



CITY OF SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT
P.O. BOX 839966 | SAN ANTONIO TEXAS 78283-3966



To: DSD Associates
From: Michael Shannon, PE, Director and Building Official
Date: April 30, 2021

INTERPRETATION NUMBER: CI2021-001

TITLE: Architect's Application for New Residential Dwelling Unit Permits

CODE EDITION: 2018 Chapter 10 Building-Related Codes

SECTION: Sections 10-115 (a) "Registration."

QUESTION: Are architects licensed with the State of Texas Board of Architectural Examiners allowed to apply for a permit for a new residential dwelling unit?

ANSWER: Yes, provided the exception to Section 10-115 (a) (1) is met:

The intent of Section 10-115 is to provide for registration requirements, responsibilities, and penalties for any person who constructs dwelling units. Chapter 10 does not speak to who may apply, however the applicant for a permit is held responsible for construction once the permit is issued. Exception (1) allows for a person to construct their own dwelling unit(s) if they own, occupy or rent the dwelling unit(s) for more than twelve months after obtaining a Certificate of Occupancy. The intent of the regulation is that the finished dwelling unit(s) is under the control of the permit applicant who therefore takes responsibility for ownership and maintenance of that unit(s) for at least 12-months.

Under exception (1) a person (property owner) may hire an architect who will apply for the permit on their behalf. For the architect to apply for the property owner under exception (1), the architect must provide an affidavit/letter of agent from the property owner providing authorization for the architect to apply on their behalf. The affidavit must also state that they the property owner understands their

responsibility for construction or will hire a registered home builder.

The architect must contact Development Services to provide the homeowner affidavit allowing DSD staff to create the application. Both the architect and the property owner are contacts on the record. The contact e-mail address to start the application is:

DSDPlansManagement@sanantonio.gov

QUESTION:

May the architect that applied for a property owner under this Code Interpretation oversee construction of the dwelling unit(s)?

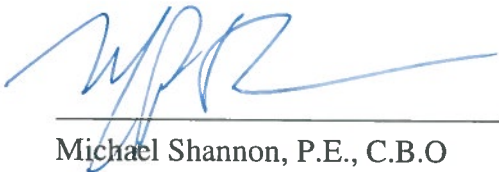
ANSWER:

No, under exception (1) a person (property owner) is responsible for construction and may:

1. oversee the construction themselves, or
2. hire a registered residential building contractor for construction services.

For the first case, the architect must contact DSD to have the property owner made the primary applicant. The property owner must set up their own Accela portal account.

In the second case, the architect must add the registered building contractor as the licensed professional to the permit by utilizing the amendment record or contact DSD to have the building contractor added to the permit.



Michael Shannon, P.E., C.B.O
Director and Building Official
Development Services Department