Chapter 308-13 WAC
BOARD OF LICENSURE FOR LANDSCAPE ARCHITECTS

WAC

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308-13-011 The seal/stamp. [Statutory Authority: RCW 18.96.060. 08-22-027, § 308-13-011, filed 10/28/08, effective 11/28/08.] Decodified and amended by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060. Recodified as WAC 308-13-055.

308-13-012 Standards of practice and conduct. [Statutory Authority: RCW 18.96.060. 08-22-027, § 308-13-012, filed 10/28/08, effective 11/28/08.] Decodified and amended by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060. Recodified as WAC 308-13-065.

308-13-015 Powers and duties of the board. [Statutory Authority: RCW 18.96.060. 96-10-013, § 308-13-015, filed 4/19/96, effective 5/20/96; 86-16-013 (Order PM 607), § 308-13-015, filed 7/25/86; 85-04-029 (Order PL 511), § 308-13-015, filed 1/31/85; Order 2472, § 308-13-015, filed 12/16/69.] Repealed by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060.

308-13-022 Reexamination. [Statutory Authority: RCW 18.96.060. 85-04-029 (Order PL 511), § 308-13-022, filed 1/31/85.] Repealed by 93-16-009, filed 7/22/93, effective 8/22/93. Statutory Authority: RCW 18.96.060.

308-13-024 Application for examination. [Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-024, filed 2/15/07, effective 3/18/07; 02-07-047, § 308-13-024, filed 3/14/02, effective 4/14/02; 96-10-013, § 308-13-024, filed 4/19/96, effective 5/20/96; 93-16-009, § 308-13-024, filed 7/22/93, effective 8/22/93.] Repealed by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060.

308-13-025 Proctoring. [Statutory Authority: RCW 18.96.060 and 18.96.070. 88-15-041 (Order PM 746), § 308-13-025, filed 7/15/88. Statutory Authority: RCW 18.96.060. 85-04-029 (Order PL 511), § 308-13-025, filed 1/31/85.] Repealed by 93-16-009, filed 7/22/93, effective 8/22/93. Statutory Authority: RCW 18.96.060.

308-13-030 Examinations. [Statutory Authority: RCW 18.96.060. 80-05-141 (Order PL-343), § 308-13-030, filed 5/7/80; Order PL 246, § 308-13-030, filed 4/26/76; Order 2472, § 308-13-030, filed 12/16/69.] Repealed by 85-04-029 (Order PL 511), filed 1/31/85. Statutory Authority: RCW 18.96.060.

308-13-032 Licensing examination. [Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-032, filed 2/15/07, effective 3/18/07; 93-16-009, § 308-13-032, filed 7/22/93, effective 8/22/93; 92-10-030, § 308-13-032, filed 4/30/92, effective 5/31/92. Statutory Authority: RCW 18.96.060 and 18.96.090. 88-12-018 (Order PM 726), § 308-13-032, filed 5/24/88. Statutory Authority: RCW 18.96.060. 85-23-045 (Order PL 567), § 308-13-032, filed 11/18/85; 85-04-029 (Order PL 511), § 308-13-032, filed 1/31/85.] Repealed by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060.

308-13-035 Qualifications for reexamination. [Order PL-135, § 308-13-035, filed 11/13/72; Order 2472, § 308-13-035, filed 12/16/69.] Repealed by 85-23-045 (Order PL 567), filed 11/18/85. Statutory Authority: RCW 18.96.060.

308-13-036 Supplemental application after successful completion of examination. [Statutory Authority: RCW 18.96.060. 02-07-047, § 308-13-036, filed 3/14/02, effective 4/14/02.] Repealed by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060.

308-13-040 Review of examinations. [Statutory Authority: RCW 18.96.060. 92-10-030, § 308-13-040, filed 4/30/92, effective 5/31/92; 86-16-013 (Order PM 607), § 308-13-040, filed 7/25/86; 85-04-029 (Order PL 511), § 308-13-040, filed 1/31/85; 80-05-141 (Order PL-343), § 308-13-040, filed 5/7/80; Order 2472, § 308-13-040, filed 12/16/69.] Repealed by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060.

308-13-041 Appeal of examination score. [Statutory Authority: RCW 18.96.060. 86-16-013 (Order PM 607), § 308-13-041, filed 7/25/86.] Repealed by 92-10-030, filed 4/30/92, effective 5/31/92. Statutory Authority: RCW 18.96.060.

308-13-042 Board procedure on examination grading appeals. [Statutory Authority: RCW 18.96.060. 86-16-013 (Order PM 607), § 308-13-042, filed 7/25/86.] Repealed by 92-10-030, filed 4/30/92, effective 5/31/92. Statutory Authority: RCW 18.96.060.

308-13-045 Initial license. [Statutory Authority: RCW 18.96.060 and 43.24.086. 99-23-025, § 308-13-045, filed 11/9/99, effective 11/9/99. Statutory Authority: RCW 43.24.086 and 18.96.110. 97-06-065, § 308-13-045, filed 2/27/97, effective 3/30/97.] Repealed by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060.

308-13-060 Registration of exemption. [Order 2472, § 308-13-060, filed 12/16/69.] Repealed by Order PL-135, filed 11/13/72.

308-13-070 Applicant's qualifications. [Order 2472, § 308-13-070, filed 12/16/69.] Repealed by 85-04-029 (Order PL 511), filed 1/31/85. Statutory Authority: RCW 18.96.060.

308-13-080 Certificates, seals. [Statutory Authority: RCW 18.96.060. 80-05-141 (Order PL-343), § 308-13-080, filed 5/7/80; Order 2472, § 308-13-080, filed 12/16/69.] Repealed by 85-04-029 (Order PL 511), filed 1/31/85. Statutory Authority: RCW 18.96.060.

308-13-090 Withdrawal of registrant. [Order 2472, § 308-13-090, filed 12/16/69.] Repealed by 85-04-029 (Order PL 511), filed 1/31/85. Statutory Authority: RCW 18.96.060.

308-13-100 Reinstatement of delinquent, suspended, or revoked licenses. [Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-100, filed 2/15/07, effective 3/18/07; 02-07-047, § 308-13-100, filed 3/14/02, effective 4/14/02; 93-16-009, § 308-13-100, filed 7/22/93, effective 8/22/93; 85-04-029 (Order PL 511), § 308-13-100, filed 1/31/85; Order 2472, § 308-13-100, filed 12/16/69.] Repealed by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060.

308-13-110 Landscape architect listings. [Statutory Authority: RCW 18.96.060. 85-04-029 (Order PL 511), § 308-13-110, filed 1/31/85; Order PL 169, § 308-13-110, filed 6/19/74; Order PL-135, § 308-13-110, filed 11/13/72.] Repealed by 96-10-013, filed 4/19/96, effective 5/20/96.

308-13-120	Landscape architects—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-13-120, filed 9/25/80; Order PL 206, § 308-13-120, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-13-150.
308-13-170	Retired status certificate of registration. [Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-170, filed 2/15/07, effective 3/18/07.] Decodified and amended by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060. Recodified as WAC 308-13-225.
308-13-180	Board member rules of conduct—Activities incompatible with public duties—Financial interests in transactions. [Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-180, filed 2/15/07, effective 3/18/07.] Decodified and amended by 10-12-116, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060. Recodified as WAC 308-13-013.
308-13-210	Application of brief adjudicative proceedings. [Statutory Authority: RCW 18.96.060. 97-10-026, § 308-13-210, filed 4/30/97, effective 5/31/97.] Repealed by 07-05-039, filed 2/15/07, effective 3/18/07. Statutory Authority: RCW 18.96.060.
308-13-220	Preliminary record in brief adjudicative proceedings. [Statutory Authority: RCW 18.96.060. 97-10-026, § 308-13-220, filed 4/30/97, effective 5/31/97.] Repealed by 07-05-039, filed 2/15/07, effective 3/18/07. Statutory Authority: RCW 18.96.060.

WAC 308-13-005 Definitions. (1) "CLARB" means the National Council of Landscape Architectural Registration Boards, of which the Washington board is a member.

(2) "Entire examination" as referred to in RCW 18.96.090 means the written and graphic examination approved by the board.

(3) "Examination" or "L.A.R.E." means the Landscape Architect Registration Examination for landscape architects.

(4) "Institution of higher education" as used in RCW 18.96.070 means a college or school recognized by the Landscape Architectural Accreditation Board (LAAB) as having accredited programs in landscape architecture.

(5) Professional development equivalents:

(a) One professional development hour (PDH) is equal to no less than fifty minutes of instruction.

(b) One continuing education unit (CEU) is equal to ten PDHs.

(c) For professional development through an institution of higher education:

(i) One semester hour equals forty-five PDHs.

(ii) One quarter hour equals thirty PDHs.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-005, filed 6/2/10, effective 7/3/10; 02-07-047, § 308-13-005, filed 3/14/02, effective 4/14/02; 96-10-013, § 308-13-005, filed 4/19/96, effective 5/20/96; 85-04-029 (Order PL 511), § 308-13-005, filed 1/31/85.]

WAC 308-13-010 What does the state board of licensure do? The Washington state board of licensure for landscape architects, hereinafter called the board, will hold quarterly regular public meetings each year.

At its regular meeting during the second quarter of the calendar year, the board shall elect a chair, a vice-chair, and a secretary for the upcoming year. The secretary may delegate his or her responsibilities in all or in part to the executive director.

The board shall:

(1) Determine the qualifications for examination.

(2) Review applications to determine eligibility for licensure by applicants who do not have a degree, referring qualified candidates to CLARB for administration of the examination.

(3) Review and act on applications for licensure by reciprocity.

(4) Provide application instructions for reissuance of license to persons whose license has been suspended or revoked in accordance with RCW 18.96.120, 18.96,180, 18.96.190 and chapter 18.235 RCW.

(5) Provide reinstatement instructions to persons whose license is delinquent in accordance with RCW 18.96.110.

(6) Provide guidelines for qualifying professional development activities.

(7) Audit and enforce professional development activities.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-010, filed 6/2/10, effective 7/3/10; 08-22-027, § 308-13-010, filed 10/28/08, effective 11/28/08; 85-04-029 (Order PL 511), § 308-13-010, filed 1/31/85; 80-05-141 (Order PL-343), § 308-13-010, filed 5/7/80; Order 2472, § 308-13-010, filed 12/16/69.]

WAC 308-13-013 What are the board member rules of conduct? (1) When a member of the board either owns a beneficial interest in or is an officer, agent, employee, or member of an entity, or individual which is engaged in a transaction involving the board, the member shall:

(a) Recuse oneself from the board discussion regarding the specific transaction;

(b) Recuse oneself from the board vote on the specific transaction; and

(c) Refrain from attempting to influence the remaining board members in their discussion and vote regarding the specific transaction.

(2) The prohibition against discussion and voting set forth in subsection (1)(a) and (c) of this section shall not prohibit the member of the board from using his or her general expertise to educate and provide general information on the subject area to the other members.

(3)(a) "Transaction involving the board" means a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter that the member in question believes, or has reason to believe:

(i) Is, or will be, the subject of board action; or

(ii) Is one to which the board is or will be a party; or

(iii) Is one in which the board has a direct and substantial proprietary interest.

(b) Does not include the following: Preparation, consideration, or enactment of legislation, including appropriation of moneys in a budget, or the performance of legislative duties by a member; or a claim, case, lawsuit, or similar matter if the member did not participate in the underlying transaction involving the board that is the basis for the claim, case, or lawsuit. Rule making is not a "transaction involving the board."

(4) "Board action" means any action on the part of the board, including, but not limited to:

(a) A decision, determination, finding, ruling, or order; and

(b) A grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or failure to

act with respect to a decision, determination, finding, ruling, or order.

(5) The following are examples of possible scenarios related to board member rules of conduct.

(a) **EXAMPLE 1:**

The board of licensure for landscape architects disciplines licensed landscape architects in Washington. The board is conducting an investigation involving the services provided by a licensed landscape architect. One of the members of the board is currently serving a subcontractor to that landscape architect on a large project. The board member must recuse himself or herself from any board investigation, discussion, deliberation and vote with respect to disciplinary actions arising from licensed landscape architect services.

(b) **EXAMPLE 2:**

The board of licensure for landscape architects makes licensing decisions on applications for licensure. An applicant for licensure owns a school construction business which employs licensed landscape architects, including one of the board members. The board member must recuse himself or herself from any board investigation, discussion, deliberation and vote with respect to his or her employer's application for licensure.

(c) **EXAMPLE 3:**

The board of licensure for landscape architects makes licensing decisions on applications from licensed landscape architects in another state or territory of the United States, the District of Columbia, or another country. The board can grant licensure if that individual's qualifications and experience are equivalent to the qualifications and experience required of a person registered under Washington law. An out-of-state applicant is employed as a landscape architect by a multinational corporation that is planning to build its world headquarters in Washington and has hired a board member's firm as the landscape architect for the project. The board member must recuse himself or herself from any board investigation, discussion, deliberation and vote with respect to the sufficiency of the out-of-state landscape architect's qualifications and experience.

(6) Recusal disclosure. If recusal occurs pursuant to subsection (1) of this section, the member of the board shall disclose to the public the reasons for his or her recusal from any board action whenever recusal occurs. The board staff shall record each recusal and the basis for the recusal.

[Statutory Authority: RCW 18.96.060. 10-12-116, amended and recodified as § 308-13-013, filed 6/2/10, effective 7/3/10; 07-05-039, § 308-13-180, filed 2/15/07, effective 3/18/07.]

WAC 308-13-020 How do I get a license? You need to fulfill three general requirements before getting your license: Education, examination, and experience.

The board adopts the CLARB's "Standards of Eligibility for Council Certification" as the standard for the education and experience requirements for applicants with a degree. The board does not require a CLARB council certificate for licensure.

Subject to the provisions of RCW 18.96.090, the board adopts the landscape architectural registration examination and grading procedure prepared by CLARB as the state examination for licensure. CLARB will administer the entire examination for Washington candidates, and will collect examination and reexamination fees accordingly.

(1) To register for the examination.

(a) If you have a degree:

(i) Apply directly to CLARB. Your materials will be evaluated using CLARB's "Standards of Eligibility for CLARB Test Center Candidates."

(ii) Contact CLARB to register for the Landscape Architect Registration Examination (LARE).

(iii) CLARB will register you and administer the exam. You will pay the fees for examination and reexamination directly to CLARB.

(b) If you do not have a degree:

(i) You must have a high school diploma or equivalent and at least eight years practical landscape architectural work experience.

(A) At least six years of work experience must be under the direct supervision of a licensed landscape architect.

(B) The remaining two years can be any combination of the following as approved by the board:

(I) Postsecondary education courses in landscape architecture, landscape architectural technology or a related field, if the courses are equivalent to education courses in an accredited landscape architectural degree program.

With a passing grade, thirty-two semester credit hours or forty-five quarter hours is considered to be one year. Any fraction, one-half year or greater, will be counted one-half year, and less than one-half year will not be counted.

(II) Work experience in landscape design as a principal activity.

(C) Work experience will receive credit if it is as follows:

(I) At least thirty-five hours per week for at least two continuous months - 100%.

(II) At least twenty hours per week for at least four continuous months - 50%.

(ii) Submit the following to the board office:

(A) The board's official application form and application fee. The application fee is not refundable.

(B) Evidence of your qualifications and experience as shown by:

(I) National certification from CLARB, sent directly to the Washington board office from CLARB; or

(II) The following materials:

• An official sealed transcript showing any applicable courses you have taken from a community college, technical college, or university. The transcript must be sent directly from the college or university to the board office.

• Verification by at least two licensed landscape architects who have reviewed and provided written acknowledgment of your work.

(iii) If your application is approved, it will be sent to CLARB and CLARB will register you and administer the exam. You will pay the fees for examination and reexamination directly to CLARB.

(2) To obtain a license, submit the following to the board office:

(a) If you have a degree:

(i) The board's official application form with the application fee. The application fee is not refundable;

(ii) Evidence of your qualifications and experience as shown by:

(A) National certification from CLARB, sent directly to the Washington board office from CLARB; or

(B) The following materials:

(I) Verification of successful completion of the exam; and

(II) Statements of previous employers covering full-time employment for a minimum of three years of diversified experience in landscape architecture based on CLARB's Standards of Eligibility for Council Certification;

(iii) The initial license fee;

(iv) A written review of laws related to the practice of landscape architecture as outlined in WAC 308-13-031;

(b) If you don't have a degree:

(i) Evidence of your qualifications and experience as shown by:

(A) National certification from CLARB, sent directly to the Washington board office from CLARB; or

(B) Verification of successful completion of the exam;

(ii) The initial license fee;

(iii) A written review of laws related to the practice of landscape architecture as outlined in WAC 308-13-031.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-020, filed 6/2/10, effective 7/3/10; 07-05-039, § 308-13-020, filed 2/15/07, effective 3/18/07; 02-07-047, § 308-13-020, filed 3/14/02, effective 4/14/02; 93-16-009, § 308-13-020, filed 7/22/93, effective 8/22/93. Statutory Authority: RCW 18.96.060 and 18.96.070. 88-05-025 (Order PM 707), § 308-13-020, filed 2/12/88. Statutory Authority: RCW 18.96.060. 85-04-029 (Order PL 511), § 308-13-020, filed 1/31/85; Order PL 246, § 308-13-020, filed 4/26/76; Order 2472, § 308-13-020, filed 12/16/69.]

WAC 308-13-031 Law review. When you successfully complete the licensing examination, you must then satisfactorily complete the review of laws related to the practice of landscape architecture as determined by the board.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-031, filed 6/2/10, effective 7/3/10.]

WAC 308-13-050 How can I get a license through reciprocity? If you hold an active landscape architect license in another state or country, you can apply for a Washington license if your qualifications and experience meet the following criteria:

• If you have a degree, your qualifications will be evaluated using CLARB's Standard of Eligibility for Council Certification.

• If you do not have a degree, your qualifications and experience must be comparable to WAC 308-13-020.

Submit to the board office:

(1) The board's official application form and reciprocity application fee. The application fee is not refundable;

(2) The initial license fee;

(3) A written review of laws related to the practice of landscape architecture as outlined in WAC 308-13-031;

(4) Evidence of your qualifications and experience as shown by:

(a) National certification from CLARB, sent directly to the Washington board office from CLARB; or

(b) The following materials:

(i) Certification from the state of licensure, verifying you hold an active license and have successfully passed the national licensure exam. This certification must be sent directly from the issuing state to the Washington board office;

(ii) An official sealed transcript showing any applicable courses you have taken from a community college, technical college, or university. The transcript must be sent directly from the college or university to the board office; and

(iii) Verification of work experience as outlined in WAC 308-13-020 (1)(b).

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-050, filed 6/2/10, effective 7/3/10; 02-07-047, § 308-13-050, filed 3/14/02, effective 4/14/02; 96-10-013, § 308-13-050, filed 4/19/96, effective 5/20/96; 85-04-029 (Order PL 511), § 308-13-050, filed 1/31/85; Order PL 206, § 308-13-050, filed 11/5/75; Order PL 169, § 308-13-050, filed 6/19/74; Order PL-135, § 308-13-050, filed 11/13/72; Order 2472, § 308-13-050, filed 12/16/69.]

WAC 308-13-055 Do I need a stamp or seal? If you were issued your license on or after July 1, 2010, you must have a seal/stamp of the design authorized by the board, bearing your name, license number and the legend "Licensed landscape architect, state of Washington." The seal/stamp may be used in a horizontal or vertical format provided it remains readable. Other deviations are not allowed. Examples of the board-authorized seal/stamp appear below.

If you were licensed before July 1, 2010, you may continue to use your existing registration stamp.

STATE OF
WASHINGTON
LICENSED
LANDSCAPE ARCHITECT

(SIGNATURE)

NAME

LICENSE NO. 000
EXPIRES ON (EXPIRATION DATE)

STATE OF
WASHINGTON
LICENSED
LANDSCAPE ARCHITECT

(SIGNATURE)

NAME

LICENSE NO. 000
EXPIRES ON (EXPIRATION DATE)

(1) Your seal/stamp must include your signature and your license expiration date.

(2) You must seal/stamp the following:

(a) All technical submissions required for building permits, regulatory approvals and/or construction drawings that are filed with authorities having jurisdiction;

(b) Drawings prepared by you on each sheet;

(c) Specifications and other technical submissions need only be sealed/stamped on the cover, title page, and all pages of the table of contents.

Your seal/stamp shall not be affixed to any drawings not prepared by you or your regularly employed subordinates, or not reviewed by you. If you seal/stamp drawings or specifications that you have reviewed, you shall be responsible to the same extent as if those drawings or specifications were prepared by you.

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

(3) The terms "signature" or "signed" as used in chapter 18.96 RCW and this chapter, shall mean the following:

(a) A handwritten identification or a digital representation of your handwritten identification that represents the act of putting your name on a document to attest to its validity. The handwritten or digital identification must be:

(i) Original and written by hand, or a scanned image of an original, handwritten identification;

(ii) Permanently affixed to the document(s) being certified;

(iii) Applied to the document by the identified licensee;

(iv) Placed adjacent to the seal/stamp of the licensee;

(b) A digital identification that is an electronic authentication process attached to or logically associated with an electronic document. The digital identification may include a scanned or digitized signature. The digital identification must be:

(i) Unique to the licensee using it;

(ii) Capable of independent verification;

(iii) Under the exclusive control of the licensee using it;

(iv) Linked to a document in such a manner that the digital identification is invalidated if any data in the document is changed.

[Statutory Authority: RCW 18.96.060. 10-12-116, amended and recodified as § 308-13-055, filed 6/2/10, effective 7/3/10; 08-22-027, § 308-13-011, filed 10/28/08, effective 11/28/08.]

WAC 308-13-065 What are the standards of practice and conduct? (1) Competence.

(a) In practicing landscape architecture, you 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, you shall take into account all applicable construction laws, zoning codes and other applicable laws or regulations. You shall not knowingly design a project in violation of such laws and regulations.

(c) You shall perform professional services only when you, together with those whom you engage as consultants, are qualified by education, training and experience in the specific technical areas involved.

(2) Conflict of interest.

(a) You 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 you have any business association or direct or indirect financial interest that is substantial enough to influence your judgment in connection with the performance of professional services, you shall fully disclose this in writing to the client or employer. If your client or employer objects to such association or financial interest, you shall either terminate such association or interest or offer to give up the commission or employment.

(c) You 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, you shall

render decisions impartially, favoring neither party to the contract.

(3) Full disclosure.

(a) You shall disclose whenever you are being compensated for making public statements concerning landscape architectural issues.

(b) You shall accurately represent to a prospective or existing client or employer your qualifications and clearly define the scope of your responsibility in connection with work for which you are claiming responsibility.

(c) If you become aware of a decision made by your employer or clients against your advice that violates applicable construction laws, zoning codes or other applicable regulations and that will, in your judgment, materially and adversely affect the public health, safety and welfare, you 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 you reasonably believe that other such decisions will be made notwithstanding your objection, then you shall terminate services with reference to the project. In the case of a termination in accordance with (3)(c)(iii) of this section, you shall have no liability to the client on account of such termination.

(d) You 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) You shall not assist in the application for licensure of a person known by you to be unqualified in respect to education, examination, experience or character.

(4) Compliance with laws.

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

(b) You 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 you are interested.

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

(5) Professional conduct. You 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 you are interested.

[Statutory Authority: RCW 18.96.060. 10-12-116, amended and recodified as § 308-13-065, filed 6/2/10, effective 7/3/10; 08-22-027, § 308-13-012, filed 10/28/08, effective 11/28/08.]

WAC 308-13-150 What are the landscape architect fees and charges? (1) Suspension of fees. Effective July 1, 2012, the listed fees shown in subsection (2) of this section are suspended and replaced with the following:

Title of Fee	Fee
Application fee	$225.00
Renewal (2 years)	360.00
Late renewal penalty	120.00
Initial license (2 years)	360.00
Reciprocity application fee	325.00

The fees set forth in this section shall revert back to the fee amounts shown in subsection (2) of this section on July 1, 2016.

(2) The following fees will be collected:

Title of Fee	Fee
Application fee	$250.00
Renewal (2 years)	450.00
Late renewal penalty	150.00
Duplicate license	25.00
Initial license (2 years)	450.00
Reciprocity application fee	450.00
Replacement wall certificate	20.00

You will submit any examination fees directly to CLARB.

[Statutory Authority: Chapter 18.96 RCW and RCW 43.24.086. 12-12-034, § 308-13-150, filed 5/30/12, effective 7/1/12. Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-150, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.080, 18.96.090, 18.96.100, 18.96.110, 43.24.086. 09-15-124, § 308-13-150, filed 7/17/09, effective 8/17/09. Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-150, filed 2/15/07, effective 3/18/07. Statutory Authority: RCW 18.96.080 and 43.24.086. 05-17-004, § 308-13-150, filed 8/3/05, effective 9/3/05; 05-04-050, § 308-13-150, filed 1/28/05, effective 2/28/05; 04-17-026, § 308-13-150, filed 8/9/04, effective 9/9/04; 03-11-074, § 308-13-150, filed 5/20/03, effective 6/20/03; 02-16-018, § 308-13-150, filed 7/26/02, effective 8/26/02. Statutory Authority: RCW 18.96.060 and 43.24.086. 01-15-034, § 308-13-150, filed 7/12/01, effective 8/12/01; 01-04-002, § 308-13-150, filed 1/25/01, effective 2/25/01; 99-23-025, § 308-13-150, filed 11/9/99, effective 11/9/99. Statutory Authority: RCW 18.96.080 and 43.24.086. 96-11-132, § 308-13-150, filed 5/22/96, effective 6/22/96; 95-20-026, § 308-13-150, filed 9/27/95, effective 10/28/95. Statutory Authority: RCW 43.24.086. 94-23-031, § 308-13-150, filed 11/8/94, effective 12/9/94. Statutory Authority: RCW 18.96.080. 94-04-044, § 308-13-150, filed 1/27/94, effective 2/27/94. Statutory Authority: RCW 43.24.086 and 18.96.080. 91-23-021, § 308-13-150, filed 11/8/91, effective 12/9/91; 90-15-039, § 308-13-150, filed 7/13/90, effective 8/13/90. Statutory Authority: RCW 43.24.086. 90-03-031, § 308-13-150, filed 1/12/90, effective 2/12/90; 88-04-027 (Order PM 702), § 308-13-150, filed 1/26/88. Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-13-150, filed 8/10/83. Formerly WAC 308-13-120.]

WAC 308-13-160 How do I renew my license? The landscape architect license renewal period is two years. Your expiration date is your birthday. The department will send a courtesy renewal to your most recent address on file approximately eight weeks before the license expiration date. The renewal notice will show the due date, the amount of renewal fee, the penalty fee for late payment, professional development notice and other mailing instructions. You must notify the board in writing of any address changes.

You are responsible for renewing your license regardless of receiving a renewal notice from the department. If you fail to renew your license, your license is delinquent and you are prohibited from offering and/or providing professional landscape architect services until your license is reinstated.

(1) If your license has been delinquent less than five years, send to the department:

(a) A letter requesting reinstatement;

(b) Payment from the previous renewal cycle, the current renewal fee, and the late penalty fee;

(c) Evidence of completion of twenty-four PDHs. See WAC 308-13-185 regarding qualifying activities.

(2) If your license has been delinquent five or more years, send to the department:

(a) A letter requesting reinstatement;

(b) Payment from the previous renewal cycle, the current renewal fee, and the late penalty fee;

(c) Evidence of completion of twenty-four PDHs. See WAC 308-13-185 regarding qualifying activities;

(d) A resume of landscape architectural activities and projects showing you have been working in another jurisdiction since the date of your license expiration;

(e) A detailed explanation of the circumstances surrounding the failure to maintain current licensure;

(f) A review of laws related to the practice of landscape architecture as outlined in WAC 308-13-031.

If your license has been delinquent five or more years, the board will review all of your reinstatement materials. They may request additional information if necessary.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-160, filed 6/2/10, effective 7/3/10. Statutory Authority: RCW 18.96.060 and 43.24.-086. 99-23-025, § 308-13-160, filed 11/9/99, effective 11/9/99. Statutory Authority: RCW 43.24.086 and 18.96.110. 97-06-065, § 308-13-160, filed 2/27/97, effective 3/30/97. Statutory Authority: RCW 18.96.080. 94-04-044, § 308-13-160, filed 1/27/94, effective 2/27/94. Statutory Authority: RCW 46.24.086 [43.24.086] and 18.96.110. 88-01-022 (Order PM 696), § 308-13-160, filed 12/9/87.]

WAC 308-13-165 How do I reactivate my inactive license? (1) If you are returning to active status from less than five years of inactive status, send to the department:

(a) A letter requesting reactivation;

(b) The current renewal fee;

(c) Evidence of completion of twenty-four PDHs. See WAC 308-13-185 regarding qualifying activities.

(2) If you are returning to active status after five years of inactive status, send to the department:

(a) A letter requesting reinstatement;

(b) The current renewal fee plus the late penalty fee;

(c) A review of laws related to the practice of landscape architecture;

(d) Evidence of completion of twenty-four PDHs. See WAC 308-13-185 for qualifying activities.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-165, filed 6/2/10, effective 7/3/10.]

WAC 308-13-175 Do I need ongoing professional development to maintain my license? (1) Starting July 1, 2010, to maintain active practice, you must accumulate twenty-four professional development hours (PDHs) for the upcoming two-year renewal period. Starting July 1, 2012, the PDHs you accumulate are subject to audit by the board.

(2) Up to twelve PDHs over the required hours can be carried forward from the second year of your previous renewal period including hours accumulated from July 1, 2009, forward.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-175, filed 6/2/10, effective 7/3/10.]

WAC 308-13-185 What activities qualify as professional development? (1) You are responsible to seek out qualifying activities that can be demonstrated to the board as relevant to professional development.

(a) Activities are not preapproved by the board.

(b) Activities must be relevant to the practice of landscape architecture and may include technical, ethical or managerial content.

(i) At least eighteen PDHs must address public health, safety and welfare.

(ii) All activities must have a clear purpose and objective that will maintain, improve or expand skills and knowledge relevant to the practice of landscape architecture.

(2) The board is the final authority with respect to claimed qualifying activities and the respective PDH credit.

(3) The qualifying activity becomes eligible for credit upon completion of the given activity.

(4) Examples of qualifying activities:

Activity (1 PDH is equal to no less than 50 minutes of activity)	Maximum PDHs
One hour of preparation and subsequent presentation of a professional development program at seminars, professional/technical meetings, conventions or conferences. This credit does not apply to full-time faculty.	10 PDHs per year
For publication of an authored technical paper or article.	10 PDHs
For publication of an authored book.	30 PDHs
Professional boards or commissions: Serving as an elected officer or appointed chair of a committee of an organization in a professional society or organization. PDH shall not be earned until the completion of each year of service.	4 PDHs per organization
Boards or commissions related to the practice of landscape architecture: Serving as an elected officer or appointed member of a board or commission. PDH shall not be earned until the completion of each year of service.	4 PDHs per organization
Professional examination grading or writing: Serving as an exam grader or on a committee writing exam materials for a professional registration examination.	8 PDHs per biennium
Membership on the regulatory board for the practice of landscape architecture.	8 PDHs per year
One hour of attendance at meetings or hearings of the board. This credit does not apply to existing board members or to parties or witnesses in hearings before the board.	6 PDHs per year
One hour of work, outside normal duties of employment that involves participation in other recognized professional activities.	2 PDHs per year
One hour of self-study.	5 PDHs per year
One hour of participation in sessions or courses, sponsored by technical or professional societies, organizations or the board.	No limit

Activity (1 PDH is equal to no less than 50 minutes of activity)	Maximum PDHs
One hour of participation in organized courses, including employer provided courses, on environmental health topics/first aid/safety, technical or management skills.	No limit
One hour of attendance at professional or technical society meetings with an informational program.	5 PDHs per year
Pro bono service that has a clear purpose and objective and maintains, improves, or expands the professional knowledge or skill of the registrant. Four hours of service is equal to 1 PDH.	4 PDHs per year
One hour of participation in an activity involving substantial and organized peer interaction, excluding time spent during regular employment.	5 PDHs per year

(5) The following activities do not qualify as professional development:

(a) Activities that were conditions of a board order;

(b) Attendance or testimony at legislative hearings, at city or county council meetings/hearings, or at civil or criminal trials;

(c) Time spent fund-raising for scholarships or other society purposes or lobbying for legislation;

(d) Attendance at gatherings that are primarily social in nature;

(e) Membership and/or attendance in service club meetings.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-185, filed 6/2/10, effective 7/3/10.]

WAC 308-13-195 How do I record and report my professional development activities? (1) You must maintain the records of your professional development activities. The records must include the date of the activity, the instructor's name, a description of activity and its location and the number of PDHs.

(2) You must keep your records for the cumulative time in the current renewal period plus the three years before the last renewal (five years total).

(3) By renewing your professional landscape architect license, you attest you have completed the required professional development for that renewal period.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-195, filed 6/2/10, effective 7/3/10.]

WAC 308-13-205 How does the board verify I have completed my professional development? (1) The board will audit between five and fifteen percent of the total number of licensees yearly. If you are selected for an audit, the board will provide instructions about how to respond.

(2) You may face disciplinary action for failing to complete your professional development requirement or falsifying your records.

(3) If an audit disqualifies credits that you reported to the board and results in you failing to complete the PDH requirements, the board may require the shortage to be made up over a period of time established by the board.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-205, filed 6/2/10, effective 7/3/10.]

WAC 308-13-215 Are there any exemptions from the professional development requirement? (1) The board may allow a waiver from the professional development requirement only under the following circumstances. The waiver would only be in effect for the current renewal period. The board requires waiver requests to be in writing.

(a) Physical disability, prolonged illness, or other extenuating circumstances that pose a personal hardship, as determined by the board.

(b) Active military duty for at least one hundred twenty days.

(c) If you have been licensed for twenty-five or more consecutive years in a CLARB-recognized jurisdiction, you may meet the professional development requirement upon completing 4 PDHs per year. See WAC 308-13-185 regarding qualifying activities.

(2) You are exempted from the professional development requirements if you withdraw from active practice and place your license in retired status (see WAC 308-13-225) or inactive status (see RCW 18.96.110(2)). Under these statuses, you are not permitted to perform any landscape architectural activity, as provided for in RCW 18.96.030, unless said activity is under the direct supervision of a Washington state licensed landscape architect who has an active license in the records of the board.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-215, filed 6/2/10, effective 7/3/10.]

WAC 308-13-225 How do I obtain retired status? If you are a licensed landscape architect you may be eligible to obtain retired status if you are at least the age of sixty-five and have discontinued active practice. If granted, your ongoing licensing renewal fees are waived.

(1) To obtain retired status, submit a request in writing to the board office. If the board determines you are eligible, the retired status would become effective on the first scheduled license renewal date that occurs on or after you reach the age of sixty-five. You do not need to renew an expired license to be eligible for this status. The board will not provide refund of renewal fees if the application for retired status is made and granted before the date of expiration of the certificate of licensure.

(2) Privileges. In addition to the waiver of the renewal fee, as a retired licensee you are permitted to:

(a) Retain the board-issued wall certificate of licensure;

(b) Use the title landscape architect, provided you also use the term "retired," or the abbreviation "ret";

(c) Work as a landscape architect in a volunteer capacity, provided you do not create landscape architectural plans, and do not use your seal, except as provided for in (d) of this subsection;

(d) Provide experience verifications and references for persons seeking registration under chapter 18.96 RCW. If

using your professional seal, you must place the word "retired" after your signature;

(e) Serve as a volunteer in an instructional capacity on landscape architectural topics;

(f) Provide services as a technical expert before a court, or in preparation for pending litigation, on matters directly related to landscape architectural work you performed before you were granted retired status;

(g) Serve in a function that supports the principles of licensure and promotes the profession of landscape architecture, such as members of commissions, boards or committees;

(h) Serve in a landscape architectural capacity as a "good samaritan," as set forth in RCW 38.52.195 and 38.52.1951, provided said work is otherwise performed in accordance with chapter 18.96 RCW.

(3) Restrictions. As a retired licensee, you are not permitted to:

(a) Perform any landscape architectural activity, as provided for in RCW 18.96.030, unless said activity is under the direct supervision of a Washington state licensed landscape architect who has an active license in the records of the board;

(b) Apply your professional stamp, as provided for in RCW 18.96.150, to any plan, specification, or report, except as provided for in subsection (2)(d) of this section.

(4) Certificate of licensure reinstatement. As a retired licensee, you may resume active landscape architectural practice upon written request to the board, payment of the current renewal fee, and providing evidence of completion of twenty-four PDHs. See WAC 308-13-185 regarding qualifying activities. At that time, you shall be removed from retired status and placed on active status in the records of the board. All rights and responsibilities of an active license status will be in effect. At the date of expiration of the reinstated certificate of licensure, you may elect to either continue active licensure or may again apply for retired status in accordance with the provisions of this chapter.

(5) Exemptions. Under no circumstances shall you be eligible for a retired registration if your certificate of licensure has been revoked, surrendered, or in any way permanently terminated by the board under chapter 18.96 RCW. If you have been suspended from practice and/or are subject to terms of a board order at the time you reach age sixty-five, you shall not be eligible for a retired status until such time that the board has removed the restricting conditions.

(6) Penalties for noncompliance. Any violations of this section shall be considered unprofessional conduct as defined in RCW 18.235.130 and are subject to penalties as provided for in RCW 18.235.110.

[Statutory Authority: RCW 18.96.060. 10-12-116, amended and recodified as § 308-13-225, filed 6/2/10, effective 7/3/10; 07-05-039, § 308-13-170, filed 2/15/07, effective 3/18/07.]

WAC 308-13-230 Conduct of brief adjudicative proceedings. (1) Brief adjudicative proceedings shall be conducted by a presiding officer for brief adjudicative proceedings designated by the board chair. The presiding officer for brief adjudicative proceedings shall have agency expertise in the subject matter but shall not have personally participated in the decision to issue the initiating document.

(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.

(3) The presiding officer for brief adjudicative proceedings may, in his or her discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ agency expertise as a basis for decision.

(6) The presiding officer for brief adjudicative proceedings shall not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings shall enter an initial order.

[Statutory Authority: RCW 18.96.060. 97-10-026, § 308-13-230, filed 4/30/97, effective 5/31/97.]

WAC 308-13-240 Reinstatement of suspended certificates, eligibility for registration, or denied renewals. Where a person's certificate of licensure has been suspended, an applicant has been denied license renewal, or an applicant has been denied the ability to take the examination for certificate of licensure due to nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship, his or her certificate of licensure, license renewal or examination application will be reinstated when the person provides the board a written release issued by the lending agency stating that the person is making payments on the loan in accordance with a repayment agreement approved by the lending agency, provided, the person shall pay any applicable reinstatement or renewal fee.

[Statutory Authority: RCW 18.96.060. 10-12-116, § 308-13-240, filed 6/2/10, effective 7/3/10; 97-10-026, § 308-13-240, filed 4/30/97, effective 5/31/97.]

WAC 308-13-250 Brief adjudicative proceedings. (1) The board will conduct brief adjudicative proceedings as provided for in RCW 34.05.482 through 34.05.494 of the Administrative Procedure Act. Brief adjudicative proceedings may be used whenever a statement of charges, notice of intent to issue a cease and desist order, or temporary cease and desist order alleges violations of chapters 18.96 and 18.235 RCW, administrative rules in Title 308 WAC or any statutes or rules that specifically govern the defined practices of landscape architects. Brief adjudicative proceedings may also be used in place of formal adjudicative hearings whenever the board issues a statement of charges, notice of intent to issue a cease and desist order, or temporary cease and desist order alleging that an applicant or licensee's conduct, act(s), or condition(s) constitute unlicensed practice or unprofessional conduct as that term is defined under chapter 18.235 RCW, the Uniform Regulation of Business and Professions Act.

(2) Brief adjudicative proceedings may be used to determine the following issues, including, but not limited to:

(a) Whether an applicant has satisfied terms for reinstatement of a license after a period of license restriction, suspension, or revocation;

(b) Whether an applicant is eligible to sit for a professional licensing examination;

(c) Whether a sanction proposed by the board is appropriate based on the stipulated facts;

(d) Whether an applicant meets minimum requirements for an initial or renewal application;

(e) Whether an applicant has failed the professional licensing examination;

(f) Whether an applicant or licensee failed to cooperate in an investigation by the board;

(g) Whether an applicant or licensee was convicted of a crime that disqualifies the applicant or licensee from holding the specific license sought or held;

(h) Whether an applicant or licensee has defaulted on educational loans;

(i) Whether an applicant or licensee has violated the terms of a final order issued by the board or the board's designee;

(j) Whether a person has engaged in false, deceptive, or misleading advertising; or

(k) Whether a person has engaged in unlicensed practice.

(3) In addition to the situations enumerated in subsection (2) of this section, the board may conduct brief adjudicative proceedings instead of formal adjudicative hearings whenever the parties have stipulated to the facts and the only issues presented are issues of law, or whenever issues of fact exist but witness testimony is unnecessary to prove or disprove the relevant facts.

[Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-250, filed 2/15/07, effective 3/18/07.]

WAC 308-13-260 Records required for the brief adjudicative proceeding. The records for the brief adjudicative proceeding shall include:

(1) Renewal or reinstatement of a license:

(a) All correspondence between the applicant and the board about the renewal or reinstatement;

(b) Copies of renewal notice(s) sent by the department of licensing to the licensee;

(c) All documents received by the board from or on behalf of the licensee relating to information, payments or explanations that have been provided to the board.

(2) Applicants for certification/licensing:

(a) Original complete application with all attachments as submitted by applicant;

(b) Copies of all supplementary information related to application review by staff or board member;

(c) All documents relied upon in reaching the determination of ineligibility;

(d) All correspondence between the applicant and the board about the application or the appeal.

(3) Default of student loan payments:

(a) Copies of notices to the board showing the name and other identification information of the individual claimed to be in default on student loan payments;

(b) Copies of identification information corresponding to the person who is certified/licensed by the board that relate to the identity of the individual in default;

(c) All documents received by the board from or on behalf of the licensee relating to rebutting such identification;

(d) Certification and report by the lending agency that the identified person is in default or nonpayment on a federally or state-guaranteed student loan or service-conditional scholarship; or

(e) A written release, if any, issued by the lending agency stating that the identified person is making payment on the loan in accordance with a repayment agreement approved by the lending agency.

(4) Determination of compliance with previously issued board order:

(a) The previously issued final order or agreement;

(b) All reports or other documents submitted by, or at the direction of, the license holder, in full or partial fulfillment of the terms of the final order or agreement;

(c) All correspondence between the license holder and the program regarding compliance with the final order or agreement; and

(d) All documents relied upon by the program showing that the license holder has failed to comply with the previously issued final order or agreement.

[Statutory Authority: RCW 18.96.060. 07-05-039, § 308-13-260, filed 2/15/07, effective 3/18/07.]