

**ALABAMA STATE BOARD FOR REGISTRATION OF ARCHITECTS
ADMINISTRATIVE CODE**

**CHAPTER 100-X-6
COMPLAINTS AND DISCIPLINE ACTION**

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100-X-6-.01 Complaints.

The Board has the authority to investigate or cause to be investigated any matter that is brought to the Board's attention. The Board shall supply a complaint form to the public to assist in providing information outlining the nature of the complaint. All complaints shall be in writing. The Board, through its Executive Director, has the authority to subpoena records during the course of investigations and to compel the attendance of witnesses to testify during the course of investigations or to testify at hearings before the Board. The Board shall have the power to hold hearings, to set fines, to suspend registration, and or other appropriate measures upon any architect found guilty of any violation.

Author: Board for Registration of Architects

Statutory Authority: Code of Ala. 1975, §34-2-39.

History: **New Rule:** Filed February 19, 2010; effective March 26, 2010. **Amended:** Filed July 19, 2010; effective August 23, 2010.

100-X-6-.02 Probable Cause.

Upon receiving a complaint, the Executive Director shall refer the complaint to one member of the Board; provided, however, that if the complaint is first made to a Board member, then it shall be referred to that Board member. Said Board member, the Executive Director, and the Board's legal counsel shall form the Probable Cause Committee, who determines whether the complaint falls under the purview of the Board and whether there is probable cause to believe that a violation of the Board's statutes or regulations has occurred.

Author: Board for Registration of Architects

Statutory Authority: Code of Ala. 1975, §34-2-39.

History: New Rule: Filed February 19, 2010; effective March 26, 2010. **Amended:** Filed July 19, 2010; effective August 23, 2010.

100-X-6-.03 Investigation.

The Board shall employ an investigator who will pursue the facts in complaints filed with the Board. The Executive Director or the Probable Cause Committee will provide guidance regarding evidence to be collected, as appropriate. A written summary of the investigator's findings will be presented to the Probable Cause Committee for determination of violation of the Board's statutes and regulations.

Author: Board for Registration of Architects

Statutory Authority: Code of Ala. 1975, §34-2-39.

History: New Rule: Filed February 19, 2010; effective March 26, 2010. **Amended:** Filed July 19, 2010; effective August 23, 2010.

100-X-6-.04 Disciplinary Procedures.

If the Probable Cause Committee determines that charges should be filed, the respondent is notified of the specific nature of the charges and the Board's proposed settlement of the issues. Said notice shall be sent by certified mail, return receipt requested, to the respondent's last known address. If a hearing is to be scheduled, the notice shall be sent by certified mail, return receipt requested, to the respondent's last known address not less than thirty (30) days before the date of the scheduled hearing. The Board will conduct the hearing with the assistance of a hearing officer, who will hear all competent and relevant evidence in support of the charges. The hearing will be conducted in accordance with the Alabama Administrative Procedures Act, §41-22-13, Code of Ala. 1975. Upon conclusion of the hearing, the members of the Board (excluding the Probable Cause Committee Board member) will determine the appropriate action to be taken, and shall notify, or cause to be notified, the respondent of such action. If the Board suspends or revokes a registration, or issues a reprimand or fine against the respondent, he or she may appeal to the Circuit Court of Montgomery County, Alabama.

Author: Board for Registration of Architects

Statutory Authority: Code of Ala. 1975, §34-2-34.

History: New Rule: Filed February 19, 2010; effective March 26, 2010. **Amended:** Filed August 13, 2018; effective September 27, 2018. **Amended:** Published May 31, 2024; effective July 15, 2024.

100-X-6-.05 Public Notice Of Actions.

Settlement agreements, consent agreements, and orders resulting from disciplinary hearings are public records. The Board will report disciplinary actions on its website, in its newsletter and to the NCARB disciplinary database. Additional publication may be ordered on a case-by-case basis at the discretion of the Board.

Author: Board for Registration of Architects

Statutory Authority: Code of Ala. 1975, §34-2-34.

History: New Rule: Filed February 19, 2010; effective March 26, 2010. **Amended:** Published November 30, 2023; effective January 14, 2024.