

# Washington State Board of Registration for Landscape Architects

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## Your Board Members:

**Thomas C. Sherry**

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**Clyde Haase**

Secretary ■ Spokane

**Fred Glick**

Member ■ Spokane

**Vacant**

Member

**Vacant**

Public Member

## Staff

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Administrator

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Program Representative

Sherri Lonsbery  
Management Analyst

## Message from the Chair

By Thomas Sherry

For the third year, I'm pleased to be able to provide our licensees and candidates this message on activities of the State Board, even as we face some challenging economic times.

This past year the Board again engaged in a significant administrative rule development effort. We adopted rules clarifying the use of the professional seal and rules of professional conduct (see related article), which went into effect November 28, 2008.

**Use of the Professional Seal:** Clarifications on the use of the seal, including who may affix the seal to drawings, when drawings require a seal, oversight of the documents being sealed, etc. will now be defined within the rules. Little guidance was provided formerly, leaving the door open for non-licensed staff to affix a seal of a practitioner with little oversight.

The Standards of Practice and Conduct will now be a defined framework within which practitioners should conduct their professional practice. As regulators, the new rules provide the Board a gauge to review conduct, complaints, and other issues in the profession.

While not a participant in the effort, the Board received a presentation from WASLA representatives on their efforts to pursue legislation that would have made significant revisions to the Landscape Architect Registration Act (RCW 18.96). The proposal would have effectively moved regulation of the profession in Washington from a title act to a practice act. From the Board's operational perspective, significant increases in the regulation of the practice would have been the likely outcome. We understand that a similar effort may be underway during the 2009 session. I encourage everyone in the profession to read the proposed legislation and comment to your legislator.

The Board, along with many in the profession, has been affected by the declining economy as well, with a restriction on travel implemented by Governor Gregoire last fall, just prior to the Council of Landscape Architectural Registration Boards (CLARB) Annual Meeting in San Diego. As a result, Joe Vincent, our Board Administrator and I were not able to attend. Several other states were similarly affected, and it is likely that travel budgets for many states are being affected by the

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change in the business cycle. We will participate as best as we can through other means.

Our Board meets face-to-face twice a year, in meetings at Washington State University in Spokane or Pullman, and at the University of Washington. Two additional meetings are held via conference call, and all meetings are open to the public and our licensees are invited to attend, with meeting notification published on the DOL website. In addition, staff and a Board member may attend the aforementioned twice-yearly CLARB meetings.

I would like to pass on the Board's thanks to our staff, who have been a key resource in raising some of the rule changes for the Board to consider, as well as suggesting streamlining of administrative functions and document reviews. I would also like to thank my fellow Board members for their support, and look forward to continuing my service in the future.

Best regards,  
*Thomas C. Sherry*



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## Recent Rule Adoption

At the August 21, 2008 meeting, the Board adopted the Council of Landscape Architectural Registration Boards' model language for professional conduct, updated stamping requirements and changed their board meetings from special to regular meetings. The new sections went into effect November 28, 2008 and are reprinted below:

### WAC 308-13-012 Standards of practice and conduct.

#### Competence.

(a) In practicing landscape architecture, a landscape architect shall act with reasonable care and competence and shall apply the technical knowledge and skill that is ordinarily applied by landscape architects of good standing practicing in the same locality.

(b) In designing a project, a landscape architect shall take into account all applicable construction laws, zoning codes and other applicable laws or regulations. A landscape architect shall not knowingly design a project in violation of such laws and regulations.

(c) A landscape architect shall undertake to perform professional services only when the landscape architect, together with those whom the landscape architect may engage as consultants, is qualified by education, training and experience in the specific technical areas involved.

#### Conflict of interest.

(a) A landscape architect shall not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed and agreed to in writing by all interested parties.

(b) If a landscape architect has any business association or direct or indirect financial interest that is substantial enough to influence the landscape architect's judgment in connection with the performance of professional services, the landscape architect shall fully disclose this

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in writing to the client or employer. If the landscape architect's client or employer objects to such association or financial interest, the landscape architect shall either terminate such association or interest or offer to give up the commission or employment.

(c) A landscape architect shall not solicit or accept compensation from material or equipment suppliers in return for specifying or endorsing their products.

(d) When acting as the interpreter of landscape contract documents and the judge of contract performance, a landscape architect shall render decisions impartially, favoring neither party to the contract.

(3) Full disclosure.

(a) A landscape architect shall disclose whenever he or she is being compensated for making public statements concerning landscape architectural issues.

(b) A landscape architect shall accurately represent to a prospective or existing client or employer the landscape architect's qualifications and clearly define the scope of his or her responsibility in connection with work for which the landscape architect is claiming responsibility.

(c) If a landscape architect becomes aware of a decision made by his or her employer or clients against the landscape architect's advice, that violates applicable construction laws, zoning codes or other applicable regulations and that will, in the landscape architect's judgment, materially and adversely affect the public health, safety and welfare, the landscape architect shall:

(i) Report the decision to the local authorities or other public official charged with the enforcement of such laws and regulations;

(ii) Refuse to consent to the decision; and

(iii) In circumstances where the landscape architect reasonably believes that other such

decisions will be made notwithstanding his or her objection, then the landscape architect shall terminate services with reference to the project. In the case of a termination in accordance with this paragraph of this rule, the landscape architect shall have no liability to the client on account of such termination.

(d) A landscape architect shall not deliberately make a materially false statement or deliberately fail to disclose a material fact requested in connection with an application for licensure or renewal.

(e) A landscape architect shall not assist in the application for licensure of a person known by the landscape architect to be unqualified in respect to education, examination, experience or character.

(4) Compliance with laws.

(a) A landscape architect shall not, in the practice of landscape architecture, knowingly violate any criminal law.

(b) A landscape architect shall neither offer nor make any payment or gift to any governmental official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project in which the landscape architect is interested.

(c) A landscape architect shall comply with the laws and regulations governing professional practice in any jurisdiction.

(5) Professional conduct. A landscape architect shall neither offer nor make any gifts, other than gifts of nominal value (including, for example, reasonable entertainment and hospitality), with the intent of influencing the judgment of an existing or prospective client in connection with a project in which the landscape architect is interested.

**WAC 308-13-011 The seal/stamp**

These rules govern the design and use of the landscape architect seal/stamp.

(1) Every landscape architect licensed in the state of Washington shall have a seal/stamp of design authorized by the board, bearing the registrant's name, license number and the legend "Registered landscape architect, state of Washington." The seal/stamp may be used in a horizontal or vertical format, and scaled as appropriate, provided it remains readable. Other deviations are not allowed. Facsimiles of the board-authorized seal/stamp appear below.

(2) The following shall be signed and sealed/stamped by the landscape architect:

- All technical submissions required for building permits, regulatory approvals and/or construction drawings that are filed with authorities having jurisdiction.
- Drawings prepared by the landscape architect on each sheet.
- Specifications and other technical submissions need only be sealed/stamped on the cover, title page, and all pages of the table of contents.

(3) No landscape architect's seal/stamp or countersignature shall be affixed to any drawings not prepared by the landscape architect or his or her regularly employed subordinates, or reviewed by the landscape architect. A landscape architect who seals/stamps or signs drawings or specifications that he or she has reviewed shall be responsible to the same extent as if prepared by that landscape architect.

(4) Without exception, these sealing/stamping requirements for landscape architects shall apply to all work prepared or supervised by the landscape architect.

**WAC 308-13-010 State board of registration**

Meetings.

The Washington state board of registration for landscape architects, hereinafter called the board, will hold quarterly regular public meetings each year.

Officers.

At its regular meeting during the second quarter of the calendar year, the board shall elect a chairman, a vice chairman, and a secretary for the ensuing year. The secretary may delegate the office's responsibilities in all or part to the executive secretary. ■

## Upcoming Rule Changes

At the November 6, 2008 meeting, the Board took action directing staff to open the rule-making process to propose adoption of the Council of Landscape Architectural Registration Boards' model language for eligibility requirements. Board staff will publish information on the board's website and solicit comments about the proposed change over the next several months. ■

## Summary of Disciplinary Cases

The Board of Registration for Landscape Architects regulates the profession of landscape architecture by investigating complaints of unprofessional conduct and incompetence against licensees, and issues of unlicensed practice. When a complaint is received by the Board, an initial investigation is started to gather information about the situation, and usually involves contact with the subject of the complaint (the respondent). A Board member is assigned as a case manager and serves as the technical expert. The investigation process can be lengthy and the case has several possible outcomes. The case may be closed by the Board with no further action if not enough evidence is found to support the complaint or the respondent quickly remedies the situation. For more serious issues, the Board may issue a statement of charges against the respondent, with sanctions for each offense. The respondent has an opportunity for a settlement conference to negotiate the sanctions or can ask for a hearing.

### Closed Cases

Case file 2007-03-1300-00LAN was formally closed on February 8, 2007. An allegation of unprofessional

conduct was brought against a licensee, charging he had not maintained responsible control of his stamp. The Department of Licensing investigator found no evidence the respondent failed to review plans properly before affixing his stamp and the case was closed with no further action. ■

## Board Vacancy – Public Member

The Board of Registration for Landscape Architects currently has a vacancy for its public member position. If you know a likely candidate who is not a past or present member of any other state licensing board, and does not make his or her own livelihood from, nor have a parent, spouse, or child who make their respective livelihood from providing landscape architecture services, please encourage them to apply and serve on our Board.

Please visit the Department of Licensing’s website at <http://www.dol.wa.gov/business/landscapearchitects/laboardmembers.html> or the Governor’s website at <http://www.governor.wa.gov/boards> to find out more. ■

## Board Meetings

The Board holds four meetings a year: two face-to-face and two by conference call.

### 2008 meeting schedule

January 22, 2009  
*Conference Call*

April 16, 2009  
*University of Washington, Seattle*

August 13, 2009  
*Conference Call*

October 15, 2009  
*Washington State University, Spokane Campus*

You are invited to attend Board meetings and give Board members feedback on issues related to licensure. The meeting times and room locations can be found on the landscape architect website address at:

<http://www.dol.wa.gov/business/landscapearchitects/>

## Licensing Statistics

### Licensing Activity for 10/1/07 to 9/30/08

Licenses granted by Reciprocity .....	<b>32</b>
Licenses granted by Exam .....	<b>20</b>
Active Landscape Architect licenses .....	<b>741</b>

## Examination Statistics

December 2007	Examinees	Passed	Failed
<b>SECTION C</b>			
Site Design	22	12	10
<b>SECTION E</b>			
Grading, Drainage & Stormwater Management	18	4	14
June 2008	Examinees	Passed	Failed
<b>SECTION C</b>			
Site Design	34	12	22
<b>SECTION E</b>			
Grading, Drainage & Stormwater Management	29	11	18

# Congratulations!

**The Washington Board of Registration for Landscape Architects welcomes all new licensees.**

There were a total of 52 new Washington State licensees through reciprocity and examination between October 2007 and October 2008.

## Examination (20)

Joseph Gordon Addington  
Elizabeth Lee Birkholz  
Brian Edward Bishop  
Andriana Ekahastuti  
Kristin Levar-Glandon  
Anne-Emilie Gold  
Matthew Cameron Gurrad

Marly Sami Haddad  
Daniel Wayne Harvey  
Katherine Grace Hilde  
Ian Parker Horton  
Kristin Lyn Kildall  
Cindy Lee Martin  
Ida Ottesen

Emily P. Pizzuto  
Jena Lynn Ponti  
John Terrell Salisbury  
Francis Andrew Spillane  
Emily E. Stachurski  
Frederick Jon Wepfer

## Reciprocity (32)

Anita Johanna Van Asperdt  
Kathleen Anne Baughman  
William Richard Bobzien  
Jon Fritz Breckon  
Jeffrey L. Bruce  
David Yen-En Chao  
Dawn R. Easterday  
Aaron G. Edwards  
Edward J. Elskamp  
James Werner Figurski  
Wayne Lee Freeman

David Laurence Gates  
Gregory H. Graves  
Michael Anthony Green  
Joyce Linda Jackson  
Weston Ryan James  
Daniel K. Jenkins  
Robert Scott Jones  
Jill L. Kovalsky  
Lane J. Ledbetter  
Jeffrey R. Lormand  
Troy Mears

Herbert L. Meeks  
Anne Marie Miller  
Todd Keene Mohler  
John Andrew Nuttbrock  
Dave A. Phillips  
Joshua Tripp  
Philip Steele Ward Jr.  
David J. Wollney  
Brett Randolph Wylie  
Mark Van Der Zalm

## Are you receiving the latest licensing news?

In the near future, your profession's licensing-related news will be by e-communication. Sign up today to be sure to receive announcements posted on the Landscape Architects' ListServe.

To join the Listserv, please visit our website:

<http://www.dol.wa.gov/business/landscapearchitects>

- Click "What's New", and select "Join Mailing list"
- Select the ListServ® link
- Select the "Join or leave the list (or change settings)" link
- Enter your email address and name, then select the join list button
- You will be sent a confirmation email, and then you will be added to the list.

## Staffing Changes

The Board of Registration for Landscape Architects welcomes Erica Hansen and Sabrina Jackson. Erica joined the staff in August as the Administrative Assistant. She previously worked for the Office of the Insurance Commissioner. Sabrina started in March as the new program representative and worked with business licensing section of the Department of Licensing and in private industry before joining our staff. At the end of June we will also say good-bye to Kezia Prater, who supported the program part-time in the past 2 years. ■