

WAC 308-12-330 What are the standards of professional practice?

(1) Competence.

(a) When practicing architecture, you must act with reasonable care and competence, and must apply the technical knowledge and skill which is ordinarily applied by architects of good standing, practicing in the same locality.

(b) When designing a project, you must take into account all applicable state and municipal building laws and regulations. You may rely on the advice of other professionals (e.g., attorneys, engineers, and other qualified persons) as to the intent and meaning of such regulations. You must not knowingly design a project in violation of such laws and regulations.

(c) You must perform professional services only when you, together with those you may engage as consultants, are qualified by education, training, and experience in the specific technical areas involved.

(d) You will not be permitted to practice architecture if, in the board's judgment, your professional competence is substantially impaired by physical or mental disabilities.

(2) Conflict of interest.

(a) You must not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed and agreed to in writing by all interested parties.

(b) You must fully disclose in writing to your client or employer the nature of any business association or direct or indirect financial interest which is substantial enough to influence your judgment in connection with the performance of professional services. If your client or employer objects to such association or financial interest, you must either terminate such association or interest or offer to give up the commission or employment.

(c) You must not solicit or accept compensation from material or equipment suppliers in return for specifying or endorsing their products.

(d) When acting as the interpreter of building contract documents and the judge of contract performance, you must render decisions impartially, favoring neither party to the contract.

(3) Full disclosure.

(a) You must disclose any compensation received for making public statements on architectural questions.

(b) You must accurately represent qualifications and scope of responsibility to prospective or existing clients or employers for work for which you are claiming credit.

(c) In the course of work on a project, if you become aware of a decision made by your employer or client, against your advice, which violates applicable state or municipal building laws and regulations and which will, in your judgment, materially and adversely affect the safety to the public of the finished project:

(i) You must report the decision to the local building inspector or other public official charged with the enforcement of the applicable state or municipal building laws and regulations, refuse to consent to the decision, and terminate services on the project when you reasonably believe decisions will be made against your objection. In the case of a termination in accordance with (c)(i) of this subsection, you shall have no liability to your client or employer because of such termination.

(ii) You must not deliberately make a materially false statement or deliberately fail to disclose a material fact in connection with your application for registration or renewal.

(iii) You must not assist a person in applying for registration when you know the applicant is unqualified in education, training, experience, or character.

(iv) If you possess knowledge of a violation of these rules by another architect, you must report such knowledge to the board.

(4) Compliance with laws.

(a) You must not, in the conduct of architectural practice, knowingly violate any state or federal criminal law.

(b) You must not offer or make any payment or gift to a government official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project in which you are interested.

(c) You must comply with the registration laws and regulations governing your professional practice.

(5) Professional conduct.

(a) An office maintained for the purpose of providing architectural services must have an architect resident regularly employed in that office with direct knowledge and supervisory control of such work.

(b) You must not offer or provide any gifts, other than gifts of nominal value (including, for example, reasonable entertainment and hospitality), with the intent of influencing the judgment of an existing or prospective client in connection with a project in which you are interested.

(c) You must not engage in conduct involving fraud or wanton disregard of the rights of others.

[Statutory Authority: RCW 18.08.340 and 43.24.086. WSR 11-11-019, § 308-12-330, filed 5/9/11, effective 7/1/11. Statutory Authority: RCW 18.08.340. WSR 02-11-082, § 308-12-330, filed 5/14/02, effective 6/14/02.]