



Certificates of Practice – Registered Offices

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Regulatory Framework

The [Architects Act](#) (the Act) and Ontario [Regulation 27](#) (the regulations) established the Ontario Association of Architects (OAA) to regulate the practice of architecture in service and protection of the public interest. OAA membersⁱ (members) must uphold their professional obligations to clients, to the public, and to the profession. To comply with legislative requirements, an OAA practice must have a member designated to maintain personal supervision, direction, and control over the delivery of its services.

Specific provisions of the Act include, but are not limited to, the following:

11. (1) *No person shall engage in the practice of architecture or hold himself, herself or itself out as engaging in the practice of architecture unless,*

- (a) the person is the holder of a licence or limited licence under this Act;*
- (b) the person is the holder of a certificate of practice or the person is doing so as a member of a partnership that holds a certificate of practice; or*
- (c) the person is the holder of a temporary licence under this Act.*

(2) No person shall provide to a member of the public a service that is part of the practice of architecture except under and in accordance with a certificate of practice or a temporary licence.

(3) Subsections (1) and (2) do not apply to,

[...]

- (d) the preparation or provision, under the personal supervision and direction of a member of the Association or the holder of a temporary licence, of a design for the construction, enlargement, or alteration of a building;*

22. (1) *It is a condition of every certificate of practice held by a corporation or a partnership that the holder of the certificate of practice shall provide services that are within the practice of architecture only under the personal supervision and direction, on a full-time basis, of a member of the Association who is,*

- (a) in the case of a corporation, an officer, director, or employee of the corporation; or*
- (b) in the case of a partnership, a member or employee of the partnership or an officer,*
- (c) director or employee of a member of the partnership.*

(2) A member of the Association who personally supervises and directs the practice of architecture by a holder of a certificate of practice is subject to the same standards of professional conduct and competence in respect of such practice of architecture as if the member personally engaged in the practice of architecture

Specific provisions of the regulations include, but are not limited to, the following:

1. *In this Regulation,*

“address of record”, in relation to a member of the Association, means the last address of a member recorded in the register maintained by the Registrar;

42. *For the purpose of the Act, “professional misconduct” means,*

[...]

9. Failing to maintain the standards of practice of the profession.

[...]

24. Failing to notify the Registrar in writing forthwith of a change of address recorded on a register maintained under the Act by the Registrar.

47. (1) *A holder of a certificate of practice shall maintain the standards of practice for the practice of architecture in the performance of architectural services.*

(2) It is part of the standards of practice that every holder of a certificate of practice must,

- a. maintain at least one office from which the practice of architecture is carried on;*
- b. maintain chronological books, records, accounts and files for each architectural project including,
 - i. a record showing all fees and disbursements charged for services,*
 - ii. files containing all letters, memoranda, notices, and correspondence,*
 - iii. files containing all evaluations, advice, and reports,*
 - iv. files containing all certificates, statements, notices and other documents with respect to contract administration or general review carried out, and*
 - v. all designs issued, exhibited or used for the construction, enlargement, or alteration of a building.**

(3) It is part of the standards of practice that every office in which the practice of architecture is carried on must,

- a. be accessible to all clients during business hours;*
- b. be equipped with a telephone that is answered either manually or by means of a mechanical device and that is listed in the local telephone directory;*
- c. have such staff, instruments, equipment, and activities as are reasonably necessary for the performance of architectural services; and*
- d. be under the personal supervision and direction of a member, but no member shall supervise and direct more than one office or an office that is more than 160 kilometres from his or her principal residence.*

Background and Considerations

Members who offer services to the public in Ontario through a certificate of practice (CoP) must maintain a practice address of record with the OAA. Each CoP office offering architectural service to the public must have an OAA member available who has direct knowledge of the services provided and is able to provide personal supervision and direction of such services. The level of supervision and general management of an office will vary with many factors, including, for example, the size of the practice, number of employees, the number of projects for which the practice is providing services, and the nature and scale of services provided.

As set out in the regulations, a practice's address of record must (among other things) be "accessible to all clients during business hours." This means an address of record cannot be a post office box or any kind of service for collecting mail.

A practice may maintain a site office for a specific project as a matter of convenience, but such an office is not itself permitted to offer or to provide independent architectural services to the public. While a site office may not offer services to the public, a branch or secondary office may. The public is entitled to expect that the services offered and provided by an OAA practice office, including a branch, are personally supervised and directed by a member. In branch offices as much as elsewhere, it is important to be cautious to ensure that the public, including clients, are not misled by any misrepresentations as to staff qualifications and professional status.

Members and OAA practices must not publicize unregistered offices, including home and satellite offices, in any promotional material, proposals, vendor list, public registry or listing, website, social media, or article. To the extent members or practices become aware that a third party (e.g. media or a client) is promoting an office that is not the registered office of the member or practice, the member or practice must take immediate steps to stop such promotion.

Members are permitted to do work in a setting that is not open to the public, including home offices, site offices, and construction sites. However, these unregistered settings must not be held out to the public as offices where architectural services are offered or provided.

Procedure

1. OAA members may only offer services to the public through a certificate of practice. Each CoP must be placed on the official Register of the OAA, with an address of record.
2. Every certificate of practice must be personally supervised and directed by an OAA member of record. Each member may only supervise and direct one office. The OAA must be notified of any change to the member personally supervising and directing a practice.
3. Members and practices must ensure that the office designated at the address of record conforms to the standards of practice set out in the regulations.
4. When listing an address on any vendor list, Request for Qualifications (RFQs), Request for Proposals (RFPs), and/or listing that will appear publicly, members and practices must use the address registered with the OAA.
5. If a member or practice moves or changes its address, the member or practice must notify the OAA immediately. They must also update the address on any listing or registry that will appear publicly, to ensure it is consistent with the address of record with the OAA.

Practice in a Virtual Environment

The architecture profession is well-suited to working remotely. Even before the COVID-19 pandemic, many practices had already implemented the technological infrastructure needed to enable employees to work from home or other locations aside from the registered office. Firms continue to evolve and pivot toward technology-based solutions to accommodate collaboration and support project delivery.

It is important to consider that many architecture professionals may wish to continue remote work in varying degrees even as many professionals return to in-person office environments. However, OAA members and practices must always meet the statutory requirements, including the requirements of maintaining a certificate of practice.

Although the requirements for a practice's office were established at a time when nearly all offices were physical spaces, these standards continue to apply to all practice offices, including those practices conducted primarily virtually. Practices must review the mandated criteria and ascertain whether their work environment is compliant. Some items to consider include (but are not limited to):

- Would there be adequate accessibility to clients and members of the public (assuming it is safe to do so)?
- Would there be adequate direct supervision of staff if it is all virtual?
- Would legal notices (including those from the OAA) be deliverable with adequate certainty of receipt?
- Would there be adequate maintenance and storage of record and file-keeping?
- Would staff have all the required instruments of service reasonably necessary for the performance of architectural services?

Practices considering a permanent or partial transition to a virtual work environment should review their plans against the regulatory criteria. It is up to each member who has personal supervision and direction of a practice to determine the best way to meet their professional obligations.

The OAA does not provide legal, insurance, or accounting advice. Readers should consult their own legal, insurance, or accounting advisors to obtain appropriate professional advice. OAA members are responsible for ensuring that they comply with all applicable laws, regulations, policies, and bylaws. Regulatory Notices do not comprehensively address all laws, regulations, policies, and bylaws that may apply in a particular scenario.

ⁱ **OAA member:** Every person issued a licence or limited licence by the Ontario Association of Architects is a member of the Association, subject to any term, condition, or limitation to which the licence is subject.