

# Regulatory Reform: Reshaping the Florida Board of Architecture

Contributed by Miguel A. Rodriguez, AIA, AIA Florida

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## SUMMARY

In 2002 AIA Florida helped to secure passage of legislation to privatize the State Board of Architecture and Interior Design. Mike Rodriguez, AIA, was elected chair of the board's Evaluation Committee. In this capacity he will have direct authority to prosecute violators of licensing statutes thereby increasing credibility for AIA members.

## THE PROBLEM: DISARRAY IN STATE REGULATION OF PROFESSIONS

In the mid-1980s, the state of Florida decided to consolidate the staff support functions pertaining to all regulated professions within a single state department. The resultant Department of Business and Professional Regulation began regulating and enforcing state law for virtually every professional oversight board in the state, including the Board of Architecture and Interior Design. It soon became apparent that this "shared staff resource" inhibited the effectiveness of the board, as internal personnel transfers, cross-training, and ever-declining budgets diluted the specialized institutional knowledge that the dedicated staff of each professional board had held. The board found itself unable to execute its statutory responsibilities, hampered by a staff and executive director that answered to several new layers of "senior management" whose own attention was not focused on any one board or profession.

The needs of licensed architects and citizens were neglected to such a degree that Florida architects increasingly called on AIA Florida to resolve regulatory problems that could not be directly addressed by the state.

Of greatest concern to licensed architects—the laws and rules governing the practice of architecture were not enforced at a time when unlicensed activity had become a serious problem. Neither the individuals practicing architecture without a license nor the licensed architects who unlawfully enabled such activity by "plan stamping" were held accountable for their actions.

## ADVANCING CREATIVE SOLUTIONS

After years of working with the state to identify problems and agree on their resolution with subsequently unsatisfactory results, the AIA Florida Board of Directors decided to propose to the state that the staff support function of the Board of Architecture be privatized, as a way of restoring the board's direct oversight of a dedicated, professional staff and improving the quality of service to the public and the profession.

## MAKING THE CASE

Having been at the forefront of the issue, Rodriguez, then vice president of AIA Florida, became the de facto campaign director to secure the passage of the necessary legislation, a project that ultimately required years of work and overcoming multiple setbacks.

With the help of AIA Florida Executive Vice President Scott Shalley and long-time AIA Florida government affairs consultant Mike Huey, Hon. AIA, Rodriguez mounted an extensive campaign that included

- Developing issue briefs and "drop-off" literature for state legislators
- Behind-the-scenes direct lobbying
- Preparing AIA Florida members for direct "storm-the-hill" campaigns and other constituent lobbying efforts
- Meeting with representatives of the Department of Business and Professional Regulation
- Coordinating the efforts of AIA Florida staff

## ACHIEVING RESULTS

During the 2002 legislative session, AIA Florida succeeded in securing the passage of legislation that permits the Board of Architecture and Interior Design to privatize its investigative, prosecutorial, legal, and disciplinary functions. The same bill granted the board the authority to prosecute violators of licensing statutes, and it became the first

professional board in Florida to have such direct authority. As a result, the board will direct its own trained, specialized staff of administrators, investigators, and attorneys to ensure the responsible practice of architecture within Florida.

### IMPLEMENTING NEW LAW

In March 2002, Rodriguez was appointed to the Florida Board of Architecture and Interior Design, providing him with the unusual opportunity to implement the project whose future he had worked so diligently to secure. In consultation with AIA Florida and the Department of Business and Professional Regulation, the board issued an Invitation to Negotiate (ITN) in August 2002 to prospective contractors. Rodriguez was named chair of the Board's Evaluation Committee, charged with reviewing and scoring the applications and recommending the successful candidate. The successful contractor signed an agreement at the board's meeting on October 25, and the affected functions were transferred to the contractor on November 1.

### FOR MORE INFORMATION

Contact Miguel A. Rodriguez, AIA, 305-448-3374 or [miker@rodriguezarchitects.com](mailto:miker@rodriguezarchitects.com).

### RESOURCES

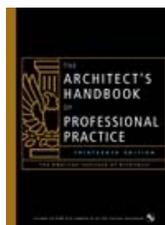
#### More Best Practices

The following AIA Best Practices provide additional information related to this topic:

- 21.03.01 Successful PAC Fund-raising
- 21.03.03 Government Affairs Day: Advancing Vital Interests Person-to-Person
- 21.03.04 Building Relationships with Elected Officials

#### For More Information on This Topic

See also "The Architect in the Political Process" by William M. Polk, *The Architect's Handbook of Professional Practice*, 13th edition, Chapter 7, page 175. *The Handbook* can be ordered from the AIA Bookstore by calling 800-242-3837 (option 4) or by sending an e-mail to [bookstore@aia.org](mailto:bookstore@aia.org).



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### Key Terms

- Leadership
- Governmental units
- State
- Architectural licensing
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