

EXPLANATION OF NEW LAW FOR CONTRACTS

Minimum Contract Standards 808-002-0020

Please note that the 2023 Oregon legislature passed HB2292, which goes into effect January 2, 2024.

Previously, when a consumer enters into contracts with licensed landscape contracting businesses, the consumer has no right to cancel the contract. A consumer has the right of to cancel when they enter a contract with CCB business or in door-to-door sales. HB 2292 provides a consumer the ability to rescind a contract with a landscape contracting business within three business days after signing the contract. This new law takes effect January 2, 2024.

Exceptions:

A person may not rescind a contract if parties agreed, in writing, to begin the work before the three-business day period ends.

For example, if the day the contract and the *Notice of Right to Cancel Contract* are signed by the consumer is a Friday, then three business days after the execution of the contract and *Notice of Right to Cancel Contract* would run through midnight on the following Wednesday. However, if the consumer who signed on a Friday waives the three-business day right to cancel, then the landscape contracting business may order materials and start work any day between, and including, the Friday signing day and the following Wednesday.

The three-business day period only applies to the original signing, not to any amendments that take place after the three-business day period.

Notification of the right to cancel a contract

All landscape contracting businesses are required to have a written contract for job charges of \$2,000 or more. The contract must now include a separate page provided by the Landscape Contractors Board (LCB) titled *Notice of Right to Cancel Contract*.

Misc

Written contracts are required when a landscape job is \$2,000 or more. All contracts must comply with minimum standards set by the Board in rule. A contract that does not substantially comply with these standards may not be enforced by a landscape contracting business in any court or other proceedings within this state.

Do not schedule contracts to commence until the three-day recission period has passed, unless the consumer has provided a written waiver of that three-day period.

Do not pre-purchase materials until the contract recission period has passed. If you do pre-purchase materials without a written waiver of the three-day recission period and the consumer cancels the contract within that three-day period, you may be found in violation of this law and may be required to refund any deposit.

If the original contract price is less than \$2,000, but the job costs go up during the project due to change orders and eventually reaches \$2,000 or more, a written contract must be provided.

Publications available

Proposed Notice of Right to Cancel Contract Form

Essential Elements of a Contract

Contract Sample

[HB 2292](#)

[OAR 808-002-0020](#)