

Department of Business and Professional Regulation
Board of Architecture and Interior Design
Declaratory Statements

last updated September 19, 2024

Subject	Issue presented	Conclusion	Number	Petitioner	File Date
Qualifying a business entity.	Petitioner asked the Board if a business managed by a Florida licensed architect, created to perform building code inspection services, constitutes the practice of architecture and would require the business to obtain a certificate of authorization.	The Board issues a declaratory statement that yes, the provision of building inspection services, as described in Subsection 468.603(8), F.S., through a business managed by a Florida licensed architect, does constitute the practice of architecture, as defined in Subsection 481.203(6), F.S., and the business would be required to obtain a certificate of authorization under Section 481.210, F.S.	2006-005	Barley Consulting Group, LLP	4/6/2006
Sale of furnishings.	Petitioner is seeking a declaration by the Board determining whether any license is required under Chapter 481, F.S., for the sale of furnishings whether or not offered for sale at retail or offered for sale by retail establishment and whether offered or sold for delivery based on a diagram reflecting the placement of the furnishings.	The Board issues a declaratory statement that no license is required under Chapter 481, F.S., for the sale by Petitioners of furnishings as defined in the final order whether or not offered for sale at retail or offered for sale by retail establishments or whether offered or sold for delivery based on a diagram reflecting the placement of the furnishings.	2008-082	Interior Design Association Foundation of Florida, Inc., Dorothea Ramsey Felder and Christopher B. Scully	11/3/2008
Electronic Signatures	Petitioner is seeking the Board's interpretation of A.) Fla. Admin. Code R. 61G1-16.005, if the electronic signature described in the rule may be used in lieu of a physical signature and impression seal required by Fla. Admin. Code R. 61G1-16.001. B.) Also may an electronic image of the physical signature and impression seal required by Fla. Admin Code R. 61G1-16.001, be placed on a secure electronic portable document file and used to meet the requirements of Section 481.221, F.S., and Fla. Admin Code R. 61G1-16.001.	A.) The board issues a declaratory statement that yes, the electronic signature described in Fla. Admin. Code R. 61G1-16.005(2), is intended to be used in lieu of the physical signature and impression seal required by Fla. Admin. Code R. 61G1-16.001. B.) No. An electronic image of the physical signature and impression seal may not be used to satisfy the requirements of Section 481.221, F.S., and Fla. Admin Code R. 61G1-16.001.	2011-001	Miguel A. Rodriguez	5/4/2011
Successor Architect	Petitioner is seeking the Board's interpretation of Fla. Admin Code R. 61G1-18.002, Procedures for a Successor Architect Adopting as His Own the Work of Another Architect. Petitioner was hired to complete the interior renovation of a commercial property. After work started on the interior renovation another architect was hired to complete the exterior portion of the renovation. The building department allows only one architect of record and one master permit per project. Petitioner is the architect of record and permit holder for the commercial property with the building department. Petitioner, the architect providing interior renovations, has been asked by the owner of the commercial property to sign and seal the work of the architect hired to complete the exterior renovations.	The Board issues a declaratory statement that the procedures set forth in rule 61G1-18.002, Florida Administrative Code, are not applicable to the circumstances set forth by Petitioner. Since, Petitioner neither prepared the plans nor intends to take responsibility for the exterior renovation.	2016-022	Daniel Joy with Rule Joy Trammell + Rubio, LLC	7/1/2016

<p>Third Party verifications of electronic signatures</p>	<p>Petitioner asked the Board to answer the following questions in regards to Rule 61G1-16.005(2)(b), F.A.C., 1.(a) Is to require the use of a third-party verification of the licensee's electronically or digitally applied signature?; (b) Petitioner asked for the difference between a "digital" signature and a signature the is "electronically applied; (c) May the petitioner use the verification method provided by the software creating the portable document file (pdf) the sole verification required by the rule?; and (d) If so, when the petitioner's drawings are signed and sealed by such electronic means are they considered to have been signed and sealed in compliance with statutes and rules without further signature, seal, verification, or other documentation?</p>	<p>The Board issues a declaratory statement answering the question posed in 1 (a), that the intent of Rule 61G1-16.005(2)(b), F.A.C., is to NOT require the use of a third-party verification of the licensee's electronically or digitally applied signature. The Board states that the signature must be capable of verification inside the native software without use of a third party to verify same. The Board declines to answer the questions posed in paragraphs 1(b)-(d).</p>	<p>2023-042</p>	<p>Miguel A. Rodriguez, FAIA with Rodriguez Architects, Inc.</p>	<p>3/26/2024</p>
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