

Agenda

Complying with the Rules and Regulations on the Practice of Architecture

J. Hardy

- Defining the practice of architecture
- Determining for what projects an architect is required
- Complying with requirements for design firms
- Proper use of the architectural seal
- Exercising proper supervision and control
- Preventing the unauthorized practice of architecture

Understanding the Law of Architectural Copyright

K. Hubbard

- Determining what information is copyrightable
- Understanding the benefits of architectural copyright
- Preserving your copyrights and preventing infringement of others' copyrights

Complying with Barrier-Free Requirements:

Determining Which Code Applies to Your Project

A. Huszka

- Determining which accessibility code applies to your project:
 - Americans with Disabilities Act Standards for Accessible Design
 - Texas Accessibility Standards
 - Fair Housing Accessibility Guidelines
 - Building codes
- Accessibility challenges

Overview of Contract Law for Architects

O. Banks

- Understanding the basics of contract law
- Standard forms of agreement
- Negotiating contract terms
- Contract documents and formation
- Scope of services and changes
- Risk allocation provisions
- Making changes to contracts

Environmental Compliance Overview for Architects

M. Dobbins

- Accommodating natural resource protection laws
 - wetlands, critical areas, flood plains, endangered species, etc.
- Accommodating existing site contamination in design
 - including soil and groundwater contaminants, asbestos or lead in existing structures
- Managing materials generated by construction, including excavated soils
- Use of virgin or recycled materials for fill

Ethical Issues in Sustainable Design:

Understanding and Preventing Greenwashing

L. Valastro

- Using criteria to identify sustainable products and processes
- Using criteria to identify greenwashing
- Anti-greenwashing initiatives: Federal Trade Commission
- Evaluating greenwashing case studies

Laws for Texas Architects

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Learning Objectives

You'll be able to:

- Understand** the correct use of the architectural seal and exercise proper supervision and control.
- Learn** what information is copyrightable under architectural copyright law.
- Discuss** which accessibility code applies to your project.
- Analyze** the basics of contract law examine standard contract language.
- Review** natural resource protection laws and learn how to deal with site contamination.
- Learn** to identify greenwashing and discuss anti-greenwashing initiatives.



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Comply with rules and regulations on the practice of architecture

Understand the law of architectural copyright

Learn how to comply with barrier-free requirements

Gain a better understanding of contract law

Enhance your understanding of environmental compliance

Discuss ethical issues in sustainable design

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- 6.5 HSW CEPs
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- 1.0 Barrier-Free Hour
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Jessica Hardy *Senior Attorney at Macdonald Devin*

Ms. Hardy represents architects, engineers, and other design professionals as a senior attorney at Macdonald Devin. Holding a degree in Architecture as well as a J.D. degree, she is uniquely positioned to help those in the construction and design industries protect their interests, minimize their risks, and achieve their goals. Focusing her practice on construction litigation, Ms. Hardy's background and professional experience in architecture includes working on numerous multimillion-dollar projects for multi-family, retail, office, mixed-use, industrial and institutional clients. She received her Bachelor of Architecture degree from Auburn University School of Architecture and earned her law degree from the University of Alabama School of Law.

Kristi Hubbard *Attorney at Cokinos Young*

Ms. Hubbard is an attorney in the Houston office of Cokinos Young where she focuses on intellectual property, contracts, and business litigation. Ms. Hubbard has experience representing large business entities, start-up companies, and individuals in complex business disputes, intellectual property, and construction matters in both state and federal courts. She also has extensive experience successfully prosecuting trademarks with the USPTO and registering copyrights with the United States Copyright Office. Ms. Hubbard has also represented architects, general contractors, and developers in copyright infringement cases and contract negotiations involving claims to and use of architectural plans. She earned a bachelor of science degree from Loyola Marymount University in Los Angeles and graduated *cum laude* from the University of San Diego School of Law, where she served as senior associate to the *San Diego Journal for Climate and Energy Law*.

Attila Huszka *Principal at Statereview*

Mr. Huszka has been responsible for expert witness consultation, construction document review, and assessment and inspection of buildings and facilities for compliance with the Americans with Disabilities Act, the Fair Housing Act, the Texas Architectural Barriers Act, and related federal and state codes for thou sands of projects that include locations in over 40 US states. Some of his clients have included the Mississippi Bureau of Buildings, Grounds and Real Property Management; the Corpus Christi Regional Transportation Authority; the Houston Independent School District; Reliant Center (NRG Stadium); Hilton; and Macy's, Inc.

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Olaide Banks *Principal Attorney at Olaide A. Banks Law*

Mr. Banks is the principal attorney at Olaide A. Banks & Associates, PLLC, a Houston-based law firm focused on meeting the needs of government and construction contractors throughout Texas. He is a trusted advisor for licensed professionals, CEOs and managers in construction firms, and government contractors. Mr. Banks was licensed as a CPA in 2003 and has more than 20 years of experience as a lead accountant and CFO for successful government contractors. Mr. Banks is a sought after speaker in the areas of construction law, Federal contract law, and contracts. He earned his B.B.A. degree with a double major in Accounting and Finance from the Bauer College of Business at the University of Houston, and secured his J.D. degree from South Texas College of Law. Mr. Banks is a member of the State Bar of Texas, the Association of Corporate Counsel and the American Institute of Certified Public Accountants (AICPA). Mr. Banks is a member of the Construction Law Section of the State Bar of Texas.

Matthew Dobbins *Partner/Attorney at Vinson & Elkins*

Mr. Dobbins's practice focuses on complex regulatory counseling for major industrial and infrastructure projects, site remediation and redevelopment, environmental litigation, and climate change issues. He routinely advises private equity groups and financial institutions on mitigating environmental risks arising from transactions. He also frequently directs compliance audits and advises clients on compliance with federal and state air, water, waste, remediation, and pipeline safety requirements. Mr. Dobbins has extensive experience advising clients on federal waste management regulations and state beneficial reuse requirements, including advising on industrial wastewater management, recycling, and reuse.

Lauren Valastro *Partner/Attorney at Diamond McCarthy*

Ms. Valastro is a partner at Diamond McCarthy's Houston office. Her practice focuses on complex domestic and international commercial, energy, and environmental litigation matters. Ms. Valastro's docket includes contracts, insurance, indemnification, liquidations, greenwashing, and fraud. In addition to representation of diverse corporate clients from across the globe, she also has a broad range of environmental experience including litigation concerning the remediation and restoration of contaminated properties, cost-recovery and contribution actions, and the assessment and recovery of natural resource injuries and damages. Ms. Valastro has argued in the United States Second Circuit Court of Appeals and has represented clients before various state appellate courts. Ms. Valastro graduated first in her college class from Texas Tech University, *summa cum laude* with honors, with a B.A. degree in Spanish and Political Science and received her J.D. degree, *magna cum laude*, from Texas Tech University School of Law.

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