

Owner Agent Designation

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It is the owner of the building or facility that is ultimately responsible for a project. The Texas Department of Licensing and Regulation (TDLR) defines the owner as “[t]he person or persons, company, corporation, authority, commission, board, governmental entity, institution or any other entity that holds title to the subject building or facility. For purposes under these rules and the Act, an owner may designate an agent.” (68.10(14)).

Prior to receiving a building permit, it is the owner’s responsibility to make sure that their project is submitted to a

Registered Accessibility Specialist (RAS) for review and inspection. (When there is a design professional with overall responsibility for the project, they are required to submit their plans to a RAS or to TDLR within 20 business days after the plans are issued.) Upon completion of the project, the owner has the responsibility to notify the RAS that the project is ready to inspect no later than 30 days after completion. The owner will also have to provide a signed Request for Inspection form. If the owner would prefer to have another person or entity be responsible for the project, they may designate that person or entity as their agent by completing an Owner Agent Designation form. The owner’s agent then becomes the contact for the project. This can be anyone they choose and is common when there is a management company that takes care of the properties. One common misconception is that this is a required TDLR form that you are obligated to submit with your project. It is not. It is only if the owner delegates another individual to act on their behalf for the project. One note of caution, by becoming the owner’s designated agent, you or your company, may be taking on additional responsibility for the project, which may include items which are not within your scope of work, or under your control. The best advice for anyone who intends to use this form is to contact your attorney or E&O insurance provider to better understand your obligations, and any ramifications of being the owner’s designated agent. If you have any question, please do not hesitate to contact us.



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