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4101:7-5-01 Fire protection system designer certification.

Pursuant to section 3781.105 of the Revised Code, this rule prescribes the requirements for the board certification of fire protection system designers.

(A) Types of designers. An individual may apply for and obtain certification for any or all of the following types of fire protection system designer certifications defined in rule 4101:7-1-02 of the Administrative Code:

- (1) Water-based fire protection system designer (formerly automatic sprinkler system designer).
- (2) Fire alarm system designer.
- (3) Special hazards suppression system designer.

(B) Certification application. To apply for board certification as a fire protection system designer, each applicant shall submit the following to the board office:

- (1) The completed board-prescribed application form. One application form may be used per applicant to request multiple certification types. However, each individual applicant requesting a certification or multiple certification(s) must submit a separate application to the board.
- (2) Evidence of holding a current “Level III” or “Level IV” certification from the “National Institute for Certification in Engineering Technologies (NICET)” for each of the fire protection system designer certification type(s) for which an applicant seeks board certification.
- (3) A non-refundable application fee of one-hundred dollars for each designer certification type requested.

(C) Review of application. Upon receipt of the required documentation from the applicant, board staff shall review and verify the applicant’s qualifications for certification as a fire protection system designer and provide a recommendation to the board.

- (1) Board approval. If the applicant has met the qualifications for certification, a fire protection system designer certification number for each applicant shall be assigned and a certification identification card shall be issued by the board. The card shall list all of the fire protection system designer certification types held and the expiration date of each certification. The certification shall expire one year from the date of approval.

~~Seals. No holder of a certification issue by the board of building standards is authorized to secure a seal in any form or of any type for use in the performance of any of their duties.~~

- (2) Denial of certification. If the applicant has not met the qualifications for certification, the board may deny the requested certification. If an applicant is denied certification, the applicant shall be notified in writing of such denial and the reason therefore and to their rights of appeal pursuant to Chapter 119. of the Revised Code.

(D) Renewal of certification. It shall be the responsibility of the certification holder to [notify the board of a change of primary mailing address when it changes and to](#) renew their certification annually. To renew a fire protection system designer certification, a certification holder shall submit the following to the board office prior to the expiration date of the current certification:

- (1) The completed board-prescribed renewal application form. Forms shall, in addition to other data, require

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the applicant's current business address and telephone number.

- (2) Evidence of holding a current "Level III" or "Level IV" certification from the "National Institute for Certification in Engineering Technologies (NICET)" for each of the fire protection system designer certification type(s) for which renewal is requested. This evidence is not required for those individuals who were originally board certified as "Automatic Sprinkler System Designers" and who have continuously maintained their certification status with the board.
- (3) An annual renewal fee of one hundred dollars for each type of fire protection designer certification renewal requested.
- (E) Grace period. Any holder of a certification which has expired through failure to renew may obtain a renewal of the certification within one year from the date of its expiration provided a renewal application is submitted and accompanied by the renewal fee as required in paragraph (D)(3) of this rule.
- (F) Expiration of certification. The holder of a certification which has expired shall not perform any duties for which a certification is required.
- (G) Fire protection system designer certification, revocation or suspension of certificate. In accordance with division (E) of section 3781.105 of the Revised Code, a fire protection system designer certification may be revoked or suspended upon receipt by the board of building standards of a written complaint from any person affected by the actions of that designer, or by the board on its own motion pursuant to this paragraph.
- (1) Complaint process. Upon receipt of a written complaint against a holder of a board certification that is substantiated by demonstrable evidence or upon the board's own motion:
 - (a) The board shall decide whether the information submitted warrants causing an investigation to be initiated or sending a notice of opportunity for hearing as outlined in paragraph (G)(1)(d) of this rule;
 - (b) If a formal investigation is warranted, the subject of the investigation shall be notified that an investigation has been initiated by the board;
 - (c) Upon completion of the investigation, findings shall be reported to the board.
 - (d) The board may dismiss the complaint, table the matter for future action, or initiate action to suspend or revoke the certification. If the board issues an order to suspend or revoke the certification it shall:
 - (i) Notify the certification holder of the charges, pursuant to paragraph (G)(1)(b) of this rule, by certified mail, return receipt requested. The fire protection system designer certification holder shall be informed that a hearing, if desired, must be requested within thirty days from the date of the mailing to request a hearing before the board. The order shall inform the certification holder that counsel may represent the certification holder at the hearing. Failure by the certification holder to request a hearing within thirty days from the date of the mailing of the notification may cause the board, after a hearing, to uphold an order revoking or suspending certification;
 - (ii) Schedule a hearing to be held seven to fifteen days after receipt of the request. The board may continue or postpone the hearing upon application by the party or upon its own motion;
 - (iii) The board may appoint a hearing officer to conduct a hearing.

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- (iv) A hearing will be conducted during which parties and witnesses can be examined and offer testimony, in a manner that prevents unnecessary delay, and that ensures the development of a clear and adequate record.
- (v) The hearing shall be conducted pursuant to the provisions of sections 3781.101 and 119.09 of the Revised Code.
- (vi) If a hearing officer has been appointed, then, within thirty days after the hearing, the hearing officer shall submit a written report of the findings of fact and recommendations to the board for its consideration.

(e) Following the hearing, the party affected shall be sent a certified copy of the board's action and informed by certified mail, return receipt requested, that the certification holder may appeal the order within fifteen days to the court of common pleas in Franklin county pursuant to sections 3781.101 and 119.12 of the Revised Code.

(2) Fire protection system designer certification, hearings and appeals. Hearings shall be held by the board of building standards and appeals shall be permitted on any proceedings as provided in section 119.07 of the Revised Code and in accordance with paragraph (G)(1) of this rule.

(3) Grounds for revocation or suspension. The board, upon its own motion or upon receipt of a written complaint shall investigate the actions of the holder of a certification if there is an allegation implying one or more of the following:

(a) Guilty of the practice of fraud or deceit in obtaining the certification; or

(b) Incompetent to submit and certify plans and specifications for fire protection systems to the appropriate building department under section 3791.04 of the Revised Code; or

(c) Engaging in any illegal or fraudulent acts in connection with the design, sale, or installation of fire protection systems.

(4) Notification after revocation or suspension. The board, following the issuance of an order revoking or suspending certification of an individual as a fire protection system designer, shall notify the "National Institute for Certification in Engineering Technologies (NICET)" of the revocation or suspension order.

(H) Seals. No holder of a fire protection system designer certification issued by the board of building standards is authorized to secure a seal in any form or of any type for use in the performance of any of their duties.