

**Architectural Practice: Ethics, Professional Liability and Business**

*Loft, 9:30 am – 12:30 pm*

Barbara M. Ross, B.E.S., C.U.T., M.Arch., OAA, FRAIC  
Adjunct Assistant Professor, School of Architecture, University of Waterloo

**Contact** (you may expect a response during Tuesday morning):

[bmross@uwaterloo.ca](mailto:bmross@uwaterloo.ca)

[rosstrum@bell.net](mailto:rosstrum@bell.net) (in case of emergency only)

**Course Website:** go to [www.uwaterloo.ca](http://www.uwaterloo.ca) ... Offices & Services ... Waterloo LEARN  
See the file ViableBrowsers.pdf and use one of them.

**Office hours:** selected FRIDAYS, TBA – typically 2:00 – 4:00 p.m., Musagetes

**Prior to 1 February:** kindly fill out the Student Questionnaire on LEARN

**Text:**

"Law for Professional Engineers", 4<sup>th</sup> edition

D.L. Marston, B.Sc., P.Eng., LL.B., McGraw-Hill Ryerson

**Readings:**

*Clips are on LEARN (in .pdf), entire book is on reserve at Musagetes:*

"The Canadian Law of Architecture and Engineering",

Beverley M. McLachlin and Wilfred J. Wallace, Butterworths, 1987

"Canadian Handbook of Practice for Architects", Second Edition, vols. 1-3,

Royal Architectural Institute of Canada

*(optional: students may order a complete electronic copy for \$75 at [raic.org](http://raic.org))*

"The Architect's Handbook of Professional Practice", 13<sup>th</sup> ed.,

The American Institute of Architects, Joseph A. Demkin ed., 2001

"Mastering the Business of Architecture",

David A. Stone, Impact Initiatives Inc. for the Ontario Association of Architects, 1999

"Becoming a Critical Thinker", 4<sup>th</sup> Ed.,

Sherry Diestler, Pearson Education Inc., 2005

**Course Description:** This course is an introduction to the nature of the self-governing profession in Ontario, the legal context in which architects practice in Canada, and the essential fiduciary relationships between professionals and others. This course aims to provide an understanding of the roles an architect may be asked to take, and the inherent risks. Forms of partnership, rules of professional conduct, the constituents of an enforceable contract, and client-architect relations are among the essential elements to be studied. Factors affecting both the cost of construction and the ability of an architect to conduct a viable business will be presented. Students will explore typical challenges encountered in practice and discuss these with experienced professionals. Students will:

- Participate in several "scenario training" sessions, in class,
- Complete a series of required readings and quizzes (on LEARN) within the time periods proscribed (see Lesson Schedule),
- Complete a term project.

## Lesson Schedule:

### **11 January,** Lesson 1: The law of contract & tort

Follow-up: analyze a typical scenario  
answer questions on "L1 Recap" sheet

### **18 January,** Lesson 2: Architectural scenarios: primary roles in consulting practice

Prior to Lesson 2, read:  
McLachlin Chapter 6, General Principles of Contract Law  
Marston Chapter 3, Tort Liability  
Follow-up: analyze a classic case from the *Claims* files  
answer "L2 Recap" sheet

### **25 January,** Lesson 3: Roles, Risks, Contracts and Torts

*Guests: David Croft & John Hackett, ProDemnity Insurance*

### **Tues-Thurs 29-31 January: Test #1, Contracts & Torts**

*staged essay + online quiz (20%)*

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### **1 February,** Lesson 4: What is "practicing architecture"?

Prior to Lesson 3, read:  
McLachlin Chapter 5, Ethical Obligations  
The Architects Act (high-lit selections)  
O.Reg. 27 (high-lit selections)  
CHOP 1.1.2, Professional Conduct & Ethics  
AIA Codes of Ethics: OAA, AIA, and UIA  
Follow-up: analyze two new cases (TBA) & prep questions for discussion w/guests  
Answer "L4 Recap" sheet

### **8 February,** Lesson 5: Architect – who needs one?

Prior to Lesson 5, read:  
CHOP 2.3.9, Construction Procurement  
CHOP 2.3.11, Contract Administration – Field Functions  
OAA Practice Bulletin A.10, General Review, Professional Standards  
Follow-up: Answer "L5 Recap" sheet

### **15 February,** Lesson 6: Project Cost Control – Scenario Training\*\*

Prior to Lesson 9, read:  
CHOP 2.3.3, Cost Planning & Control  
AIA Handbook 14.4, Construction Cost Management  
Donald Trump speaks out about the United Nations Building (1 & 2)  
Follow-up: submit "Cost Analysis using Factors" worksheet online (10%)  
**deadline TBA**

**Thursday, 21 February, 9 pm: Test#2, Professional misconduct & Roles re construction** - online quiz (20%)

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**22 February: NO CLASS** (U. Waterloo Reading Week)

**1 March,** Lesson 8: The Client

Prior to Lesson 6, read (ESSENTIAL):

David Maister, How Clients Choose  
Ten things you need to know about your potential clients  
RAIC Practice Builder, An Intense Look at Decision Makers  
Researching the Project (clipped from OAA & MBA Kit)  
CHOP Go/NoGo Checklist

Skim (be aware of): CCAC Rules for Competitions 1990

OAA website re Limited Competitions  
AIA Handbook 1.2, Understanding Client Values  
AIA Handbook 4.1, How Architects Choose Clients  
CHOP 2.1.3, Public Relations and Marketing

**for Tuesday 5 March, 9 p.m.: Register your group & choice of business**

*As per instructions in class, register via LEARN (0%), preparation for Lessons 8 & 9*

**8 March,** Lesson 8: Do Architects add Value? **\*\*LECTURE THEATRE\*\*2:00 pm\*\***

*Guest: Professor Larry Smith, Department of Economics, UWaterloo*

*read "The Economic Potential of Architecture", L. Smith (avail. online after lecture)*

**15 March,** Lesson 9: Fees & Time Management – Scenario Training\*\*

**(4.5 hours)**

Prior to Lesson 4, read:

CHOP 2.3.1, Management of the Project  
A Client's Guide to Engaging an Architect in Ontario – Fee Charts (OAA 2008)  
Selections from the MBA Kit: 1-5, Work Breakdown Structures  
1-6, Scope, Non-Traditional  
2A-1, Using the WBS  
2A-4, Task Duration  
3A-2, Project Planning

*Follow-up: Submit "Sample WBS" online (10%)*

**for Thursday 21 March, 9 p.m.**

**22 March,** Lesson 10: Practice Structures

Prior to Lesson 5: Readings to prepare for Scenario Training

CHOP 2.1.1, Organization of an Architectural Practice  
AIA Handbook 6.1, Firm Planning  
Douglas Gray, 4. Legal Forms of Business Structure

**22 March,** Lesson 11: Project Clinic

Bring a synopsis of your business concept, and benefit from some peer-critique

**29 March: NO CLASS** (Statutory holiday: Good Friday)

*for Tuesday 2 April NOON: Submit DRAFT Project, for external review*

**5 April,** Lesson 12 (2 parts)

9:30 a.m. – 12:00 noon: Term Project – Meetings with business advisors

2:00 p.m. – 4 p.m.: Rick Haldenby, Director of the School of Architecture

**Evaluation and Weighting:**

20% for in-class "scenario training" exercises (2 @ 10%)

40% for Tests #1 & #2 (to be done on LEARN: 2 @ 20%)

40% for Term Project: Business Plan

5% maximum for additional elective activities or substitutions

**Expectations**

Attendance will be taken at every class. If an absence is unavoidable, please notify the professor as early as humanly possible. Exemplary, positive contributions to the work of the class may result in a grade bonus. A second absence will result in a 5% grade penalty. A third absence will constitute a failure of the entire course. Depending on the circumstances, a maximum of one elective activity may be done, to make up a maximum of 5% of the term grade – this requires student initiative and the professor's permission in advance.

The in-class, group exercises ("scenario training") are intended for students to practice identifying issues. Students are expected to engage in short "brainstorming" work with their group, and to take turns presenting the findings to the class as a whole. The worksheets as follow-up are expected to contain the unique reflections and expressions of the individual student making the submission. That is, the usual University expectations with respect to academic integrity apply (see below). Missing two "scenario training" exercises will constitute a failure of the entire course.

Tests will reflect in-class discussions and scenario training. Students are required to prepare for each class by completing the relevant readings and to follow-up, using the self-study aids. Tests may be taken open-book, at a time and location chosen by the student, by the hour indicated. Test submissions are expected to be the work of the individual student, working alone, and using his/her own words. Failure to write a test within the proscribed time limit will result in forfeiture of the opportunity to write the test at another time.

The objectives and format of the term project will be described in class. It is to be submitted in hard copy as well as in digital (.pdf) format. Procedures for choosing and registering the topic of the project details will be discussed in class, as well as the assignment of grades to group or individual work. Failure to submit the project will constitute a failure of the entire course.

**Participation grades:** Authentic participation will be rewarded during scenario training. Students will be encouraged to question assumptions and discover areas for further inquiry. The quality of critical thinking will receive better grades than knowledge of "the right answer".

**Class participation:** Please do NOT use personal electronic devices during class time.

**Digital submissions:** Projects must be submitted in hard copy and supplemented with a digital copy in .pdf format. Quizzes must be submitted via Waterloo LEARN.

**Late submissions:** If due dates in this class conflict with other academic obligations, within the M. Arch. program, students are expected to negotiate alternative arrangements in advance. If this is not done, then grades will be deducted at a rate of 1% per business day, to a maximum of half of the available grades for the assignment.

**Office hours:** Students are invited to make individual appointments, during hours to be announced in class (typically Friday afternoons). Responses to student queries, via email, will be made, as far as possible, on Tuesday mornings ONLY.

**Academic Integrity:**

In order to maintain a culture of academic integrity, members of the University of Waterloo community are expected to promote honesty, trust, fairness, respect and responsibility. Check [www.uwaterloo.ca/academicintegrity/](http://www.uwaterloo.ca/academicintegrity/) for more information.

A student is expected to know what constitutes academic integrity, to avoid committing academic offenses, and to take responsibility for her/his actions. A student who is unsure whether an action constitutes an offense, or who needs help in learning how to avoid offenses (e.g. plagiarism, cheating) or about rules for group work / collaboration should seek guidance from the course professor.

For information on categories of offenses and types of penalties, students should refer to Policy #71, Student Academic Discipline, <http://www.adm.uwaterloo.ca/infosec/Policies/policy71.htm>. A student who believes that a decision affecting some aspect of his/her university life has been unfair or unreasonable may have grounds for initiating a grievance, in accord with Policy #70, Student Grievance; see <http://www.adm.uwaterloo.ca/infosec/Policies/policy70.htm>. A decision made or penalty imposed under Policy 70 or Policy 71 may be appealed, if there is a ground; see Policy 72.

***Integrity is integrity – no matter what the setting.*** One who chooses to plagiarize or collaborate outside the protocols established in class misrepresents oneself and insults the readers and reviewers of one's work as well as one's fellow students. Since doing intellectual work is the core business of the academy, this kind of behaviour is considered a very serious offense; the one who is found guilty of such misrepresentation is very likely to face an early end to his or her relationship with the academy. Likewise, in an a consulting setting, if one misleads someone, one guilty of professional misconduct – the consequence in that case would be that one's relationship with the profession would likely end.

ANY time you take someone else's words from one piece of paper and put them onto another piece of paper and put your name over them, without citing your source, you are misleading your readers. THERE ARE NO EXCEPTIONS. For a swift, accessible overview of the specifics of academic integrity, I recommend watching all three of the 5-minute videos re plagiarism, collaboration and honesty, via <http://www.lib.uwaterloo.ca/gradait/>

Plagiarism detection software (Turnitin) will be used to screen assignments in this course. This is being done to verify that use of all materials and sources in assignments is documented. Students will be given an option if they do not want to have their assignment screened by Turnitin. In the first week of the term, details will be provided about arrangements and alternatives for the use of Turnitin in this course.

**Note for students with disabilities:** The Office for Persons with Disabilities (OPD), located in Needles Hall, Room 1132, collaborates with all academic departments to arrange appropriate accommodations for students with disabilities without compromising the academic integrity of the curriculum. If you require academic accommodations to lessen the impact of your disability, please register with the OPD at the beginning of each academic term. Once registered with OPD, please meet with the professor, in confidence, during my office hours to discuss your needs.