

# “DESIGN ARCHITECT vs. ARCHITECT of RECORD” ...

## Why?

By FORENSIC ARCHITECT – David Erik Chase, AIA  
February 19, 2026



All construction projects in the United States, with minor variable state legislative exceptions, require that any person identified as an architect and involved in a project be legally registered to practice architecture in the project’s jurisdictional geographic location. To carry out project design and technical responsibilities, there may be a singular designated Architect of Record or two individual professionals on the same project, a design architect (sometimes out of state), and an Architect of Record.

Regardless of project roles, all architects’ licensure registration requirements are identical within that state authority having jurisdiction. Let’s look at six states: Florida, South Carolina, North Carolina, Georgia, Louisiana, and Texas.

## The Standard of Care for Architects

There are, at minimum, two qualifying requirements that describe and measure the role of any architect’s performance and standard of care in a construction project, whether a design architect or Architect of Record, and/or a combined design architect/Architect of Record role.

- **Role description: DESIGN ARCHITECT:** The design architect is the conceptual lead who bridges a client’s stated aspirational and budgetary program requirements with the design/production team’s development of the aesthetic, technical, and contractual documents. The design architect coordinates the project’s professional content specialists to produce the resulting “design intent.”
- **Measurement: DESIGN ARCHITECT:** The design architect’s project conduct and performance of its standard of care requires a due diligence analysis to examine two perpetual absolutes. (1) The current project’s state jurisdictional statutes and applicable building codes, and (2) the specific Owner/Architect

Agreement duty and responsibilities agreed to by the parties, for professional service performance.

- **Role description: ARCHITECT of RECORD:** The Architect of Record (or Engineer of Record) in a building project is the licensed professional responsible for signing and sealing all construction documents for permitting. Even if there is a design architect as well, the Architect of Record's role is to oversee the preparation of drawings and specifications to ensure design compliance with the Agency of Jurisdiction's building codes and regulations, and to attest to the permitting application's document compliance. Also, this sign and seal documentation formally demonstrates the Architect of Record's acceptance of legal responsibility for the safety and completeness of the documents from permit approval through the issuance of a Certificate of Occupancy.
- **Measurement: ARCHITECT of RECORD:** The Architect of Record's project conduct and performance of its standard of care requires a due diligence analysis to examine two perpetual absolutes: (1) the current project's state jurisdictional statutes and applicable building codes, and (2) the specific Owner/Architect Agreement duty and responsibilities agreed to by the parties, for professional service performance.

## STATE JURISDICTIONAL STATUTES AND APPLICABLE BUILDING CODES

To provide an overview of the six state regulations and Owner/Architect Agreement qualifying requirements for an architect's standard of care, only current state jurisdictional statutes and building codes can be included in this overview. Any Owner/Architect Agreements will be specific to the building project itself.

### FLORIDA: Role and Measurement

- **Statute – (Fla. Stat. § 481.221)(8):** “Final construction documents or instruments of service which include plans, drawings, specifications, or other architectural documents prepared by a registered architect as part of her or his architectural practice shall be of a sufficiently high standard to clearly and accurately indicate or illustrate all essential parts of the work to which they refer.”
- **Building Code (Building) – (Fla. § (A) 107.1 General:** “... The construction documents shall be prepared by a registered design professional where required by Chapter 471, Florida Statutes or Chapter 481, Florida Statutes. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.”
- **Building Code (Building) – (Fla. Chapter 1) (Overview):** The final construction documents, drawings, and specifications must be signed, sealed, and dated by the Architect of Record except for one- and two-family dwellings or smaller renovations, depending on the local jurisdiction and code exemptions.

Florida does not use a descriptive identification or definition of the registered signing and sealing architect, “Architect of Record,” but clearly stipulates that the person signing and sealing the permit drawings and specifications is the singular “Architect of Record”. The definition of an Architect of Record , more specifically by name, would usually be captioned in the Owner/Architect Agreement.

### SOUTH CAROLINA: Role and Measurement

- **Statute – (SC. Code of Laws. Title 40.(3) § 30.B):** “Only an individual licensed under this chapter may use the title 'architect'. An individual assuming the title of architect or engaging in the practice of architecture in this State must be skilled in the principles of design and construction so that the individual may be entrusted with the design and review of construction buildings without undue risk to the public safety. Before assuming the title “architect” or undertaking the work, the individual shall have a registration from the board.”
- **Statute – (SC. Code of Laws. Title 40.(3) § 280 B):** “The seal of an individual architect in responsible charge, as well as the seal of the firm, must appear on each print of the drawings and index sheet, or sheets, of each set of specifications offered to secure a building permit and one record set for the use on the construction site. The required seal identification may be a rubber stamp impression placed on original drawings and specification copy. The architect in responsible charge shall affix his signature over his seal. An electronic seal and signature may be used in lieu of an original seal and signature by applicable policy or regulation.”

South Carolina does not use a descriptive identification or definition of the registered signing and sealing architect, “Architect of Record,” but clearly stipulates that the person signing and sealing the permit drawings and specifications is the singular “Architect of Record” in responsible charge. The definition of an Architect of Record , more specifically by name, would usually be captioned in the Owner/Architect Agreement.

## **NORTH CAROLINA: Role and Measurement**

- **Current Rule – (21NCAC 02.0109 (7)):** “Architect-of-record” or “Designer-of-record” means persons or entities whose seals appear on plans, specifications, and contract documents.”
- **Statute – (NC 2020-10, § 83A-1(7): Definitions):** "Practice of Architecture” means performing or offering to perform or holding oneself out as legally qualified to perform professional services in connection with the design, construction, enlargement or alteration of buildings, including consultations, investigations, evaluations, preliminary studies, the preparation of plans, specifications, and contract documents, administration of construction contracts, and related services or combination of services in connection with the design and construction of buildings, regardless of whether these services are performed in person or as the directing head of an office or organization.”

North Carolina does use a descriptive identification and definition of the registered signing and sealing architect, “Architect of Record,” and clearly stipulates that the person signing and sealing the permit drawings and specifications is the singular “Architect of Record” in responsible charge.

## **GEORGIA: Role and Measurement**

- **Rules and Regulations Department 50-Rule 50-2A-.01(1):** “Every holder of a certificate of registration shall secure a SEAL of the design shown below, which shall appear on all documents prepared by the Architect or prepared under his responsible control; or which is a prototypical document for which the Architect of Record is assuming professional responsibility as allowed by this Chapter. The SEAL shall appear on each drawing, appear on the cover and index pages identifying all specifications covered by the index pages and appear on all other documents of service as well. For all documents of service to be submitted for the purpose of obtaining a building

permit or any other requirement as set forth by law, the architect's signature shall be applied with the issue date and purpose appropriately identified on the document."

- **Rules and Regulations Department 50-Rule 50-2A-.02:** "Notice of Shared Responsibility": "(1) When an architect has been engaged by an Owner to provide professional services limited to the preparation of construction documents only, thereby allowing the Architect of Record limited involvement during the construction administration phase, he shall affix on all instruments of service the following statement: '(Named) Architect of Record is not responsible for interpreting the intent of the construction documents, including making modifications as they may be necessary during the construction phase; and the Architect of Record is no longer liable for the work where changes to these documents have been made'."

Georgia does use a descriptive identification and definition of the registered signing and sealing architect, "Architect of Record," and clearly stipulates that the person signing and sealing the permit drawings and specifications is the singular "Architect of Record" in responsible charge. However, Georgia has an added stipulation that an Architect of Record may only carry out the design phase of a building project to secure for the owner a building permit. Then, terminate services for any construction phase work, including modifications to the permitted construction documents, thereby eliminating the professional Architect of Record's liability after the permit is issued.

## **LOUISIANA: Role and Measurement**

- **Statute – (R.S. 37:141, Chapter 3, Architects, § 141 A.(3):** "The "practice of architecture" is rendering or offering services specified in this Paragraph in connection with the design, construction, enlargement, or alteration of a building, a group of buildings, or space within and surrounding buildings which have human occupancy or habitation as a principal purpose. Such services shall include the following: planning, providing preliminary studies, studies, designs, drawings, specifications, and other technical submissions; administration of construction contracts; and the coordination of any element of technical submissions prepared by others, including but not limited to engineers and landscape architects, as appropriate. The practice of architecture shall not include the practice of engineering as defined in R.S. 37:682.; however, a registered architect may perform such engineering work as is incidental to the practice of architecture.
- **Regulations: Title 46-Professional and Occupational Standards, Part 1 – Architects; Chapter 1 (E.2 Sealing Documents):** "An architect of record may seal technical submissions not required by law to be prepared by an architect including information supplied by manufacturers, suppliers, installers, or contractors, when information is intended to be incorporated into the architect of records technical submissions and the architect of record has reviewed such information and can reasonably trust its accuracy."

Louisiana generally recognizes and requires similar actions and conformance for a registered architect to sign and seal contract documents as other States. Louisiana also allows an Architect of Record to sign and seal documents other than the project contract documents, as explained above.

## **TEXAS: Role and Measurement**

- **Occupations Code, TITLE 6, Article 1 A – (Section 1051.001 (7):** "Practice of architecture" means a service or creative work applying the art and science of

developing design concepts, planning for functional relationships and intended uses, and establishing the form, appearance, aesthetics, and construction details for the construction, enlargement, or alteration of a building or environs intended for human use or occupancy, the proper application which requires education, training, and experience in those matters.”

- **26 TEXAS Administrative Code § 505.168 (2):** “Construction commencement notification. The architect of record or hospital owner/operator shall provide written notification to the department when construction will commence. The department shall be notified in writing of any change in completion schedules.”
- **10 TEXAS Department of Transportation (TxDOT) Specifications(1L.dox), (3.11):** “ARCHITECT OF RECORD. A person registered as an architect or licensed, as a landscape architect, in conformance with State law, exercising overall responsibility for the design or a significant portion of the design and performing Contract administration responsibilities as described in the Contract; or a firm employed by the Owner to provide architectural services.”

Texas generally does not use a descriptive identification or definition of the registered signing and sealing architect, “Architect of Record,” but clearly stipulates that the person signing and sealing the permit drawings and specifications is the singular “Architect of Record” in responsible charge. However, the Department of Transportation clearly defines and specifies an Architect of Record for its specific projects.

## SUMMARY

Each of the six states uses similar language to establish qualifying requirements to describe the role of a registered architect and/or Architect of Record in its state building projects. Some definitions are broad, and others are more specific. The actual measurement of the architect’s standard of care will be more likely than not measured by (1) the current project’s state jurisdictional statutes and applicable building codes, and (2) the specific Owner/Architect Agreement duty and responsibilities agreed to by the parties, for professional service performance.

**Disclaimer:** **FORENSIC ARCHITECT - David Erik Chases, AIA** is a registered architect in 21 states and the District of Columbia and not an attorney. The content of this article is intended only as a general overview of the professional certification process and not a representation for guidance or any legal professional opinions, as advice. (Nb. Legal consultation is always advisable throughout this process.)

slide 1 to 4 of 4

February 19, 2026

By FORENSIC ARCHITECT – David Erik Chase, AIA

**“DESIGN ARCHITECT vs. ARCHITECT of RECORD”...Why?**