District of Columbia Register

District of Columbia

Department of Consumer and Regulatory Affairs

OCCUPATIONAL & PROFESSIONAL LICENSING ADMINISTRATION

Interior Designers Chapter 32 Regulations
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

FINAL RULEMAKING

Title 17, BUSINESS, OCCUPATIONS, AND PROFESSIONS, of the District of Columbia Municipal Regulations is amended as follows:

CHAPTER 32 INTERIOR DESIGNERS

Chapter 32, INTERIOR DESIGNERS, is amended as follows:

Secs.
3200 Applicability
3201 General Provisions
3202 Licensure by Examination
3203 Education
3204 Reciprocal Licensure
3205 Display of License
3206 Term of License
3207 License Renewal
3208 Inactive Status
3209 Scope of Practice
3210 Continuing Education Requirements for Licensees
3211 Approved Continuing Education Programs
3212 Disciplinary Actions
3213 Rules of Conduct/Code of Ethics
3214 Seal of an Interior Designer
3299 Definitions

3200 APPLICABILITY
3200.1 This chapter shall apply to applicants for and holders of a license to practice interior design.

3200.2 Chapter 33 of this Title shall supplement this chapter.

3200.3 The provisions of this chapter shall prevail in the event of a direct and irreconcilable conflict between this chapter and Chapter 33 of this Title.

3201 GENERAL PROVISIONS

3201.1 The Board of Architecture and Interior Designers (hereinafter referred to as the “Board”), established by the Second Omnibus Regulatory Reform Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code § 47-2853.01 et seq.), shall be under the administrative control of the Mayor through the
Department of Consumer and Regulatory Affairs (hereinafter referred to as the “Department”).

3201.2 Each interior designer member of the Board must be a licensed interior designer.

3201.3 The Board shall, at its offices, maintain a record of duly licensed interior designers that shall include their name, license number, and last known mailing address.

3201.4 Communications with Board members and Board staff shall be limited as follows:

(a) Prior to the filing of an application or after final Board action on an application, verbal and written communication with individual Board members or any member of the Board’s staff shall be freely permitted; provided, however, that no member of the Board or its staff is authorized to give any indication of what specific action the Board may take upon the merits of any application which may be filed with it;

(b) Advice of a general nature may be given as to the manner of completing or submitting applications, the procedures to be followed in processing applications, and the nature of the Board’s standards in evaluating applications; and

(c) While an application for licensure or an enforcement proceeding is pending before the Board, no communications may be initiated with any individual Board member concerning the matter; any inquiries must be made orally or in writing to the Board staff or in writing to the Board.

3201.5 The Board may maintain membership in the National Council for Interior Design Qualification (NCIDQ). As part of the Board’s activities, the Board shall endeavor to keep up-to-date information on the recommended policies adopted by NCIDQ. The Board may cooperate with NCIDQ in establishing uniform standards of interior design registration throughout the United States, but is under no obligation to do so.

3201.6 Any forms prepared in accordance with this chapter or the Act shall be made available upon request.

3201.7 Fees associated with licensure and registration may be found in Title 17 DCMR Chapter 35.

3201.8 The Department shall maintain copies of all records and papers pertaining to licensure, certification, registration, inspections, investigations, and other matters under the jurisdiction of the Board. Copies of all records and papers duly certified and authenticated by the Board or its staff shall be received in evidence in all courts equally and with like effect as the original.
Public records kept by the Department on behalf of the Board under the authority of this section shall be open to public inspection pursuant to the D.C. Freedom of Information Act. None of any licensed interior designer’s examination record shall be considered public record.

The Board shall meet in public session not less than four (4) times per year and shall publish notice of the time and place of each public meeting in the D.C. Register at least one (1) week in advance of the meeting. The public has the right to appear before the Board and testify on subjects within the Board’s jurisdiction.

The Chairperson shall be elected from among the members of the Board and shall have authority to sign all official documents issued on behalf of the Board, after approval by the Board.

Four (4) members of the Board shall constitute a quorum.

Once quorum is established, a majority vote of all Board members present and voting is necessary for any action taken by the Board.

Board members may convene in committees of no less than three (3) Board members to carry out specific functions of the Board, provided the full Board ratifies the actions of any committee.

3202 LICENSURE BY EXAMINATION

Except as otherwise provided in this chapter, in order to be licensed to practice interior design, an applicant shall pass the examination administered by the National Council for Interior Design Qualification (NCIDQ).

An applicant who passed the national examination prior to the effective date of this chapter shall not be required to retake the examination.

The passing score on the national examination shall be a passing score on each section that forms a part of the examination by the NCIDQ.

3203 EDUCATION

Applicants shall possess a current certificate from NCIDQ showing that they have met NCIDQ’s education and experience requirements.

Applicants shall include a certified copy of the NCIDQ certificate with their application.
3204  **RECIProCAL LICEN$URE**

3204.1  An applicant for a license by reciprocity shall furnish proof satisfactory to the Board that the following requirements are met:

(a)  The applicant is licensed and in good standing as an interior designer in a jurisdiction of the United States with requirements that are substantially equivalent to the requirements of the Act and this chapter;

(b)  The jurisdiction in which the applicant is licensed admits interior designers licensed by the District of Columbia in like manner; and

(c)  The applicant has paid the required fees to the District.

3205  **DISPLAY OF LICENSE**

3205.1  A licensee shall display his or her license conspicuously in the licensee’s principal place of business or employment.

3206  **TERM OF LICENSE**

3206.1  A license to practice interior design shall expire at midnight of October 31st of each even numbered year.

3207  **LICENSE RENEWAL**

3207.1  A licensed interior designer shall not file an application for renewal if the Board has suspended the applicant’s license.

3207.2  At least sixty (60) days prior to the expiration of a license, the Board shall send a renewal application by first class mail to the holder of a license at the licensee’s known address on record with the board.

3207.3  A holder of a license shall meet all of the requirements for license renewal prior to the issuance of the renewal.

3207.4  A holder of a license shall provide the Board a street address for the licensee’s residence, not a post office box, and shall notify the Board in writing of any change of home or business address within thirty (30) days of the change.

3207.5  The failure of a holder of a license to receive the notice required by § 3207.2 of this chapter does not relieve the holder of the responsibility of renewing the license.
An applicant for renewal of an interior designer’s license shall submit the renewal application in a timely manner to the Board and shall complete the continuing education requirements before the expiration date of the license.

Unless an extension of time has been granted pursuant to § 3210 of this chapter, the Board shall deny an application for renewal if the applicant has not completed the continuing education requirements prior to the expiration date of the license.

A holder of a license who fails to renew before the expiration date may renew the license within sixty (60) days after expiration by completing all renewal requirements and paying an additional late renewal fee. Upon renewal, the holder shall be deemed to have possessed a valid license during the period between the expiration of the license and its renewal.

If an applicant for renewal of a license fails to submit proof of completion of continuing education requirements or pay the late renewal fee within sixty (60) days after the expiration of the applicant’s license, the license shall be considered to have lapsed on the date of expiration.

Denial of an application for renewal for failure to complete the continuing education requirements shall require the applicant to complete the continuing education requirements prior to submitting an application for reinstatement.

INACTIVE STATUS

Upon application by a licensee and payment of the required fee, the Board shall place a licensee on inactive status.

While on inactive status, an individual shall not practice, attempt to practice, or offer to practice interior design in the District of Columbia.

A licensee may remain on inactive status for up to five (5) years from the date of application and shall notify the Board of any address change within thirty (30) days of the change.

The Board shall issue a license to an individual who is on inactive status and who desires to resume practice, if the individual meets the following requirements:

(a) Files an application with the Board;
(b) Pays the required fees;
(c) Demonstrates compliance with all continuing education requirements; and
(d) Complies with all current requirements for license renewal.
A lapsed license cannot be placed on inactive status. The license must first be reinstated, as provided in D.C. Official Code § 47-2853.15, provided the license has not been expired for more than five (5) years.

**SCOPE OF PRACTICE**

For the purposes of this chapter, the term “practice of interior design” means providing or offering to provide consultations, preliminary studies, drawings, specifications, or any related service for the design analysis, programming, space planning, or aesthetic planning of the interior of buildings, using specialized knowledge of interior construction, building systems and components, building codes, fire and safety codes, equipment, materials, and furnishings, in a manner that will protect and enhance the health, safety, and welfare of the public whether one or all of these services are performed either in person or as the directing head of an organization. The practice of interior design does not include the practice of architecture, as defined in D.C. Official Code § 47-2853.61.

This chapter shall not require a license for, or restrict or prohibit an individual from engaging in, any activity or service described in § 3209.1 of this chapter, if the individual is a licensed architect engaged in the practice of architecture pursuant to the laws of the District of Columbia. An individual licensed as an architect may not utilize the title “Interior Designer” unless the individual is also a licensed interior designer.

For the purposes of this chapter, the issuance of a building permit by the Department under the authority of the District of Columbia Construction Codes shall not constitute a license to engage in an activity or service enumerated in § 3209.1 of this chapter.

Section 3210, CONTINUING EDUCATION REQUIREMENTS FOR LICENSEES, is amended to read as follows:

**CONTINUING EDUCATION REQUIREMENTS FOR LICENSEES**

This section shall apply to all applicants for the renewal or reinstatement of a license to practice interior design, except those applicants seeking first renewal of a license granted by examination.

A continuing education credit shall be valid only if it is part of a program approved by the Board in accordance with § 3211 of this chapter.
An applicant for renewal of a license shall submit proof pursuant to this section of having completed ten (10) contact hours of credit in approved continuing education programs during the term of the license.

An applicant under this section shall prove completion of required continuing education credits by submitting with the renewal application the following information with respect to each program:

(a) The name and address of the sponsor of the program;

(b) The name of the program, its location, a description of the subject matter covered, and the names of the instructors;

(c) The dates on which the applicant attended the program;

(d) The hours of credit claimed; and

(e) A certificate of successful completion from the sponsor or provider.

The Board may, in its discretion, grant an extension of the sixty (60) day period, up to a maximum of one (1) year, for renewal after expiration, if the applicant’s failure to submit proof of completion of continuing education requirements was for good cause.

For purposes of this section, “good cause” includes the following:

(a) Serious and protracted illness of the applicant; or

(b) The death or serious and protracted illness of a member of the applicant’s immediate family.

An extension granted under this section shall not relieve an interior designer from complying with the continuing education requirement for the next renewal period.

The Board, at its sole discretion, may approve continuing education programs that contribute to the growth of an applicant in professional competence in the practice of interior design and which meet the other requirements of this section.

To qualify for approval by the Board, a continuing education program shall:
(a) Provide instruction in one (1) of the following subjects:

(1) An area of practice enumerated in § 3209 of this chapter;

(2) An area of knowledge which advances consumer protection; or

(3) An area of health, safety, and welfare; and

(b) Be prepared, offered, administered, or accepted by one (1) of the following:

(1) An entity holding organizational membership in the Interior Design Continuing Education Council (IDCEC) or its successor organization; or

(2) NCIDQ.

3211.3 Prior to attending a program, an applicant must verify whether IDCEC has approved the program.

3212 DISCIPLINARY ACTIONS

3212.1 Upon providing notice and an opportunity for hearing in accordance with the Act and Chapter 33 of this Title, the Board may revoke, suspend, refuse to renew, or deny an application for a license by a licensee or applicant for any violation of this Chapter or the Act.

3212.2 If the Board determines that there is a violation of this chapter or the Act, the Board may take any of the actions specified in § 3212.1 of this chapter or any one or more of the following lesser actions:

(a) Reprimand the interior designer;

(b) Place the interior designer on probation for a specified period;

(c) Impose limitations on the license of the interior designer; or

(d) Require a course of remediation approved by the Board that may include retraining and, at the discretion of and in the manner prescribed by the Board, reexamination.

3212.3 If the Board places an interior designer on probation, imposes a limitation on the license of an interior designer, or requires a course of remediation, the Board may provide that if the interior designer fails to satisfy the conditions of probation, observe the limitations imposed on the license, or complete the course or remediation, the Board may suspend or revoke the interior designer’s license.
RULES OF CONDUCT/CODE OF ETHICS

Obligations of a licensed interior designer

(a) A licensed interior designer shall:

(1) Conform to existing laws, regulations, and codes governing procedures and the practice of interior design as established by the jurisdictions in which he or she conducts business;

(2) Maintain appropriate license in good standing in any jurisdiction in which he or she conducts business;

(3) Perform professional services with consideration to the health, life, safety, and welfare of the public;

(4) Serve his or her clients by only undertaking projects and responsibilities within his or her professional capacity and competence and within the definition according to the laws of his or her license;

(5) Clearly set forth the scope and nature of a project, services to be performed, and all methods of compensation for those services;

(6) Fully disclose to the end user all compensation in connection with a project and refuse to accept any form of undisclosed compensation from any person, firm, or vendor connected to the project; and

(7) Disclose to the regulating jurisdiction any knowledge he or she might have regarding unlicensed activity or other violations of the jurisdiction’s statutes by other persons.

(b) A licensed interior designer shall not:

(1) Seal or sign drawings, specifications or other interior design documentation except where the licensed interior designer has prepared, supervised or professionally reviewed and approved such documents, as allowed by relevant jurisdictional law;

(2) Engage in any form of misleading or false advertising or promotional activities nor imply, through advertising or any other means, that staff members or employees of his or her firm are licensed unless such is fact;

(3) Engage in conduct involving fraud, deceit, misrepresentation or dishonesty in professional or business activity, by either affirmative act or failure to act;

(4) Attempt to obtain a contract to provide interior design services or assist others in such an attempt through any unlawful means;
(5) Offer or make payment or gifts to any public official or stakeholder with the intent to influence or compromise their judgment;

(6) Assist or abet improper or illegal conduct of anyone in the performance of interior design services;

(7) Materially change the scope or nature of a project without the client’s consent; or

(8) Conceal or fail to disclose any criminal record or suspension or revocation of license in any jurisdiction.

3214 SEAL OF AN INTERIOR DESIGNER

3214.1 Each licensed interior designer shall procure a seal, which shall contain the name of the licensed interior designer, his or her license number, and the words LICENSED INTERIOR DESIGNER-DISTRICT OF COLUMBIA. This seal shall comply in all respects, including size and format, with the specimen shown below:

![Seal Image]

3214.2 Any interior design construction documents, including drawings, plans, specifications, or reports prepared or issued by the licensed interior designer and being filed for public record with any jurisdiction or local building department for the purposes of obtaining a building permit, shall bear the signature and seal of the licensed interior designer who prepared or approved the document and the date on which they were sealed. The seal shall be evidence of the authenticity of the document. Interior design construction documents bearing the seal of a licensed interior designer shall be accepted for filing by the appropriate jurisdiction or local building department.

3214.3 No licensed interior designer shall affix or permit to be affixed his or her seal or signature to any plan, specification, drawing, or other document which depicts work which he or she is not competent to perform.

3214.4 No licensed interior designer shall affix his or her signature or seal to any plan,
specifications or other document that was not prepared by him or her or under his or her responsible supervisory control or by another interior designer and reviewed, approved, or modified and adopted under his or her responsible supervisory control according to the rules adopted by the Board.

3214.5 When the license of a licensed interior designer has been revoked or suspended by the Board, the licensed interior designer shall surrender his or her seal to the secretary of the Board within a period of thirty (30) days after the revocation or suspension has become effective. If the license of the interior designer has been suspended for a period of time, his or her seal shall be returned upon expiration of the suspension period. The seal shall not be used for any purpose after the effective date of any suspension or revocation.

Section 3214, SEAL OF AN INTERIOR DESIGNER, subsection 3214.6 is amended to read as follows:

3214.6 The licensed interior designer, when affixing his or her seal to plans, drawings, specifications, or other instruments of services, shall affix his or her name, by manual signature or electronic signature, across the printed image of the seal. An electronic signature must be:

(a) Unique to the person using it;
(b) Capable of verification;
(c) Under the sole control of the person using it; and
(d) Linked to a document in such a manner that the electronic signature is invalidated if any data in the document is changed.

3214.7 All plans, drawings, specifications, or other instruments of services shall be identified as interior design documents.

3299 DEFINITIONS

3299.1 As used in this chapter, the following words and phrases shall have the meanings ascribed:


Aesthetic planning – The selection of colors, materials, and finishes to appropriately convey the design concept, and to meet socio-psychological, functional, maintenance, life-cycle performance, environmental, and safety requirements.
Applicant – A person who has submitted an application for licensure to the Board.

Board - The Board of Architecture and Interior Designers, as established by the Act.

Building shell - The architecture of an existing building, including the framework, the perimeter/exterior walls, the building core and columns, and other structural, load-bearing elements of the building.

Contact hour - A period of sixty (60) minutes of instruction in a continuing education program. One (1) contact hour equals one tenth (0.1) of a continuing education unit.

Construction documents - The detailed drawings that define the work to be constructed. This may include partition plans, power and communications plans, reflected ceiling plans, material and finishes plans, and furniture layout plans, as well as elevations, sections and details, along with the drawings of associated consultants.

Consultations - Research and analysis of the client’s goals and requirements, and the development of documents, drawings, and diagrams that outline those needs.

Design analysis - Building design based on systematic, behavioral, or user criteria, rather than intuitively developed notions of what is required.

Electronic signature – A digital authentication process which is attached to, or logically associated with, an electronic document.

Environmental - The aggregate of the physical conditions of the interior environment that affects the health and safety of the occupants, including air quality and circulation, temperature control, ergonomic layout, physical circulation plan, and related matters.

IDCEC – The Interior Design Continuing Education Council.

Interior design - A multi-faceted profession in which creative and technical solutions are applied within a structure to achieve a built interior environment. These solutions are functional, enhance the quality of life and culture of the occupants, and are aesthetically attractive. Designs are created in response to and coordinated with the building shell, and acknowledge the physical location and social context of the project. Designs must adhere to code and regulatory requirements, and encourage the principles of environmental sustainability. The interior design process follows a systematic and coordinated methodology, including research, analysis, and integration of knowledge into the creative process, whereby the needs and resources of the client are satisfied to produce an interior space that fulfills the project goals.

Licensed interior designer - A person licensed to practice interior design under this chapter who is qualified by education, experience, and examination to affect the function, safety and
quality of interior spaces and who renders or offers to render interior design services.

**Maintenance** - The ability of a product or material to be kept to its proper condition, and the work required to sustain that condition over the life of that material.

**Manual signature** – The handwritten name of a person applied to a document that identifies the person, serves as a means of authentication of the contents of the document, and provides responsibility for the creation of the document and accountability for the contents of the document.

**National examination** – The examination administered by the National Council for Interior Design Qualification.


**Partition** - A wall that does not support a vertical load of a structure other than its own weight, but that may support loads attached to it such as cabinetry, shelving, or grab bars; and that does not extend further than from the floor of an interior area of a structure designed for human habitation or occupancy to the underside of the deck of that structure.

**Programming** - The scope of work which includes conducting research; identifying and analyzing the needs and goals of the client or occupant of the space; evaluating existing documentation and conditions; assessing project resources and limitations; identifying life, safety, and code requirements; and developing project schedules and budgets.

**Reflected ceiling plan** - A ceiling design that illustrates a ceiling as if it was projected downward and may include lighting and other elements.

**Responsible supervisory control** - The direct responsibility for supervision by a licensed interior designer of the work and the decision making process, i.e., to review, enforce, and control compliance with all design criteria and life safety requirements. Each location designated for the practice of interior design must have a licensed interior designer who shall bear the regulatory responsibility for any interior design work at that location. This licensed interior designer must provide responsible supervisory control over any non-licensed persons working in the practice of interior design at that location.

**Signature** – Includes manual signature or electronic signature.

**Space planning** - The analysis and design of spatial and occupancy requirements, including space layouts and final planning.

**Specifications** - The detailed written description of construction, workmanship, and materials of the work to be undertaken.
**Sustainability** - The use of resources in such a way that they are not depleted; a method of practice or use of materials that is capable of being continued with minimal long-term effect on the environment.

3299.2 The definitions in § 3399 of Chapter 33 of this Title are incorporated by reference and are applicable to this chapter.