



# Underground & Above Board

October 2015, Issue 83

Landscape Contractors Board

## What's New at the LCB?

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We need your email address!**

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Fall is upon us and I thought I'd use this opportunity to share with you a few of the busy happenings at the Landscape Contractors Board (LCB) this past summer!

Firstly, to introduce myself to those of you I may not have met yet. I started as the new Administrator in mid-May. This was a time when legislative activity was in full swing so I certainly hit the ground running. It was an exciting time and a phenomenal educational opportunity to be part of the legislative process itself to which I had previously had more peripheral exposure with another state agency.

Born from these legislative activities are much of what we have been hard at work to support and implement (more on page 2) as well as day-to-day business activities.

In late-June and July I was able to focus more time learning the day-to-day operations of the agency and attended a successful onsite mediation and since that time I'm pleased to share we've had several more successful mediations

In August the Exam Committee met to review the current written exam prior to its translation to Spanish and the Practical Skills Implementation Com-

mittee held its first meeting (more on page 2).

You'll note this issue of the newsletter is larger than some past versions as there is a lot to cover from the past 5 months and many upcoming changes.

It's been my pleasure to work with such a great staff here at the LCB who have an immense amount of knowledge and skill. Many licensees have also reached out to me to offer support and when it came time to ask for help in forming committees, many have said yes and donated their time — thanks to all of you for your support!

Elizabeth Boxall,  
Administrator

**Do you know someone who is passionate about consumer protection? We are looking for a new public (non-industry specialist) board member!**  
**Contact Elizabeth Boxall, Administrator, for more information:**  
 elizabeth.boxall@lcb.state.or.us

- LCB BOARD MEMBERS**
- **Molly McDowell Dunston,** Chair, Bend
  - **William Bumgardner,** Vice Chair, Medford
  - **John Gawlista,** Portland
  - **Loren Radford,** Portland
  - **Larry Hoekman,** Beaverton
  - **Christine Hollenbeck,** Portland
  - **Public Member, Vacant**

## LCB Staff & Board Meeting Dates

**Elizabeth Boxall**  
Administrator x 224

**Kim Gladwill-Rowley**  
Program Manager x 223

**Jerri Jones**  
Licensing x 221

**Michael Hintz**  
Investigator x 222

**Mi'khl Harrison**  
Office Assistant x 226

**(503) 967-6291**  
LCBinfo@lcb.state.or.us

**Upcoming LCB Board Meetings**

November 20 (Keizer)

**All State agency meetings:**  
<http://www.oregon.gov/transparency/PublicMeetingNotices.shtml>

## Legislative Changes—Part 1, Senate Bill 580

Unanimously approved by the 2015 Legislature, passage of Senate Bill (SB) 580 will streamline some of the current regulations that have had an onerous impact on the landscape contracting industry, while also enhancing consumer protection and the landscape contracting business' ability to better serve the consumer. SB 580 is the product of a work group to address issues with regulation of landscape contracting businesses and landscape construction professionals.

### Important key bill items to note which become effective January 1, 2016:

- Clarifies that LCB licensees can install artificial turf (except large sports fields)
- Allows LCB licensed businesses to sub-contract work related to landscaping jobs (e.g.; plumbing and electrical)
- Clarifies that LCB licensed business can plan irrigation systems without installing them
- Increases the time allowed for address change notification to LCB from 10 days to 30 days
- Clarifies a licensed landscape contracting business may maintain or repair hardscape items (previously allowed for installation only) which includes; fences, decks, arbors, patios, landscape edging, water features, drainage systems, driveways or retaining walls
- Requires the exam to be translated to Spanish
- Adds bond coverage for LCB licensed businesses who do tree work (CCB laws allow LCB licensed businesses to perform the work, but there was not bond coverage to protect consumers for the work performed)
- Increases the liability insurance requirement from \$100,000 to \$500,000
- Adds a new \$20,000 bond for landscaping jobs of \$50,000 or more
- Eliminates the requirement for written contracts when the business charges less than \$2000 for a landscaping job (total contracts for the same job site, same owner, in any 12 month period)
- Reduces the number of continuing

education hours (CEH) required to 8 hours every two years for licensees with an active license for 6 years or more

- Gives LCB broader discretion in dealing with compliance issues and assessing civil penalties

### What's next?

Rule filing process to meet the effective date of January 1, 2016. A rule hearing is scheduled for December 3, 2015 at 9:00am.

Link to Bill:

<https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/SB580/Enrolled>



## Legislative Changes—Part 2, House Bill 3304

House Bill (HB) 3304 requires the Landscape Contractors Board (LCB) to implement a practical skills (hands-on) exam and business practices course for licensing in lieu of the written exam. This hands-on exam will be funded by the applicants who select this exam. HB 3304 also requires the LCB to translate the exam into Spanish.

### Important key bill items to note:

- Requires a practical skills exam for licensing of partial and/or full phase license, except backflow which will remain a written exam
- Practical skills exam shall be offered three times per year with no less than two days of consecutive testing
- If a candidate does not pass the first day, they make retake the exam the following day
- There will be a landscape contracting business class in lieu of the Laws, Rules & Business Practices portion of the exam
- The practical skills exam must be available by September 1, 2016
- This exam will also be translated to Spanish

### What's Next?:

The LCB has formed a committee to aid in the development and implementation of this exam. Watch newsletters and Facebook for additional updates!

Link to Bill: <https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/HB3304/Enrolled>

## Office Closures

November 11, 26 & 27  
and December 25

## Welcome New LCB Licensees (May—Sept 2015)

### New Landscape Construction Professionals

BRYAN GYLLEN      PETER QUANDT  
 CARL MARK        PHIL POCHUREK  
 DAVID COX         PHILIP ATKINSON  
 ELVIS NGUYEN     RANDY TURPIN  
 ERICK RAMIREZ     RYAN HOPSON  
 JOSEPH DOMINGO   SETH MORVAY  
 LUKE NEATHERY    STEVEN GANISTER  
 NICHOLAS AIME    TATE DUNN  
 NICOLE VILLANUEVA THOMAS MOORE  
 OMAR VARGAS      TIMOTHY CROWLEY

### New Landscape Contracting Businesses

ADAMS IRRIGATION LLC  
 ANTHONY L MORELLI  
 BANYAN TREE CONCRETE & MASONRY  
 BRENT T BECK  
 CENTRAL OREGON LANDSCAPING LLC  
 CHRIS KARSSEBOOM  
 CLASSIC DESIGN AND CONSTRUCTION LLC  
 COMMERCIAL PROPERTY SERVICES NW LLC  
 CROWLEY LANDSCAPE MANAGEMENT INC  
 DOUG VODERBERG  
 ECO-SAFE LANDSCAPING LLC  
 ENCHANTED GARDENS LANDSCAPE SERVICES  
 ESCOBAR LANDSCAPE AND IRRIGATION INC  
 GARDEN CENTER OF SALEM LLC  
 GARDEN SPACES SUSTAINABLE LANDSCAPES  
 HARPER BROTHERS LLC

INSPIRATION LANDSCAPING LLC  
 JULIE AUKSTKALNIS  
 LARA DILBERTI LLC  
 LEEDA IRRIGATION & BACKFLOW LLC  
 LUKE NEATHERY  
 MAINSTREAM LANDSCAPE MAINTENANCE LLC  
 MARK ANDERSON  
 NICHE GARDENS LLC  
 NORTH OF SOUTH LANDSCAPES LLC  
 PETER J QUANDT  
 PRACTICAL GARDENING OF OREGON LLC  
 RENEWAL-SCAPE LLC  
 SAKAI LLC  
 SCHOLLS LANDSCAPE INC  
 SILVERLEAF LANDSCAPING LLC  
 THE GREEN SEED LLC  
 TYLER A SWANSON  
 XL LANDSCAPE AND TREE SERVICE LLC



## Written Exam Changes

The Exam Committee met in August for a periodic review of the current written exam. The focus on this review was to focus on improving quality and relevancy as part of a continuous improvement process. This was also an ideal time before the exam is translated in to Spanish.

Changes made as well as the Spanish translation are on schedule to be implemented by January 1, 2016. Also effective January 1, 2016, the initial exam sitting fee price increases \$10 as follows:

Section:	Current:	New Fee 1/1/2016:
One	\$65	\$75
Two	\$75	\$85
Three	\$85	\$95
Four	\$95	\$105
Five	\$105	\$115
Six	\$115	\$125

If you have a partial phase license and still need to take additional exams, now is a great time!



Exam Information:  
<http://www.oregon.gov/lcb/pages/importchanges.aspx>

## License Fee Changes

Fee changes were determined during the last budget planning cycle. Pending final Board adoption, fee changes to initial and renewal license fees will change as follows:

Applications November 1, 2015 or later:  
 Initial Business License \$275  
 Initial Landscape Professional License \$100

Renewal of Active Licenses November 30, 2015 or later:  
 Landscape Business License \$275  
 Landscape Professional License \$100

### 2015-16 LCB Trade Shows

**Dec 9, 2015 - Portland**  
 OLCA NW Landscape Expo

**Feb 12-14, 2016 - Portland**  
 Yard Garden & Patio Show

**Feb 19-21, 2016 - Central Point**  
 Southern Oregon Home Show

**May 6-8, 2016 - Redmond**  
 COBA Spring Home & Garden Show

### Renewal of Inactive Licenses November 30, 2015 or later:

Landscape Business License \$275  
 Landscape Professional License \$100

The last fee increase was July 2009.  
 See OAR 808-003-0130 for more information:  
[http://arcweb.sos.state.or.us/pages/rules/oars\\_800/oar\\_808/808\\_tofc.html](http://arcweb.sos.state.or.us/pages/rules/oars_800/oar_808/808_tofc.html)

Questions? Please call 503-967-6291 ext. 221

City	Violation Type	Final Action
ALBANY	Failure to Maintain Liability Insurance - Suspend	Dismissed
	Operating w/o License	Civil Penalty
ASHLAND	Failure to Maintain Liability Insurance - Suspend	Suspended License
AURORA	Failure to obtain a new license/change of owners	Dismissed
BANKS	Failure to Employ Landscape Construction Prof.	Suspended License
BEAVERTON	Failure to Maintain Bond	Suspended License
BEND	Failure to Employ Landscape Construction Prof.	Suspended License
	Failure to Maintain Bond	Dismissed
	Failure to Maintain Workers Compensation - Suspend	Dismissed
	Failure to Maintain Workers Compensation - Suspend	Suspended License
	Operating w/o License	Civil Penalty/Stipulated Order
	Operating w/o License - 2nd Offense	Close; Cannot Locate
	Working w/o Being Employed	Civil Penalty/Stipulated Order
CANBY	Failure to Maintain Liability Insurance - Suspend	Dismissed
	Failure to obtain a new license/change of owners	Dismissed
CENTRAL POINT	Failure to Maintain Workers Compensation - Suspend	Dismissed
CLACKAMAS	Failure to Comply with min. Std for Contract - sub	Civil Penalty/Stipulated Order
CORNELIUS	Failure to Employ Landscape Construction Prof.	Suspended License
CRESWELL	Failure to Maintain Liability Insurance - Suspend	Suspended License
EAGLE POINT	Operating w/o License	Civil Penalty/Stipulated Order
ESTACADA	Failure to Maintain Liability Insurance - Suspend	Dismissed
EUGENE	Advertising w/o License	Civil Penalty/Stipulated Order
	Failure to Employ Landscape Construction Prof.	Suspended License
	Failure to Maintain Liability Insurance - Suspend	Dismissed
FAIRVIEW	Failure to Maintain Workers Compensation - Suspend	Suspended License
FRUITLAND	Failure to Employ Landscape Construction Prof.	Suspended License
GRANTS PASS	Advertising w/o License	Civil Penalty / Settlement
GRANTS PASS	Failure to Employ Landscape Construction Prof.	Suspended License
GRESHAM	Failure to Employ Landscape Construction Prof.	Suspended License
GRESHAM	Failure to Maintain Liability Insurance - Suspend	Suspended License
GRESHAM	Operating w/o License	Dismissed
HILLSBORO	Advertising w/o License	Civil Penalty/Stipulated Order
	Failure to Comply with min Standards for Contracts	Civil Penalty/Stipulated Order
	Failure to Maintain Liability Insurance - Suspend	Suspended License
	Failure to Maintain Workers Compensation - Suspend	Dismissed
	Failure to Obtain Required Bond Amount	Civil Penalty/Stipulated Order
	Hiring Employees While Licensed as Exempt	Civil Penalty/Stipulated Order
	Operating w/o License	Civil Penalty/Stipulated Order
	Working Outside Scope of License	Civil Penalty/Stipulated Order
HINES	Failure to Maintain Liability Insurance - Suspend	Dismissed
HUBBARD	Failure to Maintain Liability Insurance - Suspend	Dismissed
KALAMA	Failure to Maintain Bond	Suspended License
KLAMATH FALLS	Failure to Maintain Liability Insurance - Suspend	Dismissed
LAKE OSWEGO	Advertising w/o License	Civil Penalty/Stipulated Order
	Failure to Employ Landscape Construction Prof.	Suspended License
	Failure to Maintain Bond	Dismissed
	Failure to Maintain Liability Insurance - Suspend	Suspended License
	Failure to Maintain Workers Compensation - Suspend	Dismissed
	Operating w/o License & Claim Filed	Civil Penalty/Stipulated Order
MCKENZIE BRIDGE	Failure to Maintain Liability Insurance - Suspend	Suspended License
MEACHAM	Advertising w/o License	Civil Penalty/Stipulated Order
MEDFORD	Advertising w/o License	Civil Penalty/Stipulated Order
	Failure to Maintain Liability Insurance - Suspend	Dismissed
	Operating w/o License	Civil Penalty/Stipulated Order
MT HOOD	Failure to Maintain Liability Insurance - Suspend	Suspended License
NEW PLYMOUTH	Failure to Maintain Workers Compensation - Suspend	Dismissed

City	Violation Type	Final Action
NORTH PLAINS	Failure to Maintain Workers Compensation - Suspend	Dismissed
OREGON CITY	Failure to Employ Landscape Construction Prof.	Suspended License
	Failure to Maintain Liability Insurance - Suspend	Dismissed
	Operating w/o License	Civil Penalty
PHOENIX	Advertising w/o License	Dismissed
PORTLAND	Advertising w/o License	Civil Penalty
	Advertising w/o License	Civil Penalty/Stipulated Order
	Failure to Employ Landscape Construction Prof.	Refused to Renew
	Failure to Employ Landscape Construction Prof.	Suspended License
	Failure to Maintain Bond	Dismissed
	Failure to Maintain Bond	Suspended License
	Failure to Maintain Liability Insurance - Suspend	Dismissed
	Failure to Maintain Workers Compensation - Suspend	Suspended License
POWELL BUTTE	Failure to Maintain Workers Compensation - Suspend	Dismissed
PRINEVILLE	Failure to Employ Landscape Construction Prof.	Suspended License
	Failure to Maintain Workers Compensation - Suspend	Dismissed
REDMOND	Advertising w/o License	Civil Penalty/Stipulated Order
	Operating w/o License	Civil Penalty/Stipulated Order
RICHLAND	Advertising w/o License	Civil Penalty/Stipulated Order
RIDDLE	Failure to Comply with min Standards for Contracts	Civil Penalty/Stipulated Order
	Working w/o a Written Contract - 1st Offense	Civil Penalty/Stipulated Order
ROGUE RIVER	Failure to Maintain Liability Insurance - Suspend	Dismissed
ROSEBURG	Advertising w/o License	Civil Penalty/Stipulated Order
	Failure to Maintain Liability Insurance - Suspend	Dismissed
SALEM	Advertising w/o License	Civil Penalty
	Advertising w/o License	Civil Penalty/Stipulated Order
	Advertising w/o License	Dismissed
	Advertising w/o License - 2nd offense	Civil Penalty/Stipulated Order
	Failure to Employ Landscape Construction Prof.	Suspended License
	Failure to Maintain Liability Insurance - Suspend	Dismissed
	Failure to Maintain Workers Compensation - Suspend	Dismissed
	Failure to Maintain Workers Compensation - Suspend	Suspended License
	Operating w/o License	Civil Penalty
	Working w/o a Written Contract - 1st Offense	Civil Penalty/Stipulated Order
SHERWOOD	Failure to Employ Landscape Construction Prof.	Suspended License
	Failure to Maintain Liability Insurance - Suspend	Suspended License
	Failure to Maintain Workers Compensation - Gap	Civil Penalty/Stipulated Order
	Failure to Maintain Workers Compensation - Suspend	Dismissed
SISTERS	Failure to Maintain Workers Compensation - Suspend	Dismissed
SRPINGFIELD	Operating w/o License & Claim Filed	Civil Penalty/Stipulated Order
SUNRIVER	Failure to Employ Landscape Construction Prof.	Suspended License
TALENT	Failure to Maintain Liability Insurance - Suspend	Dismissed
TERREBONNE	Failure to Pay Court Order	Dismissed
TROUTDALE	Failure to Maintain Workers Compensation - Suspend	Dismissed
TUALATIN	Failure to Maintain Liability Insurance - Suspend	Dismissed
UNION	Failure to Maintain Liability Insurance - Suspend	Dismissed
WHITE CITY	Failure to Maintain Liability Insurance - Suspend	Dismissed
WOLF CREEK	Advertising w/o License	Civil Penalty/Stipulated Order
WOODBURN	Advertising w/o License	Civil Penalty/Stipulated Order
	Failure to Employ Landscape Construction Prof.	Suspended License
	Failure to Maintain Bond	Dismissed
	Failure to Maintain Workers Compensation - Suspend	Dismissed

Enforcement Case — Statistical Overview

May 1, 2015 through September 30, 2015

Total Cases = 173

Licensed (105) 69%

Unlicensed (68) 39%

Receiving a  
paper copy?

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Suite 2-101  
Salem, OR 97301

Phone: (503) 967-6291  
Fax: (503) 967-6298  
E-mail: [lcbinfo@lcb.state.or.us](mailto:lcbinfo@lcb.state.or.us)

We're on the web!  
[www.lcb.state.or.us](http://www.lcb.state.or.us)



**DON'T FORGET!** You need to report an address change to the LCB within 10 days of a move.  
Feel free to mail, email or fax us your new address information.

## Vehicle Stickers Notice

Effective January 1, 2016, the vehicle stickers previously issued by the LCB will no longer be accepted as the 4 digit number required in any and all advertising on vehicles and trailers.

The LCB rule requires all written advertising to include the 4 digit landscape contracting business license number. In the past, the LCB provided stickers for vehicles which included that 4 digit number. The LCB has not provided these stickers for years.

If you advertise your business on your vehicle, you must include your 4 digit number within the advertisement itself. If you relied on your vehicle sticker to meet this requirement and you do not have this number with signage, you will need to update your signage to include that 4 digit number.

Please note, you are not required to advertise on your vehicle or even have your 4 digit LCB number on your vehicle. This is a requirement only if you advertise your business on a vehicle or trailer (and all other written advertising).

Questions? Please call 503-967-6291 Ext. 221

## Questions about Advertising?

Contact us or email: [lcbinfo@lcb.state.or.us](mailto:lcbinfo@lcb.state.or.us) for more information