

21 NCAC 26 .0315 OUT-OF-STATE ENTITIES

(a) Landscape architectural entities from other states may be granted certificates of registration for practice in this State upon receipt by the Board of a completed application, fees, the submission of a certified copy of its corporate charter, or other corresponding documents, amended as may be necessary to ensure compliance with all requirements of Chapter 55B, the Professional Corporation Act of the State of North Carolina, and the payment of the firm application fee. In addition to the other requirements as set out in G.S. 89A-2(a1), out-of-state (or "foreign") entities shall, prior to registration, receive from the Secretary of State of North Carolina a certificate of authority to do business within the State. A certificate for filing for a certificate of authority shall be obtained from the Board prior to submitting the application to the Secretary of State.

(b) An out-of-state entity may be permitted to practice landscape architecture within the State of North Carolina provided that it complies with G.S. 55B. If an out-of-state entity offers landscape architectural services, then it shall comply with requirements set forth in G.S. 89A. An out-of-state entity shall have at least one officer or director licensed in the State as a landscape architect. Two-thirds of the issued and outstanding shares of the out-of-state corporations shall be held by a landscape architect, architect, geologist, soil scientist, engineer, or land surveyor licensed to practice the profession in a jurisdiction of the United States. However, the entity shall designate at least one landscape architect who is licensed in the State of North Carolina to be in responsible charge for the entity's practice of landscape architecture within the State of North Carolina. Notwithstanding the requirements of this Rule, an individual landscape architect who is licensed under G.S. Chapter 89A, et seq., may practice as an individual.

(c) An out-of-state limited liability company may practice landscape architecture, if the limited liability company complies with G.S. Chapter 57D and at least one member and one manager or member/manager is licensed as a landscape architect, architect, geologist, soil scientist, engineer, or land surveyor to comply with Paragraph (a) of this Rule.

(d) An out of state limited liability partnership may practice landscape architecture, if the limited liability partnership complies with G.S. 59-84.2, and at least one partner is licensed in this State as an individual pursuant to Rule .0301 of this Section.

(e) If the Board has not received the annual firm renewal fee and completed application on or before June 30th, the firm registration shall expire and be deemed delinquent. The firm registration may be renewed at any time within one year upon the payment of the annual renewal fee and the late renewal fees. After one year from the date of expiration for non-payment of the annual renewal fee, the license shall be automatically revoked. The Board may reinstate the firm's certificate of registration, as allowed by Rule .0301 of this Section.

*History Note: Authority G.S. 55B-6; 83A-6; 89A-2(a1);
Eff. March 1, 2015;
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