

**Architectural Barriers Advisory Committee Meeting  
Registered Accessibility Specialist Licensing Statistics  
January 22, 2019**

<b>RAS</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY2019</b>	<b>To Date</b>
New Licenses Issued	31	33	52	38	12	2
Renewed Licenses Issued	411	437	416	431	112	46
Total Population	501	504	528	535	533	533



# **ARCHITECTURAL BARRIERS ADVISORY COMMITTEE**

## **Enforcement Division Staff Report January 22, 2019**

### **Case Highlights**

#### **Case No. EAB20180012163**

Texas Department of Licensing and Regulation v. Cuchara Investment Group LTD  
On September 4, 2018, a Default Order was entered against Cuchara Investment Group LTD, assessing an administrative penalty of \$2,000 for failing to schedule an inspection within one year of construction completion. None of the administrative penalty has been received by the Department.

#### **Case No. EAB20180015129**

In the Matter of Indian River Transport  
On October 10, 2018, an Agreed Order was entered against Indian River Transport, assessing an administrative penalty of \$1,000 for failing to schedule an inspection within one year of construction completion. The administrative penalty was paid in full.

#### **Case No. EAB20180015968**

In the Matter of 117 St Louis, LLC  
On October 16, 2018, an Agreed Order was entered against St Louis, LLC, assessing an administrative penalty of \$1,000 for failing to schedule an inspection within one year of construction completion. The administrative penalty was paid in full.

#### **Case No. EAB20160025438**

In the Matter of East Texas Medical Center  
On December 17, 2018, an Agreed Order was entered against East Texas Medical Center, assessing an administrative penalty of \$3,000 for failing to meet the requirements for placement of accessible parking signs. The administrative penalty was paid in full.

#### **Case No. EAB20190001208**

In the Matter of Lewis Petro Properties Inc.  
On December 17, 2018, an Agreed Order was entered against Lewis Petro Properties Inc., assessing an administrative penalty of \$1,000 for failing to schedule an inspection within one year of construction completion. The administrative penalty was paid in full.

## **Key Statistics – Fiscal Year 2019**

Shown below are key statistics for the Elimination of Architectural Barriers program and for all TDLR programs combined through November Fiscal Year 2019.

<b><u>Statistic</u></b>	<b><u>EAB</u></b>	<b><u>TDLR</u></b>
• Number of cases opened:	48	2,814
• Number of cases resolved:	70	2,457
• Number of Agreed Orders:	23	269
• Total amount of penalties assessed:	\$32,750	\$671,880
• Total amount of penalties collected:	\$28,750	\$297,835

**ARCHITECTURAL BARRIERS ADVISORY COMMITTEE**

JANUARY 22, 2019

**AUDIT ACTIVITIES**

The Education and Examination Division has developed and implemented a process for auditing classroom and online Continuing Education Providers. Currently, 30 classrooms and 39 online audits have been performed.

<b>CONTINUING EDUCATION PROVIDER AUDITS</b>																	
<b>FY 2019</b>	<b>SEP</b>	<b>OCT</b>	<b>NOV</b>	<b>Q1</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>Q2</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>Q3</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>Q4</b>	<b>TOT</b>
AUCTIONEERS	0	0	1	1	-	-	-	0	-	-	-	0	-	-	-	0	<b>1</b>
ACR CONTRACTORS	0	0	4	4	-	-	-	0	-	-	-	0	-	-	-	0	<b>4</b>
COSMETOLOGISTS	0	4	2	6	-	-	-	0	-	-	-	0	-	-	-	0	<b>6</b>
ELECTRICIANS	1	0	7	8	-	-	-	0	-	-	-	0	-	-	-	0	<b>8</b>
ELEVATORS	0	0	2	2	-	-	-	0	-	-	-	0	-	-	-	0	<b>2</b>
MASSAGE THERAPY	0	0	0	0	-	-	-	0	-	-	-	0	-	-	-	0	<b>0</b>
MOLD ASSESSMENT & REMEDIATORS	0	0	0	0	-	-	-	0	-	-	-	0	-	-	-	0	<b>0</b>
POLYGRAPH	0	0	0	0	-	-	-	0	-	-	-	0	-	-	-	0	<b>0</b>
PROPERTY TAX CONSULTANTS	0	0	0	0	-	-	-	0	-	-	-	0	-	-	-	0	<b>0</b>
PROPERTY TAX PROFESSIONALS	0	0	0	0	-	-	-	0	-	-	-	0	-	-	-	0	<b>0</b>
<b>REGISTERED ACCESSIBILITY SPECIALISTS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	-	-	-	<b>0</b>	-	-	-	<b>0</b>	-	-	-	<b>0</b>	<b>0</b>
TOWING OPERATORS	1	0	1	2	-	-	-	0	-	-	-	0	-	-	-	0	<b>0</b>
WATER WELL DRILLERS/PUMP INSTALLERS	0	0	2	2	-	-	-	0	-	-	-	0	-	-	-	0	<b>-</b>
<b>TOTAL</b>	<b>2</b>	<b>4</b>	<b>19</b>	<b>25</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0</b>	<b>25</b>

## STATISTICS AND TRENDS

### REGISTERED ACCESSIBILITY SPECIALISTS EXAMINATIONS (AS OF NOVEMBER 30<sup>TH</sup>, 2018)

2019	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
PASS	4	6	1	11	-	-	-	0	-	-	-	0	-	-	-	0	11
FAIL	6	7	7	20	-	-	-	0	-	-	-	0	-	-	-	0	20
TOTAL	10	13	8	31	-	-	-	0	-	-	-	0	-	-	-	0	31
RATE	40.0%	46.2%	12.5%	35.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	35.5%
2018	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
PASS	4	6	7	17	3	3	1	7	3	2	2	7	0	6	2	8	39
FAIL	2	2	3	7	4	5	1	10	1	3	3	7	2	5	8	15	39
TOTAL	6	8	10	24	7	8	2	17	4	5	5	14	2	11	10	23	78
RATE	66.7%	75.0%	70.0%	70.8%	42.9%	37.5%	50.0%	41.2%	75.0%	40.0%	40.0%	50.0%	0.0%	54.5%	20.0%	34.8%	50.0%
2017	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
PASS	6	3	6	15	5	5	4	14	4	1	3	8	4	5	5	14	51
FAIL	4	4	7	15	2	8	7	17	4	4	2	10	3	5	2	10	52
TOTAL	10	7	13	30	7	13	11	31	8	5	5	18	7	10	10	27	106
RATE	60.0%	42.9%	46.2%	50.0%	71.4%	38.5%	36.4	45.2%	50.0%	20.0%	60.0%	44.4%	57.1%	50.0%	50.0%	51.9%	48.1%

**REGISTERED ACCESSIBILITY SPECIALISTS CONTINUING EDUCATION  
(AS OF NOVEMBER 30<sup>TH</sup>, 2018)**

<b>FY 2019</b>	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
<b>COURSE APPROVAL ISSUED</b>	15	8	0	23	-	-	-	0	-	-	-	0	-	-	-	0	23
<b>TOTAL COURSES</b>	43	51	42	42	-	-	-	0	-	-	-	0	-	-	-	0	42
<b>***CURRENTLY, THERE ARE 8 REGISTERED ACCESSIBILITY SPECIALISTS CONTINUING EDUCATION PROVIDERS***</b>																	
<b>FY 2018</b>	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
<b>COURSE APPROVAL ISSUED</b>	0	0	8	8	7	0	0	7	0	0	14	14	5	0	1	6	35
<b>TOTAL COURSES</b>	37	37	43	43	42	28	28	28	28	29	28	28	27	26	27	27	27
<b>FY 2017</b>	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
<b>COURSE APPROVAL ISSUED</b>	4	8	1	13	4	11	7	22	5	0	0	5	0	0	0	0	40
<b>TOTAL COURSES</b>	24	24	31	31	38	31	30	30	30	0	0	0	0	0	0	0	30

Texas Department of Licensing and Regulation  
**Regulatory Program Management Staff Report**  
Architectural Barriers Advisory Committee Meeting  
January 22, 2019

### Organizational Changes

- The Texas Department of Licensing and Regulation recognizes and thanks Robert Posey for his nearly ten years of service as Program Manager for the Architectural Barriers Program. He became Program Manager after working several years as a Program Specialist in the AB Program, then leaving for a brief stint in the private sector.

Under Bob's leadership, the program grew substantially in responsibility and in recognition. During his tenure, the program moved from having a focus on plan reviews and inspections for Texas construction projects to providing oversight of over 500 registered accessibility specialists, (RAS), who provide those services. Correspondingly, staff in the AB program took on new responsibilities:

- Training, oversight and audit of RASs
- Serving as subject matter experts for TDLR's Enforcement and Investigation staff
- Training for various program components with a variety of classes ranging from 2-days to 1-hour in duration
- Growing a well-respected response system to 50+ daily technical/procedural questions from RASs, Architects, owners and the public
- Conducting over 400 inspections for the program when Field Operations ceased AB inspections
- Becoming a sought-after national resource with the U.S. Access Board, architecture firms, universities and other groups on issues related to accessibility
- Working with TDLR's Office of Innovation and Information Technology staff to create the online TABS software program to manage 2000+ AB project registrations per month

Bob's legacy is forever imbedded in the Architectural Barriers Program, not only for his knowledge of the standards, but for his unique personality and presentation style. His legacy is evident in almost every class taught by staff with the phrase, "Compliance begins with dollar one!"

Bob has moved on to other responsibilities within TDLR, but his legacy remains ensconced in the Architectural Barriers Program. And for that we just wanted to take a moment to say, "Thank you."

- The AB section has filled its vacant slot with Jamie Hill. Jamie has been working with us in AB but in the support and training group for over 4 years. Before coming to work for TDLR she was in the Texas Army National Guard for 4 years before serving 4 more years as an

Inactive Ready Reservist. She received both her bachelor and master’s degrees from Northwestern State University while embarking on an eclectic career path working in a variety of fields from being a paramedic to a teacher. Welcome to the team, Jamie!

**Public Outreach and Education**

- Norman attended the Quarterly meeting of the Governor’s Committee on People with Disabilities on October 24-25, 2018 and participated in a policy development teleconference September 28, 2018.
- The two-day Texas Accessibility Academy was presented in Austin September 11-12 and October 16-17. Norman Kieke and Crisi Cooper taught the class. Mike Fleharty handled registration and confirmation and was present to assist with logistics and to handle technical questions. Sixty-three people attended. We will miss working directly with Crisi and Mike!
- Marsha and Norman assisted with the Building Professional Institute (BPI) booth for Central, TX October 29-31. Over 200 people stopped by the booth to learn about TDLR and the AB Program.
- Norman attended training with Governor’s Center for Management Development on December 11-12.

**Projects**

- The Texas Architectural Barriers System (TABS) became the active reporting system for AB projects registered on December 03, 2018 and going forward. While the previous system is still in place for all projects registered prior to December 3, all new projects will be able to upload documents, make entries, and view the complete project online in real time. The team continues to improve the system and work with Software Development Services on the next phase of TABS. There are 6 videos on our website to help people navigate through TABS. As of the middle of December, the videos have been viewed collectively over 2,800 times. The most viewed video has been “registering a project.” Almost 1,300 users already registered and are accessing TABS.
- Marsha Godeaux conducted TABS training with staff from Customer Service and Licensing.

**Statistics**

<b>FY 2019</b>	<b>SEPT</b>	<b>OCT</b>	<b>NOV</b>	<b>1<sup>st</sup> Qtr totals</b>
<b>Emails responses sent</b>	<b>584</b>	<b>764</b>	<b>696</b>	<b>2044</b>

<b>FY 2019</b>	<b>SEPT</b>	<b>OCT</b>	<b>NOV</b>	<b>1<sup>st</sup> Qtr totals</b>
<b>RAS Plan Reviews</b>	<b>1600</b>	<b>1686</b>	<b>2171</b>	<b>5457</b>
<b>RAS Inspections</b>	<b>1536</b>	<b>1697</b>	<b>1305</b>	<b>4538</b>
<b>AB Inspections</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Variances &amp; Appeals</b>	<b>20</b>	<b>21</b>	<b>13</b>	<b>57</b>