



# Underground & Above Board

February 2015, Issue 81

Landscape Contractors Board

## Tips for 2015 Success

Receiving a paper copy?  
**We need your email address!**

### Inside this issue:

|                            |   |
|----------------------------|---|
| Legislative Changes        | 2 |
| CEH & Business Reminders   | 2 |
| New licensees              | 3 |
| License options            | 3 |
| Enforcement Statistics     | 4 |
| CEH Info                   | 5 |
| Loren Radford Introduction | 6 |

**Tip #1:** Renew your licenses on time. Remember that you have 2 licenses:

- 1) Your individual license (the 5 digit license number)
- 2) Your business license (4 digit license number)

Renewal forms are sent about 60 days before the license expiration date. Renew your licenses on time. Here's how:

Finish CEH by the license expiration date & report it on your renewal form.

Make sure to send your renewal fee and any late fees with your renewal form.

Check to be sure that your insurance and worker's comp hasn't expired or isn't about to expire. The LCB needs an updated insurance certificate with the agency as certificate holder. Your broker

can mail, fax or email the certificate to the agency.

**Tip #2:** Be sure that your bond covers any jobs you **perform or bid on**. Here are the current bond limits:

\$3,000 for projects up to \$10,000

\$10,000 for projects over \$10,000 but under \$25,000 or if performing hardscape only projects

\$15,000 for projects \$25,000 or more

**Tip #3:** If you hire employees, be sure to change your status from exempt to non-exempt and have your broker send the agency a worker's compensation certificate. If you discontinue having employees, report that to the agency too.

**Tip #4:** If you advertise on a website, business cards, vehicles, Craigslist, flyers or other written advertising, be sure to include your 4 digit license number. The exceptions are Internet directory line listings, phone directory line listings and uniforms.

**Tip #4:** Remember that all landscaping work requires a written contract that meets the agency's contract requirements. If you don't remember the required elements, visit the "contract info" page on our website to be sure you have all of the required elements.

**Tip #5:** If a licensee changes their mailing address, the agency is to be notified within 10 days of a change. The change needs to be reported in writing and can be sent via email or using the form on the Forms page of our website or use our online system.

**If you or your business receive industry recognition—let us know. We'd like to start sharing your successes with your fellow licensees. (More info on page 3)**

## LCB Staff & Board Meeting Dates

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

**Shelley Sneed**  
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 2 x 226

**503/967-6291**  
[LCBinfo@lcb.state.or.us](mailto:LCBinfo@lcb.state.or.us)

**Upcoming LCB Board meetings**

March 20 (Portland)

May 15 (Keizer)

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

## Legislative Changes

The Landscape Contracting Work Group completed its work in early December. You may remember that the group has been meeting for the past two years to shape new legislation related to the agency. Here is an overview of the components of the proposed bill.

Increase the minimum insurance amount to \$500,000 from \$100,000.

Add a new bond level of \$25,000 for projects of \$50,000 or more.

LCB can collect up to \$5,000 in claims costs.

Allow up to \$2,000 in landscaping work to be performed without a written contract.

Modify the amount of CEH required based on years licensed.

Give the agency discretion in assessing penalties.

Give LCB licensees clear authority to install artificial turf if not a sports field.

Give consumers the clear right to file a claim if a business is licensed with both CCB and LCB and it's dual jurisdiction work.

Give LCB businesses the right to design irrigation systems without installing them.

Give licensees up to 30 days to report an address change to the agency.

Give licensees the right to repair and main-

tain the hardscaping elements they can construct.

Allow LCB licensed businesses to subcontract work related to landscaping (e.g. electrical and plumbing).

Bill introduction should be sometime in February.

If you would like to provide comment on the bill once it's introduced, here is the contact information for the Senate Committee on Business & Transportation. Their staff person is James LaBar and you can email James at: james.labar@state.or.us or phone him at 503-986-1514 with any feedback on the bill. For more info contact Shelley Sneed at the Agency.

## CEH Requirements & Options

Just a reminder about CEH. It's a legal requirement, so don't let it affect your licenses. Here's the overview:

CEH is required for your individual license (5 digit).

16 hours of CEH credit is required every two years.

CEH is reported in odd numbered years if your license ends in an odd number and in even years if your license ends in an even number.

CEH must be earned in the 2 years prior to

renewal.

### **Here's how you can earn CEH:**

Take preapproved courses—see the Agency's Continuing Education page for a list of preapproved in person and online courses.

Take related courses that aren't pre-approved and have them individually approved for you. Use the individual approval form and send with the required documents.

Take an accredited college course & report 10 hours for every term hour or 15 hours for every semester hour.

Volunteer or teach related courses & use the reporting form on the Agency's website.

Use the new Community Presentation Program (see page 5 for more info).

## Office Closures

February 16th      May 25th  
July 3rd      September 7th

## LCB Business Reminders

Here are some reminders to ensure that you stay in compliance with LCB Laws & Rules:

LCB licensed businesses cannot subcontract electrical & plumbing work—the consumer or property owner must directly contract for the work

Changes in business structure and ownership may require a new business license, which affects all written adver-

tising the business has. If you're anticipating a change, contact us before you make any changes to see the affect on your business license.

Use the LCB online system to update basic information for your license(s). You can update your address, phone numbers and email addresses online. You can also email the agency any changes too.



## Welcome New LCB Licensees

### New Landscape Construction Professionals

JOHN THOMAS  
JAY STANICH  
JARED SLAVEN  
WADE WALKER  
BROK WHEELER  
DOUGLAS WARE  
BLU FIGUEROA  
KAYLE GRAY  
PAUL MOLISANI  
JAMES AMADOR JR  
PEGGY BEAN

CHRISTIN BRYK  
DAVID NEIGHBOR

### New Landscape Contracting Businesses

ENVIRONMENTAL TREE & DESIGN INC  
TERRA FIRMA LANDSCAPE  
MANAGEMENT INC

WADE WALKER  
GREEN 4 EVER LANDSCAPING INC  
JD MORA LANDSCAPE LLC  
NEIGHBOR'S LAWN CARE LLC  
BLACK & WHITE DESIGNS, LLC  
BU-KAI DESIGN LLC  
ROGER DEAN GREER

**Online license renewal and payment is coming!** The Agency is working with a state contractor to implement an online renewal and payment system. We'll need your email address to use the system, so be sure we have a current one.



## LCB License Options

Just a reminder that if you have a partial phase license, you can upgrade your license with no application fee. If you're interested in upgrading your license by taking additional exams, contact Jerri Jones, our Licensing Specialist, to notify the exam provider about the exams you will be required to pass. Once they are notified, it's a matter of taking and passing the required exams. If you're not sure what exams are required, or the study materials to use to prepare, visit the Agency's Forms

### '15 LCB Spring Trade Shows

Feb. 12th Redmond  
High Desert Industry Show

Feb. 27 to March 1st Portland  
Yard Garden & Patio Show

April 24th to 26th Central Point  
Southern Oregon Home Show

May 1st to 3rd Redmond  
COBA Spring Home & Garden Show

Page on the Agency's website. The candidate information bulletin lists the exams required for each license phase, the study materials to use, the topics covered on the exam and the amount of time for each section of the exam. Just a reminder that all of the LCB exams are now open book, except for the backflow exam. Now is a great time to upgrade your license.

[www.oregon.gov/lcb](http://www.oregon.gov/lcb)

Email: [Jerri.jones@lcb.state.or.us](mailto:Jerri.jones@lcb.state.or.us)

## What the LCB board is discussing....what do you think?

Much like your business, the LCB Board is responsible for strategic planning for the agency. At the January 15, 2015 meeting, the Board worked with Chris Wallace Caldwell of Catalysis LLC to look at the mission, vision, and goals of the agency. The board and staff did a SWOT (strengths, weaknesses, opportunities and threats) analysis and prioritized future agency efforts. Here is the proposed new mission statement for the agency:

### Industry Recognition

(continued)

**Some acceptable items are: published recognition (e.g. magazines, trade publications), PLANET certification, APLD certification, I.A. certification, etc. If you're unsure, contact Administrator Shelley Sneed at [shelley.sneed@lcb.state.or.us](mailto:shelley.sneed@lcb.state.or.us) for more information.**

*"By 2020, the Oregon Landscape Contractors Board will be known for proactively addressing emerging issues and opportunities that contribute to improved safety and positive outcomes for the industry. This will be accomplished through positive relationships between state government, industry, related trades, and the public, so as to increase appreciation of, and compliance with, regulations that serve Oregon contractors, consumers, and the public."*

| City              | Violation Type  | Final Action                     | City          | Violation Type                                    | Final Action                     |
|-------------------|---|----------------------------------|---------------|---|----------------------------------|
| ALBANY            | Operating w/o License                                 | Civil Penalty                    | EUGENE        | Failure to Complete CEH by the Deadline           | Civil Penalty / Stipulated Order |
| ASHLAND           | Failure to Maintain Liability Insurance               | Suspended License                | GOLD HIL      | Operating w/o License & Claim Filed               | Civil Penalty                    |
| ASHLAND           | Failure to Employ Landscape Construction Prof.        | Suspended License                | GRESHAM       | Working w/o a Written Contract                    | Civil Penalty / Stipulated Order |
| BEAVERTON         | Failure to Use Business License No in Advertising (2) | Civil Penalty                    | HILLSBORO     | Failure to Use Business License No in Advertising | Civil Penalty / Stipulated Order |
| BEAVERTON         | Failure to Require Direct Supervision                 | Civil Penalty / Stipulated Order | HILLSBORO     | Failure to Maintain Liability Insurance           | Suspended License                |
| BEND              | Operating w/o License                                 | Civil Penalty / Stipulated Order | HUBBARD       | Advertising w/o License                           | Civil Penalty / Stipulated Order |
| BEND              | Working Outside Scope of License                      | Civil Penalty / Stipulated Order | HUBBARD       | Operating w/o License                             | Civil Penalty / Stipulated Order |
| BEND              | Failure to Comply with min Standards for Contracts    | Civil Penalty / Stipulated Order | JUNCTION CITY | Advertising w/o License                           | Civil Penalty / Stipulated Order |
| BLACK BUTTE RANCH | Failure to Maintain Liability Insurance               | Suspended License                | KEIZER        | Advertising w/o License                           | Civil Penalty / Stipulated Order |
| BORING            | Failure to Employ Landscape Construction Prof.        | Suspended License                | MANZANITA     | Failure to Employ Landscape Construction Prof.    | Suspended License                |
| CANBY             | Failure to Employ Landscape Construction Prof.        | Suspended License                | MCMINNVILLE   | Failure to Complete CEH by the Deadline           | Civil Penalty / Stipulated Order |
| CARLTON           | Failure to Employ Landscape Construction Prof.        | Suspended License                | MEDFORD       | Operating w/o License                             | Civil Penalty / Stipulated Order |
| CENTRAL POINT     | Failure to Complete CEH by the Deadline               | Civil Penalty / Stipulated Order | MEDFORD       | Advertising w/o License                           | Civil Penalty / Stipulated Order |
| CENTRAL POINT     | Working Outside Scope of License - Subs Offense       | Civil Penalty / Stipulated Order | MEDFORD       | Failure to Maintain Bond                          | Suspended License                |
| CLACKAMAS         | Failure to Notify Board - Address Change              | Civil Penalty                    | MT ANGEL      | Operating w/o License                             | Civil Penalty / Stipulated Order |
| CLACKAMAS         | Failure to Employ Landscape Construction Prof.        | Suspended License                | OREGON CITY   | Failure to Employ Landscape Construction Prof.    | Suspended License                |
| DAMASCUS          | Advertising w/o License                               | Civil Penalty / Stipulated Order |               |   |                                  |

| City      | Violation Type                                     | Final Action                     | City        | Violation Type                                    | Final Action                     |
|-----------|--|----------------------------------|-------------|---|----------------------------------|
| PORTLAND  | Failure to Perform Supervisory Responsibilities    | Civil Penalty / Stipulated Order | SUNRIVER    | Operating w/o License                             | Civil Penalty / Stipulated Order |
| PORTLAND  | Failure to Employ Landscape Construction Prof. (5) | Suspended License                | TUALATIN    | Failure to Employ Landscape Construction Prof.    | Suspended License                |
| REDMOND   | Failure to Maintain Liability Insurance            | Suspended License                | TUALATIN    | Failure to Maintain Bond                          | Suspended License                |
| REDMOND   | Failure to Maintain Workers Compensation           | Suspended License                | WEST LINN   | Operating w/o License                             | Civil Penalty / Stipulated Order |
| SALEM     | Advertising w/o License                            | Civil Penalty / Stipulated Order | WILSONVILLE | Failure to Use Business License No in Advertising | Civil Penalty / Stipulated Order |
| SILVERTON | Failure to Maintain Workers Compensation           | Suspended License                | WOODBURN    | Operating w/o License (2)                         | Civil Penalty / Stipulated Order |
| SUBLIMITY | Failure to Use Business License No in Advertising  | Civil Penalty / Stipulated Order |             |   |                                  |

## Enforcement Case — Statistical Overview

November 1, 2014 through January 31, 2015

Total Cases = 52

Licensed (37) 70%      Unlicensed (16) 30%

### CEH community Presentations

If you've been licensed with the agency for at least 5 years, you have the option of teaching landscape, business or related courses to earn up to 8 of your 16 CEH credit hours. The LCB staff has developed a new program to earn CEH teaching hours by conducting community presentations. Information was mailed to licensees, but here is an overview of the program: 1) have the presentation pre-approved by the agency at least 30 days in advance, and after the presentation 2) turn in a roster of attendees, copy of evaluations forms (optional) and a certificate of completion. Once that's all received by the LCB after your presentation, the LCB will send the approval letter. If you have questions, contact Shelley Sneed for information and documents at: [lcbinfo@lcb.state.or.us](mailto:lcbinfo@lcb.state.or.us).

**For more information about the LCB's CEH program and for approval forms and information, visit our continuing education page at:**

**[http://www.oregon.gov/lcb/pages/continuing\\_education.aspx](http://www.oregon.gov/lcb/pages/continuing_education.aspx)**

Receiving a  
paper copy?  
We need your email address!

2111 Front Street NE,  
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.

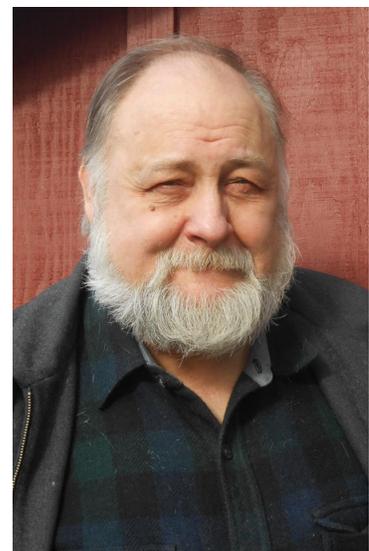
## Loren Radford—new board member

Loren has been a vocational teacher for 33 years, starting his career as a high school forestry teacher in New York. He also taught horticulture in community colleges in South and North Carolina. He retired from teaching 18 years in the Landscape Technology program at Portland Community College in 2009. In the work mix, there was also a couple of years as an Extension 4H agent and county director and a couple of years as a forestry contractor. Over the past five years, he operated a small landscape construction/irrigation business out of Gales Creek, OR. Loren's a certified arborist and still teaches tree care and irrigation classes at PCC.

Loren brings extensive knowledge and education to the LCB Board. In preparation for his January 19, 2015 appointment, Loren attended the Board's January 15th strategic planning session and observed the Board's January 16th board meeting.

The LCB Board and staff welcomes Loren to the board and bids farewell to former Board member Larry Thomas of Astoria, Oregon.

Larry stayed on the board for an extended second term to finish the Board's work with the Landscape Contracting Work Group, which shaped the 2015 legislative concept. Thank you Larry for your service.



YOU can update YOUR address through the agency's online system. The link is:  
<https://www.oregonlcb.com/contractorsearch/login.aspx>. If you don't know your user name & password, contact the agency and we'll be glad to give you the information—you can update your address, phone numbers, email address and whether you want to receive the newsletter via email or by US mail.