



# TEN ESSENTIAL ELEMENTS OF CONTRACTS FOR LANDSCAPE WORK WITH A HOMEOWNER

**Do you wonder whether your contract is in compliance with the LCB's minimum standards? We want to help! The LCB is offering to review your contract. If you would like us to review your contract, please send a blank unsigned contract and we will send you feedback. Please do not send us a signed contract.**

The law (ORS 671.625) states a landscaping job that is \$2,000 or more must be performed with a written contract. The Landscape Contractors Board (LCB) is instructed to adopt rules for the minimum standards of all written contracts.

The law also states that a contract that does not substantially comply with these standards is not enforceable by any landscape contracting business in any court or other proceeding within the State of Oregon.

The standards (OAR 808-002-0020) adopted by the LCB are listed below. On the following page is an example of a contract that has these ten elements. The format of the example is not a requirement; the only requirement is that these ten elements show up in the contract for landscaping work. There may be other elements that a landscape contracting business may want to include.

## **THE STANDARDS**

Landscaping contracts and subcontracts with a homeowner or an agent of the homeowner shall include, but not be limited to, the following:

1. Landscape contracting business name, license number, business address and telephone number;
2. Consumer's name and address;
3. Address or location of work to be performed if different from the consumer's address;
4. General description of the work to be performed and the materials to be installed;
5. Estimated time for completion or estimated completion date;
6. Price and payment schedule;
7. Description of guarantee; if no guarantee such a statement shall be included;
8. Signatures of the authorized business representative and consumer;
9. Statement that the business is licensed by the State Landscape Contractors Board and the current address and phone number of the board.
10. If subcontractors will be used for the performance of landscaping work, the contract must include a statement notifying the consumer that there will be subcontractors used to perform landscape work.

## **CHANGE ORDERS**

Any changes or amendments to landscaping contracts and subcontracts shall identify the scope of the change or amendment, be agreed to by both parties and be in writing.

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**DISCLAIMER:** THESE 10 ELEMENTS ARE FOR YOUR INFORMATION WHEN WRITING CONTRACTS. THE FORMAT IN WHICH THE INFORMATION IS DISPLAYED IS NOT A REQUIREMENT AND DOES NOT NECESSARILY CONSTITUTE A LEGAL CONTRACT FOR YOUR BUSINESS. THE LANDSCAPE CONTRACTING BUSINESS SHOULD SEEK LEGAL ADVICE IN THE FORMATION OF THE CONTRACT THE BUSINESS DESIRES TO USE.

**SAMPLE ONLY**

1

BUSINESS NAME  
 BUSINESS ADDRESS  
 PHONE NUMBER  
 LIC #XXXX (LCB 4 DIGIT BUSINESS LICENSE NUMBER)

**SAMPLE ONLY**

2

CUSTOMER NAME  
 CUSTOMER ADDRESS

3

JOB SITE ADDRESS  
 IF DIFFERENT FROM  
 CUSTOMER ADDRESS

General description of the work to be performed and the materials to be installed

**EXAMPLE:** This contract encompasses the following work:

1. prepare the lawn area as defined in attached plan by tilling, raking, establishing X% grade and installing xxxx sq.ft of sod (perennial rye blend). This will also include x pounds of lime per xxx sq. ft and lawn starter fertilizer %N-%P-%K plus ( ) at the rate of xx pounds per sq. ft.
2. prepare and plant the bed areas as defined in attached plan by adding x units of compost over x sq. ft of soil, tilling, raking, grading and planting the specified plants after owner approval of placement. Planting of all plants which shall include fertilization of all plants at time of planting with xxxx fertilizer, watering in and final grading.
3. all planting beds will be covered with a 2" layer of XYZ mulch.
4. the installation of a XX zone irrigation system including all piping, fittings, sprinklers, controller and backflow assembly, including the installation permit and testing of the backflow. Sprinklers shall be X brand with a X brand controller with x number of stations.

5

The work described above shall be completed on or before: \_\_\_\_/\_\_\_\_/\_\_\_\_ unless xyz circumstances exist whereupon a new completion date will be established.

6

The above work will be performed for the sum of \$XXX.XX and shall be paid in the following manner: (description of payment schedule)

10

A statement notifying the consumer if a subcontractor may be used to perform landscape work

7

Description of guarantee (if none, state there is no guarantee)

8

CUSTOMER SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_ BUSINESS (AUTHORIZED SIGNATURE) \_\_\_\_\_ DATE \_\_\_\_\_

9

XYZ LANDSCAPE BUSINESS IS LICENSED WITH THE STATE LANDSCAPE CONTRACTORS BOARD WHICH IS LOCATED AT: 2111 FRONT ST. NE., SUITE 2-101, SALEM, OR. 97301, PH: (503) 967-6291