

FOR AIA PA LETTERHEAD

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REVIEWED

May 2004

Ms. Dorna Thorpe
Administrator
State Architects Licensure Board
2601 North Third Street
P.O. Box 2649
Harrisburg, Pennsylvania 17105-2649

**Re: Proposed Amendments to the Regulation 16A-418 of
the State Architects Licensure Board
49 PA Code, Chapter 9
Amendments to §§9.2 and 9.3 Relating to
Definitions and Fees
As Published in *The Pennsylvania Bulletin*
Pa.B Doc No. 04-606, April 9, 2004**

Dear Ms. Thorpe:

On behalf of AIA Pennsylvania, I am writing to comment on the proposed change to the definition of "Sole Proprietorship" in the Regulations of the State Architects Licensure Board. AIA Pennsylvania is also concerned that, while the legislative initiatives being undertaken are generally in the right direction, there is a need to make sure the proposed changes to the Regulations are consistent and clearly drafted. The current proposal to change the Regulations results from an earlier change that was made without the comment of AIA Pennsylvania.

AIA Pennsylvania wishes to advise the Architects Licensure Board that the current proposal to amend the Regulations by changing the definition of "Sole Proprietorship" and the change to the wording of fees for firm license needs correction to its language. AIA Pennsylvania has reviewed the language with other attorneys, including a former Pennsylvania legislator, and is of the opinion that the proposed Sole Proprietorship definition is confusing. We think we know what it means; but suggest that the published language might not include a firm owned by one Pennsylvania architect that practices under a fictitious name.

Accordingly, we suggest the following revisions to the proposed language:

"Sole Proprietorship - A business form solely owned by an individual architect licensed in the Commonwealth of Pennsylvania."

(Note that the term *business form* is used elsewhere in the Regs.)

AIA Pennsylvania also suggests the following change to the language with respect to fees: (Note that changes to the current language in the Regulations are underlined)

"Annual renewal fee for registered architecture firms which are partnerships, professional associations, professional corporations, business corporations, limited liability companies and limited liability partnerships (\$100 fee shall be assessed biennially)

While this is not a major change, it makes the Regulation clearer.

While you may not think these changes very significant, they are, since wherever there are ambiguities, problems eventually arise.

AIA Pennsylvania will be happy to discuss its suggested modifications to the proposed changes to the Regulations with the State Architects Licensure Board.

Sincerely yours,

CAROLINE BOYCE
Executive Director

Cc: Roberta Silver, Esquire
AIA Board of Directors
Robert J. Shusterman, Esquire