

CASE SUMMARY #1

FAILURE TO ADEQUATELY MANAGE PROJECT AND COMMUNICATE WITH CLIENT

COMPLAINT REVIEW COMMITTEE

The AAA Complaint Review Committee recently heard a case that illustrates the need for architects to be diligent in managing detail, vigilant in supervising a project, and professional in dealing with their clients.

BACKGROUND AND FACTS

The architect entered into a full services contract with the client for the design and construction of a two storey office building. Upon completion of the building in 2001, the client reported concerns related to the drainage of the roof area over the entry resulting in snow and ice build-up which, under certain conditions, fell to the deck and entry areas causing hazardous conditions at the entry and potential injury to building users. It was determined that the snow, ice, and water accumulation and runoff problems were the result of an outward sloping roof design exacerbated by incomplete seal of the building envelope at the canopy area on the second level. The client tried for several years to have the architect address the problem without results. Finally, in 2007, the client lodged a complaint with the AAA.

FINDINGS OF THE PANEL

The architect was fully cooperative in the hearing process and admitted a failure to perform the professional services required of an architect on the project. The panel found that the architect:

- ▶ failed to confirm that the intent of the roof design (slope) and the detail of the building were compatible and sufficient to ensure proper drainage of the building roof canopy;
- ▶ failed to provide adequate site services to ensure that the building envelope was constructed properly and in accordance with the drawings for the building;
- ▶ failed to adequately communicate with and advise the client and to address the design and functional problems with the building in a timely and professional manner.

SANCTIONS

In addition to a formal reprimand, the panel ordered the following:

- ▶ a fine of \$4,000;
- ▶ payment of the \$4,000 to the AAA towards costs of the complaint, investigation, and hearing;
- ▶ publication of a Case Summary for the education of the members.

COMMENTARY

This case illustrates what can happen when an architect fails to adequately supervise and manage a project. It is not a case of a lack of knowledge or ability – the architect in the case was a competent, experienced practitioner with a 25 year, unblemished professional record. The problems that occurred on this project were a result of a busy architect failing to pick up on a design change that was made to the canopy on the structural steel shop drawings that were ultimately approved by his office. He also failed to ensure that the contractor was properly carrying out the construction.

The case illustrates how easily such errors can occur and how dramatic the results can be. It is a necessary reminder to the profession that the architect is ultimately responsible for all aspects of practice emanating from the firm and that he or she must ensure that work produced is of an acceptable standard.

The other noteworthy issue highlighted by this case is that it is an architect's professional responsibility to respond to client concerns and address issues at the source and in a timely manner. The client's frustration and inconvenience in this case were greatly fueled by the fact that the architect did not immediately take ownership of the problem and did not respond to the client in a manner required of a professional. Professional practice standards and good business practice both suggest that an architect must serve the client in a conscientious, diligent, and efficient manner. The architect must remember that this obligation extends to the deficiencies discovered post construction.

Date: January 2005

Case Summaries are issued by The Alberta Association of Architects as a practice resource or as general interpretations of the requirements in the Architects Act, the Regulations under the Act, and the By-laws. Summaries should be read in conjunction with the Act, Regulations and By-laws and in no way supersede these documents. Summaries are not intended to be and are not legal advice to the Members of the Association nor to the Public/Client. Members and the Public should consult their own legal, income tax or financial advisors as to the application of the Architects Act and Regulations in specific circumstances.