

Professional Ethics, the Law and Area Calcs

By William B. Tracy, AIA, MBA, NCARB

For architects who design commercial buildings, it is common for their clients to request square footage information pertaining to their project's rentable areas. Especially for new buildings that are still in the design stage, architects are the obvious source for this information, not only because it is based upon the architects' drawings or CAD files but also because architects generate other square footage data for programming, zoning, construction cost estimating, building code analysis and the like. Clients deem architects to be equally competent to generate rentable areas, especially since CAD has made it easy to accurately determine the areas within specified boundaries. Architects generally agree.

Architects should reconsider. Rentable areas are often measured according to published standards, like the BOMA Standard¹, that set out detailed definitions and methodologies for classifying space, locating boundaries and doing the math required to calculate rentable areas. The BOMA Standard is a detailed measurement specification unlike any others that architects are used to dealing with, and is more complicated and less intuitive than one who is unfamiliar with it would expect. Architects generally receive no training in school in applying the BOMA standard and it is not one of the competencies addressed by their licensing examination. Applying the standard correctly requires some focused study, instruction and experience. Many architects have sadly discovered this only after incurring significant liability for financial losses and also loss of esteem from their clients, many of whom are also inexperienced in their knowledge of the BOMA Standard. Even more serious issues can arise.

The American Institute of Architects *Code of Ethics and Professional Conduct*², the National Council of Architectural Registration Boards' *Rules of Professional Conduct*³, and state licensing laws⁴ all have provisions that restrict architects from offering services for which they are not qualified. Violation of those restrictions can lead to sanctions that include loss of AIA membership and NCARB certification, and also loss of a license to practice architecture. If the liability caused by measurement mistakes or loss of client esteem does not give pause to consider an appropriate response to a client request for rentable areas, these sanctions should because they can have a devastating impact on the ability of an architect to pursue his or her livelihood.

Although the BOMA standard is more complex than intuitively obvious, it is not difficult to learn in a few hours of focused study, and even master with a little experience. Training classes are available both [online](#)⁵ and [in your office](#)⁶ that qualify for AIA Continuing Education credits. The ability and desire to become a "BOMA guru" may not be present in a staff member or may be lost by departure of staff members. In that case, the architect of a commercial building who wishes to provide rentable areas to his/her client should engage the services of a qualified metrologist, one who professionally measures buildings using published measurement standards.

A metrologist will require a fee for his/her services, and the architect should likewise expect to be paid for his/her services to measure rentable areas. The reason for this is that rentable areas

require significant time to determine and document. This is so because they are the basis for innumerable financial transactions and valuations over the life of a commercial building; they require a greater level of care, attention, and expertise than other area measurements that the architect is used to making; and they underpin leases that often endure over 10, 15 or more years, so they must be maintained for periods longer than required by many statutes of limitations, requiring recordkeeping systems that are often in excess of those needed only for project documents.

If the client is unwilling to pay the architect's fee for preparing rentable area calculations, it is better for the architect to decline the work than to do it in a negligent manner, especially if the personnel doing the work are not qualified. A client is not without alternatives since there are firms that specialize in BOMA area calculations. However, an architect who accepts work for which he/she is not qualified may incur significant liability and lose his/her license and livelihood as a result.

Footnotes:

1. The BOMA Standard Method for Measuring Floor Area in Office Buildings. ANSI/BOMA Z65.1-1996 along with previous and subsequent versions published by the Building Owners and Managers Association.
2. American Institute of Architects Code of Ethics and Professional Conduct Rule 3.102: "Members shall undertake to perform professional services only when they, together with those whom they may engage as consultants, are qualified by education, training, or experience in the specific technical areas involved."
3. National Council of Architectural Registration Boards Rules of Conduct, Rule 1 Competence, 1.3 "An architect shall undertake to perform professional services only when he/she, together with those whom the architect may engage as consultants, is qualified by education, training and experience in the specific technical areas involved."
4. State of Colorado Bylaws, Rules and Policies of the State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors (April 1, 2008) Section 3.2.1.1 – Architectural Licensees. "An architectural licensee shall undertake to perform professional services only when they, together with those whom the licensee may engage as consultants in the specific areas involved, are qualified by education and experience." The reader should consult their own architectural licensing statute.
5. Online training in the BOMA Standard is available for \$100 (Canadian) at this URL: <http://www.ebridge.tv/boma/measurement/>
6. A list of classes that are available in your office can be accessed at this URL: <http://www.buildingareameasurement.com/bami.htm>

Unpublished whitepaper by
[Building Area Measurement LLC](#)
Copyright 2008, all rights reserved