

# IS YOUR FIRM A LIMITED LIABILITY PARTNERSHIP (LLP)?

Yes

## Step #1

**Note:** An employee of the firm must first be licensed as an architect in South Carolina before submitting forms to the S.C. Secretary of State's Office.

Submit the following to the S.C. Secretary of State's Office:

1. \*S.C. Secretary of State form, Application by Foreign Limited Liability Partnership.
2. Filing Fee of \$100 made payable to Secretary of State.

\*The Secretary of State requires that you provide a physical address in SC for receipt of correspondence should that be necessary. Post Office boxes are not acceptable. If you know someone who will allow you to use his/her address, you may do so. Or, you may contact [www.registered-agent-listings.com](http://www.registered-agent-listings.com) to find a registered agent.

## Step #2

SC Secretary of State sends you a Certificate of Authority to Transact Business in SC.

## Step #3

Send the following to the SC Board of Architecture:

1. Copy of Certificate of Authority.
2. Completed SC Application to License Firms, Corporations or Partnerships
3. Application fee of \$100 made payable to LLR – Architectural Board.



South Carolina  
Department of Labor, Licensing and Regulation



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**Board of Architectural Examiners**

**Law and Regulation Regarding Practice of Firms**

**Section 40-3-270. Firm Registration.**

(A) A firm desiring a certification of authorization shall file with the board an application on forms provided by the board and pay an application fee. Before a certificate of authorization may be issued to an out-of-state business or professional corporation, the corporation must be approved to transact business in this State. A copy of the approved certificate of authority issued by the State must be filed with the board application.

(B) A firm must maintain on file in the board office the name of the individual in full authority and responsible charge and written evidence of authority. Failure to provide accurate and timely information may constitute a violation of this subsection.

(C) For the purpose of this chapter, a sole proprietorship means a business in which one or more registered architects are engaged as employees; however, the practice must be conducted under the name registered with the board as an individual (i.e., John Doe, Architect). Any other practice name, i.e., Doe & Company, or Doe & Associates, requires a certification of authorization to practice.

(D) If a South Carolina firm seeks to register under a name referring to persons rather than a trade name, the persons referred to in the firm's name must be licensed as individual architects, engineers, land surveyors, or landscape architects in this State.

(E) If an out-of-state firm seeks to register under a name referring to persons rather than a trade name, the persons referred to in the firm's name must be licensed as individual architects, engineers, land surveyors, or landscape architects in this State or in another jurisdiction.

(F) The requirement to obtain a certificate of authorization applies to associations for one or more projects but does not apply to an out-of-state firm or individual retained by a registered South Carolina architect as a consultant only.

(G) A registered architect practicing in his name who does not employ a registered architect is not required to obtain a certificate of authority.

**Regulation 11-10 Practice of Firms.**

A. A firm engaged in the practice of architecture in South Carolina must employ one (1) or more persons registered to practice architecture in South Carolina who are in full authority and responsible charge of the firm's architectural practice. Persons in full authority and responsible charge shall mean regularly employed persons in unrestricted, unchecked, and unqualified command of, and legally accountable for the actions of such architectural practice.

B. An architect registered in South Carolina shall be responsible for complying with these regulations as they may apply to any association or joint venture with another architect or architects.

C. Each office maintained for the preparation of drawings, specifications, reports, and other professional work shall have an architect duly registered with this Board, in full authority and responsible charge, having direct knowledge and supervisory control of such work.

D. Each firm shall provide and maintain the current mailing address and physical address of its main office and each office located in South Carolina.

STATE OF SOUTH CAROLINA  
SECRETARY OF STATE

APPLICATION FOR A CERTIFICATE OF AUTHORITY TO  
TRANSACT BUSINESS IN SOUTH CAROLINA/  
APPLICATION TO RENEW A CERTIFICATE OF AUTHORITY  
BY A LIMITED LIABILITY PARTNERSHIP

Limited Liability Partnership – Foreign  
Filing Fee - \$100.00

CHECK THE  
APPROPRIATE BOX:  
 Original Application  
 Renewal Application

**TYPE OR PRINT CLEARLY IN BLACK INK**

Pursuant to South Carolina Code of Laws §33-41-1160, the undersigned submits the following to apply for a certificate of authority to transact business in the state of South Carolina. Registration is effective for one year after the date an application is filed unless it is voluntarily withdrawn.

1. The name of the limited liability partnership is \_\_\_\_\_  
**\*S.C. Code of Laws §33-41-1120 requires that the name of a registered limited liability partnership must contain the words "Registered Limited Liability Partnership" or the abbreviation "L.L.P." as the last words or letters of its name.**

2. The foreign registered limited liability partnership is organized under the laws of \_\_\_\_\_  
and was organized on the following date \_\_\_\_\_

3. The registered office (located in South Carolina) of the limited liability partnership is \_\_\_\_\_  
Street Address  
\_\_\_\_\_  
City County State Zip Code

and the registered agent at such address is \_\_\_\_\_  
Print Name

I hereby consent to the appointment as registered agent.  
\_\_\_\_\_  
Agent's Signature

4. The foreign registered limited liability partnership has liability insurance of the amount and type described in S.C. Code of Laws §33-41-1130(A), or segregated funds as described in §33-41-1130(C) in an amount equal to or greater than the amount specified in §33-41-1130(A)(1).

5.  Check the block if the foreign registered limited liability partnership renders professional services as defined in S.C. Code of Laws §33-19-103(7). By checking the box you are certifying that the following statements are true:

a. All of the partners of the registered foreign limited liability partnership are licensed in one or more states to render the professional services which this foreign limited partnership practices and that one or more of its partners is licensed in South Carolina to render such professional

services.

- b. The foreign registered limited liability partnership is in compliance with the requirements of S.C. Code of Laws §33-41-1130(A)(2), provided however, that to the extent any such requirements are determined by reference to the number of licensed partners or individuals, such determination shall be made on the basis of the number of partners or individuals who render professional services in South Carolina.
- 6. The foreign registered limited liability partnership agrees to be subject to the jurisdiction of the Department of Revenue and the South Carolina courts to determine its South Carolina tax liability.
- 7. The partner or partners executing this application constitute more than a majority in interest of the partners or are otherwise authorized to execute this application.

Date \_\_\_\_\_

\_\_\_\_\_  
Signature of Partner

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Signature of Partner

\_\_\_\_\_  
Type or Print Name

**Filing Checklist**

- Application for a Certificate of Authority to Transact Business/Application to Renew a Certificate of Authority for a Foreign Limited Liability Partnership (filed in duplicate)
- An original Certificate of Existence, no more than 30 days old, from the state that the LLP was originally formed in must be included.
- \$100.00 made payable to the South Carolina Secretary of State
- Make sure the proper person has signed the document. Pursuant to S.C. Code of Laws §33-44-1110, the application must be executed by a majority in interest of the partners or by one or more partners authorized to execute an application.
- Self-Addressed, Stamped Return Envelope
- Return all documents to: South Carolina Secretary of State's Office  
Attn: Corporate Filings  
1205 Pendleton Street, Suite 525  
Columbia, SC 29201

**NOTE**

**Registering your limited liability partnership name does not, in and of itself, provide an exclusive right to use this name on or in connection with any product or service. Use of a name as a trademark or service mark will require further clearance and registration and be affected by prior use of the mark. For more information, contact the Trademarks Division of the Secretary of State's Office.**



South Carolina Department of Labor, Licensing and Regulation  
**South Carolina Board of Architectural Examiners**



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## Application to License Firms, Corporations, or Partnerships

Application Fee: \$100.00

Make checks payable to: LLR - Architectural Board

A \$30.00 service charge will be assessed for all checks dishonored by financial institutions.

**1. BUSINESS NAME AND PHYSICAL ADDRESS**

Business Name: \_\_\_\_\_

Complete Physical Address: \_\_\_\_\_

Post Office Box: \_\_\_\_\_

Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

E-Mail: \_\_\_\_\_

Tax ID Number: \_\_\_\_\_

Application will not be processed without a Physical Address and a Tax ID No.

Preferred Mailing Address: \_\_\_\_\_ Physical \_\_\_\_\_ Post Office Box \_\_\_\_\_

2.  Partnership  Business Corporation  Professional Corporation  Firm/Sole Proprietorship   
 Limited Liability Corporation (LLC)  Limited Liability Partnership (LLP)   
 Other \_\_\_\_\_

DATE CERTIFICATE OF AUTHORITY CERTIFIED BY SOUTH CAROLINA SECRETARY OF STATE: \_\_\_\_\_  
 (Attach copy of Approved Certificate of Authority in South Carolina)

3. SERVICES OFFERED: \_\_\_\_\_

4. PRINCIPALS, PARTNERS, OFFICERS AND DIRECTORS OF APPLICANT:

NAME	TITLE	PROFESSION	Resident State Reg. No.

5. ARCHITECT IN RESPONSIBLE CHARGE OF ARCHITECTURAL WORK IN S.C.:

NAME	TITLE	S.C. REG. NO.

ADD SUPPLEMENTAL PAGES IF NECESSARY

**6. Miscellaneous Information**

Has any state taken disciplinary action against your firm's license? Yes  No

Has your firm surrendered or allowed a professional or occupational registration/license to lapse in any jurisdiction due to any pending or threatened disciplinary action? Yes  No

Has your firm been found by a court or registration board to have violated the architectural registration laws or the professional/occupational laws of any jurisdiction? (If yes, provide dates and details including results of any appeals, if not previously provided to this board.) Yes  No

Has your firm entered into any negotiated settlement with regard to professional or occupational registration laws? (If yes, provide dates and details including results of any appeals.) Yes  No

Has your firm provided architectural services in South Carolina without being licensed? (if yes, please provide projects and dates services were provided and professional fees received) Yes  No

**7. Acknowledge Signatures**

SIGNATURE OF ARCHITECT IN RESPONSIBLE  
CHARGE OF ARCHITECTURAL WORK IN  
SOUTH CAROLINA

\_\_\_\_\_

\_\_\_\_\_  
(Print Name of Architect in Charge)

**APPLICATION WILL NOT BE ACCEPTED BY FAX  
SIGNATURES MUST BE ORIGINALS**

\_\_\_\_\_  
Firm/Sole Proprietorship - Signature of Owner

\_\_\_\_\_  
Business Corporation and/or Limited Liability  
Corporation-Signature of Chief Executive  
Officer or person authorized by corporate  
resolution to designate the responsible  
Architect in charge

\_\_\_\_\_  
Professional Corporation/Association-Signature  
of Chief Executive Officer or person authorized  
by corporate resolution to  
to designate the responsible Architect in  
charge.

\_\_\_\_\_  
Partnership and/or Limited Liability Partnership  
– Signature Of Managing Partner(s)

Personal information provided in this application may be subject to public scrutiny or release under the S.C. Freedom of Information Act or other provisions of federal and state law.

**ATTENTION CHECK WRITERS!!!**

WE GLADLY ACCEPT YOUR CHECKS. WHEN YOU PROVIDE A CHECK AS PAYMENT, YOU AUTHORIZE US TO USE INFORMATION FROM THE CHECK TO MAKE A ONE-TIME ELECTRONIC FUND TRANSFER FROM YOUR ACCOUNT, OR TO PROCESS THE PAYMENT AS A CHECK TRANSACTION. YOU AUTHORIZE US TO COLLECT A FEE THROUGH ELECTRONIC FUND TRANSFER FROM YOUR ACCOUNT IF YOUR PAYMENT IS RETURNED UNPAID.