

Guidelines for Surrendering a Licence and Certificate of Practice

SURRENDERING A LICENCE AND CERTIFICATE OF PRACTICE

1. When an architect resigns his/her Membership thereby surrendering his/her Licence and Certificate of Practice, the former architect/holder has the option to request appointment as a **Retired Member** and paying the fee prescribed by the by-laws.

Note: *The former architect or Retired Member may provide **design services** for buildings in Ontario of the size and categories permitted to non-architects under Subsection 11(3) of the Architects Act. **However, if the Licence is re-established, all such design services must cease, since an architect can provide architectural services only through a Certificate of Practice.***

*A former architect who has been appointed by the Registrar to hold **Retired Member** status may use the title "Architect (Retired)", provided that its use does not in any way mislead a member of the public into believing that he/she is a holder of a Licence and Certificate of Practice and entitled to provide architectural services.*

2. The **former architect/holder** may **not**:

- (a) use the designation "OAA" following his/her name.
- (b) be involved in providing any services for buildings requiring the services of an architect other than as an employee of a holder of a Certificate of Practice.

3. The **former architect/holder** must:

- (a) return to the Registrar his/her **Seal** and any '**usable stick-on facsimiles**' thereof, and remove ANY **scanned images** of the seal from the computer system. He/she must also ensure that the Seals of all the architects who were authorized to hold a Seal in the practice are also returned (refer to Section 41 of the *Architects Act* and Subsection 42(22) of the Regulation).

Note: *If the architects involved are to be employed by another holder of a Certificate of Practice or if the employer requires that they use the Seal as an employee, this must be arranged in accordance with the requirements, which may be obtained by contacting the Office of the Registrar.*

- (b) advise, in writing, all clients whose projects are ongoing, and make recommendations with regard to turning the project over to another holder of a Certificate of Practice. If the client agrees, make the necessary arrangements with another holder to carry out the required services. The suggested format for the letter follows:

"Dear Client:

RE: NAME OF PROJECT

Due to the surrender of the Certificate of Practice of (name of holder), I am no longer able to provide architectural services to you.

I regret any inconvenience that this may cause you, and I recommend that you make arrangements with another architectural practice to take over the professional services required to complete the project.

Upon the request of the newly appointed holder of a Certificate of Practice, every effort will be made to facilitate the takeover, in keeping with acceptable take-over of project procedures."

- (c) notify the Excess Insurer, if excess professional liability insurance was carried. The Registrar will notify Pro-Demnity Insurance Company.
- (d) notify Building Departments from which current building permits are held.

- (e) notify all consultants, contractors and authorities having jurisdiction for projects requiring ongoing architectural services about the closure of the practice and the arrangements made for the continued provision of architectural services if the former architect has been involved in the take-over of the projects.
- (f) notify, if applicable, other Certificate of Practice holders in Joint Venture(s);.
- (g) ensure that use of professional cards, letterheads, cheques and other forms containing the term "Architect" or "Architects" are discontinued.
- (h) notify Bell Canada and others for removal from telephone listings, Yellow Pages and other Business Directories.
- (i) ensure that any Web site that promotes the former Certificate of Practice or the provision of architectural services is de-activated.
- (j) ensure that no drawings are issued by any individual, sole proprietor, partnership, corporation, partnership of corporations, joint venture, or consultant, which contain the holder's name and which incorporate any change from copies issued prior to the surrender of the Certificate of Practice.

4. Winding Up the Business

- (a) A corporation that previously held a Certificate of Practice may carry on the activities necessary to the winding up of the corporation, **provided that the word "Architect" or any derivative thereof is removed** from the name of the corporation (refer to *Architects Act* Section 44).
- (b) If the premises are to be used by the former holder during the winding-up period or for other activities, all references to "Architect" or "Architects" or derivatives thereof must be deleted from the office operation, e.g. method of answering the telephone, office directory and office signage, letterhead and other documentation, etc.

5. Re-Establishment of Licence and Practice

If a former architect who has surrendered his/her Licence and Certificate of Practice wishes to provide architectural services or act in a consulting capacity in matters related to the practice of architecture, he/she must **re-establish** a Licence and practice.

Re-establish a Licence by:

- (a) submitting an application to the Registrar for reapplication of his/her Licence.
 - i) If the application is made **within three years of the date of resignation**, the applicant is exempted from the academic and experience requirements prescribed by Section 31 of the Regulation.
 - ii) If the application for Licence is made **more than 3 years after resignation**, the same procedures as for first time applicants for Licence would apply, except that an application to Council may be made for exemption from the academic and experience requirements under Section 13 of the *Architects Act* and Section 33 of the Regulation. Council may:
 - a) Grant the request; or
 - b) Deny the request.
- (b) complying with the provision of any outstanding decisions and orders of the Discipline Committee.
- (c) filing with the Registrar, a **Statutory Declaration** in which he/she affirms that he/she has not engaged in the practice of architecture in the Province of Ontario or held himself/herself out as

engaging in the practice of architecture in the Province of Ontario from the date of his/her resignation, except:

1. as an employee of a holder of a Certificate of Practice; or
 2. as an employee of an organization which did not offer architectural services to the public.
- (d) providing evidence to the Registrar that he/she has, before the date of application, completed a cycle of continuing education that meets the requirements of the Continuing Education Program established under Section 54 of the Regulation.
- (e) paying all fees, premiums, levies and deductibles in arrears and any other monies owing on the date of resignation.
- (f) paying the annual fees prescribed by the by-laws for the two years before the date of application, except that no payment is required for the first year after the date of resignation.
- (g) paying the annual fees prescribed by the by-laws due and owing on the date of filing of the application.

Re-establish a practice by:

- (a) submitting an application to the Registrar for the issuance of a Certificate of Practice.
- (b) providing evidence through a curriculum vitae that the applicant has been engaged in the practice of architecture during the period of **five years preceding the application** as per the currency requirement outlined in Subsection 17(2) of the *Architects Act*.
- (c) providing evidence to the Registrar that the person who will personally supervise and direct the practice of architecture has, before the date of the application, completed a cycle of continuing education that meets the requirements of the Continuing Education Program established under Section 54 of the Regulation.
- (d) filing with the Registrar, a Statutory Declaration in which he/she affirms that he/she has not engaged in the practice of architecture in the Province of Ontario or held himself/herself out as engaging in the practice of architecture in the Province of Ontario from the date of surrendering his/her Certificate of Practice, except:
1. as an employee of a holder of a Certificate of Practice; or
 2. as an employee of an organization which did not offer architectural services to the public where all architectural services performed by me were under the personal supervision and direction of an architect
- (e) fulfilling all the requirements for establishing a practice, i.e.
- (i) making application to obtain practice insurance coverage with Pro-Demnity Insurance Company or, if eligible an application for exemption;
 - (ii) maintaining the standards of practice prescribed in Sections 47 and 49 of Regulation 27.
- (f) paying all fees, premiums, levies and deductibles in arrears and any other monies owing on the date of resignation.

Note: *The former architect/holder is advised not to release any material, files, and copies of drawings or original drawings except in the case where they are being turned over to a holder of a Certificate of Practice. In that case, depending upon the particular circumstances of each project, it is advisable to keep either the originals or copies thereof for record purposes.*