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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE ARCHITECTS LICENSURE BOARD**

TIME: 9:30 A.M.

PENNSYLVANIA DEPARTMENT OF STATE  
Board Room B  
One Penn Center  
2601 North Third Street  
Harrisburg, Pennsylvania 17110

January 10, 2019

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State Architects Licensure Board  
January 10, 2019

BOARD MEMBERS:

- John R. Hill, RA, President
- Philip M. Leinbach, RA, Vice President
- Ian J. Harlow, Commissioner of Professional and Occupational Affairs - Absent
- Adam Hough, Office of Attorney General, Bureau of Consumer Protection
- Douglas E. Carney, RA
- Darryl R. Hamm, Public Member - Absent
- Mary E. McClenaghan, RA
- Jerry K. Roller, RA

BUREAU PERSONNEL:

- C. William Fritz II, Esquire, Board Counsel
- Robert B. Armour, Esquire, Board Prosecution Liaison
- James Ritchie Espino Ostman, Esquire, Board Prosecutor
- Amanda Li, Board Administrator

ALSO PRESENT:

- Amal Mahrouki, Director of Legislative Affairs, American Institute of Architects Pennsylvania
- Bruce R. Johnson, Architect, American Institute of Architects Pennsylvania

1 \*\*\*

2 State Architects Licensure Board

3 January 10, 2019

4 \*\*\*

5 The regularly scheduled meeting of the State  
6 Architects Licensure Board was held on Thursday,  
7 January 10, 2019. John R. Hill, RA, President, called  
8 the meeting to order at 9:30 a.m.

9 \*\*\*

10 Roll Call

11 [Roll call was taken. A quorum was noted to be  
12 present.]

13 \*\*\*

14 Introduction of Audience Members

15 [President Hill requested the introduction of audience  
16 members in attendance.]

17 \*\*\*

18 [The Pledge of Allegiance was recited.]

19 \*\*\*

20 [John R. Hill, RA, President, noted two previously  
21 held informal conferences and applications for the  
22 Board's review in Executive Session.]

23 \*\*\*

24 Approval of Minutes of the November 8, 2018 meeting

25 PRESIDENT HILL:

1                   The first item is approval of the  
2                   meeting minutes from our November 8  
3                   meeting. Any comments, corrections,  
4                   additions, deletions?

5 [President Hill noted a correction to the minutes.]

6 PRESIDENT HILL:

7                   Any other items? Hearing none. Do I  
8                   hear a motion to approve?

9 MR. CARNEY:

10                   I move that we approve the minutes as  
11                   amended.

12 PRESIDENT HILL:

13                   Do I have a second?

14 MR. LEINBACH:

15                   Second.

16 PRESIDENT HILL:

17                   All those in favor? Any opposed?

18 [The motion carried unanimously.]

19   \*\*\*

20 Report of Prosecutorial Division

21 [Robert B. Armour, Esquire, Board Prosecution Liaison,  
22 presented the Consent Agreement for File No. 15-41-  
23 03606.

24                   Mr. Roller questioned the status of a complaint  
25 from a member of the public regarding an allegation of

1 an unlicensed practice. Mr. Fritz offered to  
2 investigate the matter further in order to provide an  
3 update to the Board at its next meeting.]

4 \*\*\*

5 Report of Board Counsel

6 [C. William Fritz II, Esquire, Board Counsel, noted  
7 one Adjudication and Order for review during Executive  
8 Session.]

9 \*\*\*

10 Applications

11 [John R. Hill, RA, President, noted applications for  
12 reciprocal licensing and Architectural Registration  
13 Exam (ARE) approval for review in Executive Session.]

14 \*\*\*

15 Report of Commissioner - No Report

16 \*\*\*

17 [Douglas E. Carney, RA, exited the meeting at  
18 9:41 a.m. and reentered the meeting at 9:52 a.m.]

19 \*\*\*

20 American Institute of Architects Presentation

21 [Amal Mahrouki, Director of Legislative Affairs,  
22 American Institute of Architects Pennsylvania,  
23 discussed the success of the 2017-2018 legislative  
24 session, where four bills were passed.

25 Ms. Mahrouki noted the Legislative Survey for the

1 2019-2020, which also permitted nonmember registered  
2 architects to participate this year. She stated that  
3 over 5 percent of their membership participated in  
4 that survey and was awaiting Board approval on the  
5 legislative agenda.

6 Ms. Mahrouki commented that AIA's focus would be  
7 on mandatory continuing education this year. She  
8 noted getting the farthest ever with that piece of  
9 legislation last session. The legislation made it  
10 through the House with record numbers.

11 Ms. Mahrouki noted that priorities such as  
12 building codes and legal reform for architects.

13 Mr. Leinbach was pleased to see questions  
14 regarding energy service companies (ESCOs) and  
15 performance contracting, noting that to be a  
16 circumvention of practice of architecture. He also  
17 noted the need to focus on this issue as it moves into  
18 the bounds of unlicensed practice.

19 Ms. Mahrouki mentioned AIA's involvement  
20 regarding this issue, noting that the coalition was  
21 looking at the procurement code and public procurement  
22 and project delivery methods for anybody who performs  
23 Department of General Services or other public work.  
24 She discussed the ESCO issue as a huge concern moving  
25 forward since amendments to the law in 2016 regarding

1 ESCOs expanding their scope.]

2 \*\*\*

3 Report of Board President

4 [John R. Hill, RA, President, noted the 2019 National  
5 Council of Architectural Registration Boards (NCARB)  
6 Regional Summit in Nashville, TN, March 8-9.

7 Mr. Leinbach explained the funding process with  
8 the difference between a funded NCARB delegate, where  
9 the fee does not get charged, and a funded Region 2  
10 delegate, where the individual must pay and submit for  
11 reimbursement.]

12 PRESIDENT HILL:

13 I entertain a motion to approve  
14 attendees for the NCARB Regional Summit  
15 in Nashville, Tennessee on March 8 and 9  
16 to include myself, Vice President Phil  
17 Leinbach, Jerry Roller, Doug Carney,  
18 Mary McClenaghan, and Darryl Hamm.

19 MR. LEINBACH:

20 So moved.

21 MR. ROLLER:

22 Second.

23 PRESIDENT HILL:

24 All in favor?

25 [The motion carried unanimously.]

1 \*\*\*

2 PRESIDENT HILL:

3 Motion for a voting delegate?

4 MR. LEINBACH:

5 I would make a motion to have John Hill  
6 as our voting delegate for Pennsylvania.

7 MR. ROLLER:

8 Second.

9 PRESIDENT HILL:

10 All in favor?

11 [The motion carried unanimously.]

12 \*\*\*

13 Report of Board President (Continued)

14 [John R. Hill, RA, President, addressed NCARB's  
15 information regarding Continuing Education Guidelines  
16 and NCARB's request for comments from the Board on  
17 their recommended Model Law Guidelines.

18 Mr. Leinbach offered to provide comments, noting  
19 that it is largely unchanged from what the Policy  
20 Advisory and Regional Leadership Committees reviewed  
21 in the fall. He stated it was intended to align with  
22 the six areas of learning in the Architectural  
23 Experience Program (AXP) and to create a background  
24 guide for those who need continuing education, either  
25 who are pursuing licensure or have a license and need



1 to maintain continuing education for either AIA or  
2 state license requirements.

3 Mr. Leinbach discussed critical areas from the  
4 Policy Advisory Committee Meeting in Atlanta,  
5 including the introduction of nano learning programs.  
6 He noted his opposition to nano and commented that Dr.  
7 Robert McKinney from the University of Louisiana at  
8 Lafayette also questioned the program.

9 Mr. Leinbach commented that NCARB certificate  
10 holders should be given the benefit of a link with  
11 their AIA account or, in the alternative, let NCARB  
12 track continuing education credits so that upon  
13 renewing a reciprocal license, there is a clear  
14 connection as to whether the jurisdiction's  
15 requirements are being met or not.

16 President Hill stated that, as NCARB might be  
17 registered in multiple states, it is important that  
18 continuing education be applicable between licenses.  
19 He suggested a review of the matter and the submission  
20 of comments to NCARB on behalf of Pennsylvania's  
21 Board. The review would include an explanation of the  
22 comments to NCARB with feedback from colleagues and  
23 peers about continuing education from licensed  
24 architects.

25 President Hill noted April 2 as the deadline and

1 suggested drafting the comments for review at the next  
2 meeting.

3 Mr. Roller discussed the calendar of continuing  
4 education, which was a big issue in terms of the  
5 various states. He mentioned that many states are  
6 tied to the renewal dates, where it becomes  
7 exceedingly difficult to verify that the requisite  
8 number is being met within that calendar. He noted  
9 that a number of states have taken NCARB's  
10 recommendation that it be a calendar year no matter  
11 when the renewal period, which should be encouraged.

12 President Hill mentioned the upcoming Regional  
13 Conference and requested that Mr. Leinbach review the  
14 agenda items or key points to be addressed.

15 Mr. Leinbach noted the updating of the archaic  
16 language in the bylaws and rules. He discussed the  
17 required two-signature check, noting possible updates  
18 to allow electronic approval so disbursement can then  
19 take place by the executive director.

20 Mr. Leinbach discussed the addition of a new  
21 area regarding a change to rules or bylaws for a  
22 future symposium the organization of the committee and  
23 to provide clarification on the parameters of payment.

24 Mr. Leinbach mentioned the idea of Region 2  
25 distributing a biannual press release of newsworthy

1 items and updating all of Region 2, both current and  
2 previous members.

3 Mr. Leinbach addressed unlicensed practice and  
4 doing some type of continuing education unit (CEU)  
5 ethics seminar for interested parties within Region 2  
6 to receive CEU health, safety, and welfare (HSW) and  
7 also to get the message out from a regulatory  
8 standpoint to members.

9 Mr. Leinbach discussed the election of officers  
10 from Region 2. He noted individuals self-nominating  
11 for current roles, including himself.

12 President Hill discussed Board initiatives  
13 regarding outreach to PA code officials. He mentioned  
14 having the National Architectural Accrediting Board  
15 (NAAB) schools invited to return again in the fall.

16 Mr. Roller questioned whether code officials have  
17 a statewide meeting. Ms. Mahrouki explained that code  
18 officials have a conference every year in addition to  
19 participating in continuing education, especially  
20 regarding the code updates. She offered to introduce  
21 anyone or organize a meeting if the Board were  
22 interested.

23 Mr. Leinbach suggested a joint meeting with code  
24 officials and labor and industry because labor and  
25 industry also does code enforcement for the

1 municipalities and townships that have opted out of  
2 local enforcement.

3         President Hill mentioned that the first  
4 newsletter was distributed, noting that NCARB has  
5 resources as far as articles and information that can  
6 be added to the next newsletter.

7         President Hill noted NCARB correspondence for the  
8 Board's information.

9         Mr. Carney contacted the new senator regarding  
10 legislation that would require continuing education in  
11 the Commonwealth.]

12                                 \*\*\*

13 Report of Board Administrator

14 [Amanda Li, Board Administrator, noted the Statement  
15 of Financial Interests Form for completion.

16         Ms. Li offered to submit a request to keep the  
17 newsletter format the same as approved.]

18                                 \*\*\*

19 Miscellaneous

20 [Robert B. Armour, Esquire, Board Prosecution Liaison,  
21 introduced James Ostman as a new prosecuting attorney.  
22 President Hill welcomed Mr. Ostman.

23         Ms. Mahrouki noted that AIA member, Tim Kearney,  
24 is now the Senator for the 26th Senatorial District.]

25                                 \*\*\*

1 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
2 10:16 a.m. the Board entered into Executive Session  
3 with C. William Fritz II, Esquire, Board Counsel, for  
4 the purpose of conducting quasi-judicial  
5 deliberations. The Board returned to Open Session at  
6 11:14 a.m.]

7 \*\*\*

8 MOTIONS

9 MR. FRITZ:

10 The Board conducted quasi-judicial  
11 deliberations on matters that are  
12 currently before the Board.

13 In the matter of Case No. 15-41-  
14 03606, the Board would entertain a  
15 motion to approve that Consent  
16 Agreement.

17 MR. CARNEY:

18 So moved.

19 MR. ROLLER:

20 Second.

21 PRESIDENT HILL:

22 I hear a motion and a second. Any  
23 further discussion on this item?  
24 Hearing none. All those in favor, say  
25 aye. Any opposed? Hearing none.

1 [The motion carried unanimously. The Respondent's  
2 name is Paul Graf, R.A.]

3 \*\*\*

4 MR. FRITZ:

5 The Board would entertain a motion to  
6 approve the final Adjudication and Order  
7 of Jonathan Kuntz, Case No. 18-41-  
8 005796.

9 MR. CARNEY:

10 So moved.

11 MR. ROLLER:

12 Second.

13 PRESIDENT HILL:

14 I hear a motion and a second for  
15 approval. Any further discussion on  
16 this item? Hearing none. All those in  
17 favor, say aye. Opposed?

18 [The motion carried unanimously.]

19 \*\*\*

20 MR. FRITZ:

21 The Board would entertain a motion to  
22 approve the provisional denial of Luying  
23 Guo, James Logan Viviani, and Rebecca J.  
24 Hawranick.

25 MR. CARNEY:

1 So moved.

2 MR. LEINBACH:

3 Second.

4 PRESIDENT HILL:

5 I hear a motion and a second on those  
6 three provisional denials. Any further  
7 discussion on any of those items?

8 Hearing none. All those in favor, say  
9 aye. Opposed?

10 [The motion carried unanimously.]

11 \*\*\*

12 MR. FRITZ:

13 The Board would entertain a motion to  
14 approve the Application for Thomas  
15 Michael Lopes.

16 MR. CARNEY:

17 So moved.

18 MR. ROLLER:

19 Second.

20 PRESIDENT HILL:

21 I hear a motion and a second for  
22 approval. Any further discussion on  
23 this item? Hearing none. All those in  
24 favor, say aye. Opposed?

25 [The motion carried. Mary McClenaghan opposed the

1 motion.]

2

\*\*\*

3 MR. FRITZ:

4

The Board is going to table the ARE

5

Application of Rachel Mellin Thurston

6

until we can get more information from

7

the applicant.

8

\*\*\*

9 Adjournment

10 PRESIDENT HILL:

11

Do I hear a motion to adjourn our

12

meeting?

13 MR. LEINBACH:

14

So moved.

15 [There was no second to the motion.]

16 PRESIDENT HILL:

17

All in favor?

18 [The motion carried unanimously.]

19

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20 [There being no further business, the State Architects

21 Licensure Board Meeting adjourned at 11:18 a.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Architects Licensure Board meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Architects Licensure Board meeting.



Amy L. Warehime,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE ARCHITECTS LICENSURE BOARD  
REFERENCE INDEX

January 10, 2019

	TIME	AGENDA
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9	9:30	Official Call to Order
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11	9:30	Roll Call
12		
13	9:31	Pledge of Allegiance
14		
15	9:32	Approval of Minutes
16		
17	9:33	Report of Prosecutorial Division
18		
19	9:40	Report of Board Counsel
20		
21	9:41	Applications
22		
23	9:47	Report of Board President
24		
25	10:12	Report of Board Administrator
26		
27	10:15	Miscellaneous
28		
29	10:16	Executive Session
30	11:14	Return to Open Session
31		
32	11:14	Motions
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34	11:18	Adjournment
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