



Ohio Board of Landscape Architect Examiners

WINTER 2012

NEWS FOR OHIO LANDSCAPE ARCHITECTS

**Ohio Board of
Landscape
Architect
Examiners**

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2012 Officers Elected

At the February 3, 2012 meeting of the Ohio Board of Landscape Architect Examiners, Lee Behnke, FASLA, Cleveland, was elected 2012 Board President.

Pat Beam, ASLA, CLARB, Lima, was elected Secretary. Mr. Beam is a principal with Bassett & Associates, Lima.

The term of Scott Sonnenberg, ASLA, PE, ended on October 2, 2011. A new Allied Professional Member has not been appointed. The Board wishes to thank Mr. Sonnenberg for his dedicated service to the Board.

Rounding out the Board are Past-President, Tim Schmalenberger, ASLA, Columbus, a principal with MSI/KKG, Columbus, and Louis Capobianco, Columbus, Public Member.

Landmark Study Defines "Public Welfare"

The licensed practice of landscape architecture has seven distinct, observable impacts on public welfare according to a newly released study by ERIN Research for the Council of Landscape Architectural Registration Boards (CLARB). The landmark report also offers a contemporary definition of public welfare (an integral part of professional licensure along with health and safety). A special executive summary of the report can be downloaded at:

<https://www.clarb.org/CLARBDocuments/CLARBWelfareExecutiveSummary.pdf>

"While public welfare is a poorly defined, understood, and appreciated area of practice," noted CLARB Past President Ian Wasson, "it also represents a substantial portion of our body of knowledge and its application differentiates our practice from related disciplines."

He added that this new research provides a "practical, new framework" for understanding public welfare and how the profession "uniquely contributes" to its advancement.

The report describes public welfare as a "fusion" of the concepts of "public realm" and "well-being" and offers a modern definition based on the historical context as well as current legal practice and foundations. The seven principal impacts of landscape architecture on public welfare include:

- Environmental sustainability
- Economic sustainability
- Public health and well-being
- Community building

Click on staff name to send an email.

Mission Statement

The Ohio Board of Landscape Architect Examiners - is comprised of landscape architects, allied professionals, and consumers dedicated to the protection of the public health, safety, and welfare.

- *By regulating the landscape architecture practice in Ohio*
- *By informing the public and consumer groups about the role of the profession and expectation of practice*
- *By creating opportunities to raise the levels of professional practice*
- *By monitoring the adequacy of candidates' entrance into the profession by national examination*

- Landscape awareness and stewardship
- Aesthetic and creative experiences
- Better functioning communities

"CLARB sponsored this groundbreaking research to help the organization and its member licensure boards better understand the relationship between the licensed practice of landscape architecture and public welfare," noted CLARB Executive Director Joel Albizo, "and to ensure that it was properly recognized in the licensure examination." He added that the findings have generated "substantial interest" inside and outside the profession and that the organization is working to share these new insights more broadly.

About the Council of Landscape Architectural Registration Boards

CLARB exists to promote public health, safety and welfare in the practice of landscape architecture. It accomplishes this goal by supporting its member state/provincial licensure boards that regulate the practice in 48 U.S. states, Puerto Rico and two Canadian provinces.

Late Renewals

Did you forget to renew your Ohio Landscape Architect license? If you did, a late renewal form is available for download from the [Forms](#) page of the Board's website. All late renewals must include proof of completion of the Continuing Education requirement.

Is Your Contact Information Up to Date?

Do you have a new email address? Have you moved or changed jobs? It is your responsibility to notify the Board of any changes in your contact information.

If your current information is not on file, you may not receive your renewal notice or other important information. Use this link to notify the Board of your new contact information: <http://www.arc.ohio.gov/AddressChange.aspx>

If you have an CLARB Record or Certificate, you must also notify CLARB at www.clarb.org

Congratulations to Landscape Architects Newly Licensed by Examination!

The Board wishes to congratulate the following landscape architects who were licensed by examination between October 1, 2009 and January 4, 2012:

#1220	Kyle Adams
#1230	Mark Bambach
#1253	Ronald Dickerson
#1248	Brett Gies
#1222	Jeremy Hinte
#1238	Jacqueline Huelskamp
#1245	Jason Kentner
#1239	Kyle Lukes
#1236	Christian Lynn
#1243	Elise Mcelwain
#1237	Justin Meranda

#1235 Carmine Russo
#1254 Jayme Schwartzberg
#1234 Mark Sierschula

CLARB Announces Changes to LA Registration Exam

The Council of Landscape Architectural Registration Boards (CLARB) has announced that the structure of the Landscape Architects Registration Exam (L.A.R.E.) will be changing as a result of the recent Task Analysis research, advancements in testing technology, and evolution of the marketplace.

The changes to the exam will include the following:

- 1) Minor content changes will be consistent with current landscape architectural practice.
- 2) The content will be presented through four rather than five sections to better align with current practice, but will not reduce the content currently tested.
- 3) All sections will be delivered entirely by computer. CLARB's exam development committees are currently working on creating new computerized problems for the content currently tested in the graphic exams (Sections C and E) and Section D using a mix of multiple-choice questions and advanced item types. CLARB will not use CAD software; rather the candidate will interact with on-screen graphics.

CLARB encourages candidates currently in the exam process to complete all sections of the current exam by the June 2012 administration to ensure that they receive credit for sections they have passed. The [L.A.R.E. Transition Chart](#) identifies the ways that the existing exam sections will transition to the new exam. CLARB staff is ready to assist candidates through the transition process and to help them develop a plan for completing the exams and obtaining initial licensure prior to the transition.

Prospective licensees are encouraged to begin the exam process as soon as possible as there is ample time to complete all sections prior to transitioning to the new exam in late 2012. Completing all sections by June 2012 will also result in savings to the candidate, because the per-section cost of the new exam will increase as total costs are spread across four sections instead of five.

CLARB has developed a website to provide candidates with information to assist them in completing the current exam and to better understand the process of transition to the new exam. Candidates will find resources including a set of frequently asked questions and the L.A.R.E Transition Chart, which provides a visual summary of how existing exam sections will transition to the new exam and an administration timeline for the current and new exams.

ASLA and CLARB are working together to ensure candidates have access to timely and relevant information regarding the exam and licensure process. The ASLA LARE Prep [webpage](#) will provide updated information throughout this transition, including links to the CLARB resources. For additional information on the changes to the L.A.R.E. please visit the LARE pages of the CLARB [website](#).

Enforcement Actions

The following cases are final results of investigative matters resolved between November 2010 and February 2012. Every effort is made to ensure that the following information is correct.

If you have any questions about these cases or other enforcement matters, please contact the Board's Investigator, Chad B. Holland at (614) 466-1476 or via e-mail at chad.holland@arla.state.oh.us

File #2011-2
William A. Gerhardt, Cert. No. 567
Greenscapes Landscape Company
Columbus, Ohio

It was discovered per Mr. Gerhardt's company website that two non-licensed employees were allegedly being represented as a Landscape Architect and Graduate Landscape Architect in violation of Ohio Revised Code section 4703.32 (A) which prohibit non-landscape architects from representing themselves to be landscape architects or graduate landscape architects.

This matter was amicably resolved whereby Mr. Gerhardt agreed to remove any references to non-licensed employees being landscape architects or graduate landscape architects. This matter was closed February 2011.

File #2011-9
Kenneth A. Kushmider, Cert. No. 648
Hudson, Ohio

After an administrative hearing, Mr. Kushmider entered into a settlement agreement whereby he admitted violations of Ohio Revised Code Sections 4703.41 (C), (F) and Ohio Administrative Code sections 4703:1-1-01 (G), 4703:1-3-04 (D) (1), (2) and 4703:1-3-04 (E) (2). Terms of the agreement included a three (3) year period of probation and successful completion of the NCARB Professional Conduct monograph.

These violations were directly related to Kushmider pleading guilty on or about July 2, 2010 in the United States District Court for the Northern District of Ohio, Eastern Division, to (1) one count of bribery for giving a \$3,000 bribe in 2007 in return for a \$167,000 Maple Heights School District contract for landscape contracting services. As part of his criminal sentence, Kushmider was sentenced to a (3) year period of probation and required to pay restitution. This matter was closed November 2011.

File #2011-14
Jeffrey L. Cole, Cert. No. 724
Akron, Ohio

Mr. Cole pled guilty on or about August 5, 2009 in the Wadsworth, Ohio Municipal Court, to one count of voyeurism, a misdemeanor of the third degree under Ohio Revised Code 2907.08. As a result of this conviction, Mr. Cole was required to register as a tier one sex offender.

Cole failed to disclose his conviction to the Board when he attested and certified with his personal signature on his 2009-2011 Ohio renewal application that he had not pled guilty to, or have been convicted of a crime involving moral turpitude since his last renewal, when in fact he had, which is a violation of Ohio Revised Code 4703.41 (F) and Ohio

Administrative Code 4703:1-1-01 (G), 4703:1-3-04 (C) (4) and 4703:1-3-04 (E) (4).

This matter was amicably resolved whereby Mr. Cole entered into a settlement agreement was and accepted a suspension for a period of six months beginning August 18, 2011 through February 18, 2012. In addition to the suspension, Mr. Cole was placed on a 3 year period of probation and was fined \$500 for his actions. This matter was closed August 2011.

File #2011-20
John S. Vittum, Cert. No. 366
Bath, Ohio

Mr. Vittum indicated on his 2009-2011 renewal application that he had completed the mandatory continuing education requirements for license renewal. However, after conducting an audit, it was determined that he allegedly failed to complete the mandatory continuing education requirements, which is a violation of Ohio Revised Code 4703.41 (A), (F), 4703.45 (A) and Ohio Administrative Code 4703:1-1-01 (G), 4703:1-1-06 (B) (1), (3), 4703:1-1-06 (I), 4703:1-3-04 (C) (4) and 4703:1-3-04 (E) (3).

This matter was informally resolved whereby Mr. Vittum entered into a *settlement agreement*, accepted a \$500 fine for his actions and successfully completed the continuing education requirements. This matter was closed August 2011.

File #2011-36
Charles B. Grasser, Cert. No. 751
Wickliffe, Ohio

Mr. Grasser indicated on his 2009-2011 renewal application that he had completed the mandatory continuing education requirements for license renewal. However, after conducting an audit, it was determined that he allegedly failed to complete the mandatory continuing education requirements, which is a violation of Ohio Revised Code 4703.41 (A), (F), 4703.45 (A) and Ohio Administrative Code 4703:1-1-01 (G), 4703:1-1-06 (B) (1), (3), 4703:1-1-06 (I), 4703:1-3-04 (C) (4) and 4703:1-3-04 (E) (3).

This matter was informally resolved whereby Mr. Grasser entered into a settlement agreement, accepted a \$500 fine for his actions and successfully completed the continuing education requirements. This matter was closed February 2012.

File #2011-39
Will Lehnert
OS Design, LLC
Columbus, Ohio

After an investigation, it was determined that Mr. Lehnert, who is not a landscape architect was representing on his website that he was formally trained as a landscape architect, which is a violation of Ohio Revised Code section 4703.32 (A) which prohibit non-landscape architects from representing themselves to be landscape architects.

This matter was amicably resolved whereby Mr. Lehnert agreed to remove any reference to being a landscape architect from his website. This matter was closed November 2011.

File #2011-40
Lindsey W. Baker, Cert. No. 1174
Highland Heights, Ohio

Ms. Baker indicated on her 2011-2013 renewal application that she had completed the mandatory continuing education requirements for license renewal. However, after conducting an audit, it was determined that she allegedly failed to complete the mandatory continuing education requirements, which is a violation of Ohio Revised Code 4703.41 (A), (F), 4703.45 (A) and Ohio Administrative Code 4703:1-1-01 (G), 4703:1-1-06 (B) (1), (3), 4703:1-1-06 (I), 4703:1-3-04 (C) (4) and 4703:1-3-04 (E) (3). Baker had completed only 22 of the required 24 credits.

This matter was informally resolved whereby Ms. Baker entered into a settlement agreement, accepted a \$500 fine for her actions and successfully completed the continuing education requirements. This matter was closed February 2012.

Unethical or Unlicensed Activity?

If you believe the services or conduct of an Ohio landscape architect or firm to be unethical, illegal or below an acceptable standard, or if you are aware of unlicensed practice, please contact Chad B. Holland, Investigator, at 614-466-1476 or chad.holland@arla.state.oh.us.

The CLARB Council Record: A Time and Resource Saving Tool for Landscape Architects

Landscape Architects and exam candidates holding a CLARB Council Record or Certificate can expect to save valuable time and resources when applying for licensure because:

- CLARB has already independently verified all of the information in the Council Record (education, experience, examination, licensure history, continuing education and professional references);
- [CLARB Certification](#) is the professional distinction that carries CLARB's formal recommendation to licensure boards that a professional's licensure application be granted favorable consideration;
- In order to become CLARB Certified, the individual has met or exceeded [CLARB's Standards of Eligibility](#), a set of standards approved by CLARB's Member Boards that are recommended nationally as the minimum standards for licensure;
- CLARB can provide the individual's credentials (the Council Record) to Member Boards in an easy-to-access and easy-to-read electronic transmittal, making the licensing process more efficient.

For more information about the Council Record or CLARB Certification, please [visit the CLARB website](#) or contact [Valerie Heh Gardner](#) at CLARB.

Do You Know the Laws and Rules of the Board?

Have you read the Laws and Rules since you first applied for a license in the State of Ohio? If it has been more than six months, you just might

want to take a few minutes and review the current Laws and Rules. A few minutes spent now could avert disciplinary action in the future!

PDF versions of the Laws and Rules can be downloaded from the Laws and Rules section of the Board's [website](#).

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