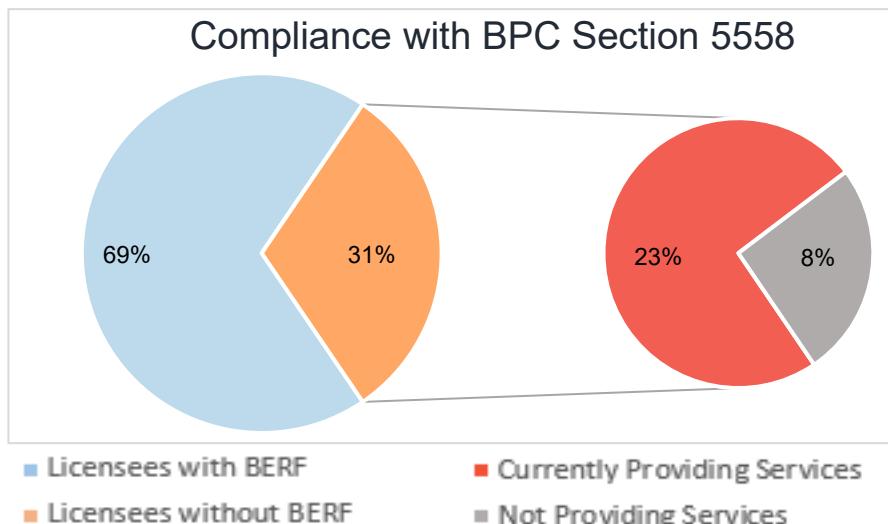


# Business Entity Report Form

An Informational Bulletin from the California Architects Board (Board) Regarding Compliance with Business and Professions Code (BPC) Section 5558 & Updates to the Business Entity Report Form (BERF).

The Board performed a review of licensee records and found that around 23% of current licensees appeared to be providing professional services without a BERF on file. Of those non-compliant licenses, approximately 74% were issued after 2003, when BPC 5558 was already in effect, and approximately 57% were issued after 2010. According to a report of Board records dated July 2020, the total numbers are 21,934 current licensees filed with the Board, and 15,602 BERFs filed.



All licensees who provide architectural services whether they are sole proprietors, owners, employees or independent contractors of a business entity providing architectural services are required to comply with this provision of the Act. The Board must also be immediately notified of any and all changes in your Business Entity Report Form by submitting a new report after any change.

**Failure to comply with this requirement is a violation of BPC 5558 and California Code of Regulations (CCR), title 16, section 104 and can result in a citation with an administrative fine of up to \$1,000 or disciplinary action by the Board.**



## History of Business and Professions Code (BPC) section 5558:

BPC section 5558 was established through statute in 2001, and became effective January 1, 2002. It states:

"Each person holding a license to practice architecture under this chapter shall file with the board his or her current mailing address and the proper and current name and address of the entity through which he or she provides architectural services. For purposes of this section, "entity" means any individual, firm, corporation, or limited liability partnership."

If you are currently providing professional services in California, you must have a BERF on file.

# New and Improved BERF in 2021

*Ensure you are in compliance with BPC 5558 Requirements*

## New BERF Options

Effective January 1, 2021, the BERF has been updated with new fields and options. Carefully review the updated BERF and submit a new form to the Board if any changes need to be made to your record.

Updates to the BERF include: an option to disassociate from a single entity and a line for disassociation date, and a statement that signing of the form is under penalty of perjury and all representations on the form are true, correct, and contain no material omissions of fact.

These new options will provide more information to consumers and assist the Board with the investigation of those who unlawfully practice architecture without a license.

## Advertising Architectural Services

If a business includes in its name or description of its services the term "architect," "architecture," or "architectural," or any abbreviation or confusingly similar variation thereof, that business must have a licensed architect who provides management control of the professional services that are offered and provided by the business and who is also an owner, part-owner, officer, or an employee of the business. (CCR § 134, subs. (a).)

Furthermore, all of the professional services offered by that business must be offered and provided by or under the responsible control of a licensed architect. (CCR § 134, subs. (b).) This includes structures, such as single-family residences, that would otherwise be exempt from licensing requirements under BPC section 5537.



## Need a Copy?

If you need a copy of the BERF or have any questions about this bulletin, you can download a copy of the form from the Licensee Information page of the Board Web site at [www.cab.ca.gov](http://www.cab.ca.gov) or call the Board at (916) 574-7220. The Board must be notified immediately of any and all changes in your BERF by submitting a new report after any change. Please print, sign, and mail the updated BERF to the Board at 2420 Del Paso Road, Suite 105, Sacramento, CA 95834 or email it to [cab@dca.ca.gov](mailto:cab@dca.ca.gov).