

Proposed Professional Standard:

October 2024

Proposed New Standard in the Code of Ethics and Professional Conduct

5.14 Registrants must communicate adequately and in a timely manner with authorities having jurisdiction.

As with other Professional Standards related to communicating adequately with Clients (PS 5.4) and responding to the AIBC when required (PS 1.3), this standard is founded on the expectation of professional 'presence'. Local governments – building officials and other staff, elected officials, panels, etc. – rely on Architects and other Registrants to provide information and remain in contact as may reasonably be required.

While the level and nature of communication with AHJs varies with the situation, inordinately delayed, incomplete, or complete non-responsiveness may be grounds for discipline.

The obligation to communicate with AHJs:

- *should not be delegated to unqualified staff, including other Registrants, who are unable to meet the requirement for adequate communication; and*
- *is the responsibility of Registrants, not Clients or others such as subconsultants.*

Some Architects elect to act as permit 'applicants' on their Clients' behalf, despite such practice elevating risks to the Architect and owner, including the possibility of exclusion of liability insurance coverage for the responsibilities/liabilities of the applicant Architect. The obligation to communicate adequately/in a timely manner with the AHJ is not diminished when acting as 'applicant'. In fact, stepping into the shoes of the owner by acting as applicant may heighten the communication expectations and obligations between Architect and AHJ.