

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION
ILLINOIS ARCHITECTURE LICENSING BOARD

Open Minutes

Illinois Architecture Licensing Board

Date: September 22, 2023
Convened: 10:06 am
Adjourned: 12:12 pm
Location: Springfield/Chicago/WEBEX

Members Present: Michelle Gillette-Murphy, Vice-Chair
Kimberly Kurtenbach, Member
Norman Lach, Member
Thomas Lawler, Public Member

Member(s) Absent: E. William Reichert III, Chair
Dina Griffin, Member
Steven H. Pate, Member

Staff Present: Kyle Lazell, Design Licensing Manager
Ron Almiron, IDFPR General Counsel
Roy Cepero, IDFPR Design Investigator

Guests Present: Erik Klinner, AIA-IL

Open Session: The Meeting was called to order at 10:06 am.
Roll Call: The Board Members present constituted a quorum of the Board.

I. Board Member Announcements/Comments Ms. Gillette-Murphy welcomed everyone and asked if anyone had announcements or comments.

Mr. Lach reminded the members that the 2024 Educator Symposium will be hosted by IIT in Illinois and hopes the members will get involved.

II. Guest Announcements/Comments Mr. Klinner shared that he was selected for the Executive Vice President position.

The Board congratulated him and said they look forward to working with him and AIA-IL.

III. Licensing Manager Report

- A. NCARB MBE Committee Mr. Lazell shared that the NCARB Member Board Executive Committee had their first meeting and will be working on several charges given to the committee. He said he will keep the Board apprised as the meetings progress.
- B. DPR Staff changes Mr. Lazell shared that Cecilia Abundis, Division Director for professional regulation is resigning as of Friday, September 22, 2023, to pursue a once-in-a-lifetime opportunity.
- He also shared that Eduardo Fernandez, DPR Prosecuting Attorney for design professions, is resigning as of Friday, September 22, 2023, and will be working in a position in Cook County.
- C. AIA-IL “rolling clock” bill Mr. Lazell shared that DPR was notified AIA-IL is sponsoring a bill to address NCARB’s 5-year rolling clock. A bill number is not known at this time, but he indicated that the department is not opposed to this change being made and will probably be “neutral” on it.

IV. Review of Open Minutes

The Board reviewed the open minutes of the July 21, 2023, meeting. Motion was made, seconded (Lawler/Lach) to accept the open minutes as presented. Motion passed with a quorum of members.

V. Ongoing Business

- A. Maintaining responsible control while working remotely. Ms. Gillette-Murphy commented that she participated in the NCARB Region 4 pre-Board of Directors meeting. She noted that the Wisconsin Board is creating a definition of supervision and posed that Illinois should consider a similar initiative.
- B. Continued discussion on “two-thirds” and resident architect requirements. Mr. Lazell reminded the Board of the discussion from the July meeting and asked if there were additional questions or comments.

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION
ILLINOIS ARCHITECTURE LICENSING BOARD

The Board consensus was that removing the two-thirds requirement of the Board of Directors would not be a hindrance to the profession. It would remove a barrier to allow smaller companies the ability to offer services in Illinois.

Ms. Gillette-Murphy asked the board for a motion. Motion was made, seconded (Lawler/Kurtenbach) to recommend DPR modify 225 ILCS 305/21 (b)(1) and remove the two-thirds requirement of the board of directors and require that at least one member of the board of directors/partners/members be a licensed Illinois architect.

Motion passed with a quorum of members.

Mr. Lazell thanked the members for their discussion.

He also asked if the Board had additional questions or comments pertaining to removing the “resident architect” requirement from the statute.

Ms. Gillette-Murphy indicated she felt additional review of the requirement is necessary prior to deciding, as the term “resident” is listed in other sections of the Act and the term “responsible control” continues to be discussed in terms of how to properly define it.

The Board concurred and Mr. Lazell said he would notify the Board’s Act/Rules subcommittee to review this and provide additional information at a later board meeting.

**VI. Report from
Subcommittees**

**A. Complaint Review
Subcommittee**

Ms. Kurtenbach reported on the September 21, 2023, meeting. She reviewed 4 complaints and indicated that most were closed as they were contractual issues and IDFPR is not the authority having jurisdiction for that complaint.

Complaint Statistics based on recommendations from the July 2023 meetings for each profession:

Architect: Opened 3, Closed 12, Referred to prosecutions 1
SE: Opened 9, Closed 6, Referred to prosecutions 0
PE: Opened 8, Closed 2, Referred to prosecutions 1
LS: Opened 0, Closed 1, Referred to prosecutions 0

Complaints currently under investigation:

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION
ILLINOIS ARCHITECTURE LICENSING BOARD

Architect – 24
SE – 9
PE – 22
LS – 8

Cases currently being prosecuted:

Architect - 26
Land Surveyor - 4
Professional Engineer -17
Structural Engineer - 5

Mr. Lawler posed a question - why are the complaints reviewed by a subcommittee of the Board and not reviewed by the whole board during closed session, like other professions do.

Mr. Lazell shared context to the requirement, mentioning that the Act/Rules spell out that a subcommittee is to be utilized; however, he did say he would check with the enforcement unit to determine if changes to the current process can be made and how to implement it.

Ms. Gillette-Murphy provided a report of items received by NCARB since the previous meeting. A few items shared were:

B. NCARB information review committee

- Changes to Regional meeting format
- Mentor Program Committee
- Education Symposium Summit
- Why Region 4 is important
- 2024 Regional & Annual meetings

VII. New Business

A. Review of draft Rule revisions

Mr. Lazell presented the Board with a draft of the proposed Rule revisions that DPR plans to submit. He noted that the TOEFL exam requirement for applicant's who graduated from a program outside the U.S. and whose coursework was not taught in English, is being removed from the Rules and it was deemed an unnecessary barrier to licensure, given that the applicant must take and pass the necessary licensing exam and gain the required experience to be licensed.

Additionally, he mentioned that he revised the Rules to reflect the upcoming proposed change to the Act regarding the removal of the 5-year rolling clock requirement, and that once the Act is changed, he will submit the Rule packet for approval from the Governor's office to release to the public for comment.

The Board reviewed the proposed draft and had no comments or changes.

Motion was made, seconded (Kurtenbach/Gillette-Murphy) to

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION
ILLINOIS ARCHITECTURE LICENSING BOARD

approve the recommended Rule revisions. Motion passed with a quorum of members.

Mr. Lazell thanked the members.

Motion was made, seconded (Kurtenbach/Lach) to go into Closed Session pursuant to Section 2c (4) & (15) of the Open Meetings Act at 12:07 pm. Motion passed with a quorum of members.

Motion to move into Closed Session:

A. Review of Closed Minutes

The Board reviewed the closed minutes of the July 21, 2023, meeting.

VIII. Closed Session:

B. Review of applications

The Board reviewed no applications pursuant to Sections 1150.30, 1150.60 and 1150.105 of the Rules for the Administration of the Illinois Architectural Practice Act of 1989.

Moved back into Open Session:

The Board Vice-Chair adjourned the Closed Session and moved the meeting back into Open Session at 12:08 pm.

IX. Motions & Reminders

Review of closed minutes:

Motion was made, seconded (Lawler/Lach) to approve the closed minutes of the July 21, 2023, meeting as presented. Motion passed with a quorum of members.

Keep closed minutes closed:

Motion was made, seconded (Lach/Gillette-Murphy) to keep the closed minutes closed. Motion passed with a quorum of members.

Reminders:

Mr. Lazell reminded the Board that the next scheduled meeting is November 3, 2023.

The Board Vice-Chair adjourned the meeting at 12:12 pm.

X. Adjournment