



Ohio Board of Landscape Architect Examiners

Fall 2008

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Landscape Architect
Examiners

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ASLA
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Patrick Beam, ASLA

Senate Bill 225 Signed by Governor Strickland



Governor Strickland signs SB 225

Attending the signing ceremony:

Seated, from left to right, bill sponsor Sen. Tim Schaffer, Governor Strickland, and Board Member, Stephen Sharp, AIA. Standing: Jim Laipply, Administrative Assistant to Sen. Schaffer, Board Executive Director Amy Kobe, AIA Ohio President Terry Welker, Senate Page Brittney Vanaman and Peter Voderburgh, Senior Legislative Aide to Senator Schaffer.

Senate Bill 225, 127th General Assembly, was signed into law by Governor Ted Strickland on March 21, 2008.

In addition to numerous changes to the laws related to the practice of architecture, Senate Bill 225 changed the landscape architecture firm certificate of authorization statutes. Employee Stock Ownership Trust Plans (ESOPs) are now recognized as a form of ownership for landscape architecture firms.

The owners of a firm can now be registered in any state, not just Ohio. Of course, the landscape architect in responsible charge of the firm's professional activities and decisions must still be registered in the state of Ohio!

For more information, see the complete article below.

Board Updates Continuing Education Rules

Ohio's Mandatory Continuing Education rules have been in place since 2005. Since then, all Ohio-registered landscape architects have been required to complete 24 hours of MCE *prior* to renewing their license.

Upon a review of the rules, the Board determined that certain changes were in order. These changes will aid in the administration of the rules, reduce confusion, and respond to changes in the profession.

A summary of the changes:

- Allows 8 hours of credit for passing the LEED AP Exam.
- Changes the maximum length of extensions from 6 months to ninety days; audits showed that less time is actually needed.
- Exemptions from MCE must be approved by the board *before* submitting the renewal application.

Lima, Ohio

Public Member:
Merelyn Bates-Mims,
PhD
Cincinnati, Ohio

Staff:

Click on a name to send
a message.

Amy Kobe, CAE
Executive Director

Chad Holland
Investigator

Cheryl Thaxton
Administrative Assistant

Jodi Ross
Executive Secretary

*Important Board
Website Links:*

Change of Address

Complaints/
Enforcement

Continuing Education

Forms

Frequently Asked
Questions

License Look-up

*Upcoming Board
Meeting Date:*

Friday, November 21
9 AM
Board Room, 31st Fl.
Riffe Center
77 S. High St.
Columbus, Ohio

- Changes rules to state that an application for renewal may not be submitted unless the continuing education requirement has already been completed or the registrant has been exempted by the board.
- An LA is still allowed to carry-over up to 12 hours into the next period.
- Credit may be awarded only once in a renewal period for the same program with the same content
- Proof of completion of continuing education can be requested at any time, including as part of an audit, or in connection with an investigation or enforcement proceeding.
- Reinstating applicants must submit evidence of completion of 24 hours within the last two years.
- A reciprocal applicant whose initial application is submitted 12 months or less prior to the end of the renewal period will have their CE hours pro-rated in an amount equal to the number of months remaining in the renewal period.

CLARB Annual Meeting

The 2008 Council of Landscape Architecture Registration Boards (CLARB) Annual Meeting was held September 4 – 6 in San Diego. Ohio was represented by board members Scott Sonnenberg and Tim Schmalenberger.

Attendees received an update on the Landscape Architecture Continuing Education System, which will be operational soon. LA CES is a partnership between CLARB, ASLA, Canadian Society of Landscape Architects, Council of Educators in Landscape Architecture, Landscape Architectural Accreditation Board, and the Landscape Architecture Foundation.

The purpose of LA CES is to establish, maintain and enforce standards for evaluating professional development and continuing education programs for landscape architects. It will help professionals to identify courses that are appropriate, of sufficient quality, and offered by legitimate organizations.

Approved providers will register courses that meet the LA CES standard of health, safety and welfare. Providers and courses will be pre-approved by LA CES. The state of Ohio will recognize courses offered by LA CES approved providers.

There will be an online, searchable course database. Landscape architects attending approved programs will receive proof of attendance for each course completed. Participants will be able to print their record of courses taken through the LA CES program.

ASLA will be administering the LA CES system. For more information, visit www.asla.org

CLARB is also in the process of developing a new database and customer service standards. Their strategic plan calls for improvements to the CLARB website; continual improvement in critical processes; growing reserves and maintaining financial health.

At the CLARB annual elections, Tim Schmalenberger, Columbus, was elected as an Alternate Regional Director of Region 2 and Jerany Jackson of Missouri as the Region 2 Director. Ms. Jackson replaces Dennis Mersky of Akron, Ohio, whose term had ended. Mr. Mersky is a past member of the Ohio Board of Landscape Architect Examiners. Dennis Wilkinson, New Mexico was elected President; Temple Barry, Mississippi, President-Elect; Ian Wasson, British Columbia, Vice President; Denise Husband, Delaware, Treasurer and Dennis

Other Useful Links:

American Society of
Landscape Architects

CLARB

International Code
Council

International Federation
of Landscape Architects

Ohio Architects Board

Ohio Board of
Landscape Architect
Examiners

Ohio Dept. of Natural
Resources

Ohio Dept. of
Transportation

Ohio Engineers and
Professional Surveyors
Board

Ohio EPA

Ohio Nursery &
Landscape Association

The Ohio State
University
Knowlton School of
Architecture
Landscape Architecture
Section

State Architects Office

State of Ohio

Bryers, Nebraska, Secretary. Ohio's Scott Sonnenberg serves as a member of the nominating committee. Also attending the meeting were representatives from other organizations, including: Nancy Somerville, ASLA; Gordon Mills, NCARB; Sandra Friend, NCIDQ; and Michael Robinson, CELA.

All Firms Must Have a Certificate of Authorization

The Board is frequently asked if a firm is required to have a Certificate of Authorization. The answer, with *limited* exceptions, is "yes". The Board will issue monetary fines to firms who operate without a Certificate. In addition, disciplinary action can be taken against individual landscape architects for failure to obtain a Certificate for their firm. The rules for firm certificates of authorization can be downloaded from the board's website at <http://arc.ohio.gov/lae/laws.stm>.

Only two types of firms are exempt from the requirement:

- An *unincorporated* sole proprietor. A sole proprietor who is registered with the Ohio Secretary of State as a corporation or LLC *is required* to have a Certificate.
- Design/Build firms, as defined in Ohio Revised Code section 4703.332.

Changes made to the Firm Certificate rules!

As of October 1, 2008, the following rule changes affect landscape architecture firms:

- A majority of a firm's owners can be registered in any state, not just Ohio.
- The landscape architect designated in responsible charge, and signing the Affidavit of Responsibility, must be an Ohio-registered landscape architect.
- Employee Stock Ownership Plans (ESOP) are now permitted as a form of firm ownership.
- The majority of the trustees of an ESOP must be registered design professionals.
- More than 50% of the ESOP trust plan shares must be held by registered design professionals.
- A landscape architect is no longer required to be a member of the firm's board of directors.

Board Welcomes New Registrants

The Board is pleased to announce that the following individuals have been licensed by examination since our last publication:

| | | | |
|-------------|-------------------------|-------------|-------------------------|
| 1119 | Grant, Susanna R. | 1155 | Oyster, Andrea M. |
| 1120 | Guccione, Anthony , Jr. | 1156 | Anderson, Jeffrey Scott |
| 1121 | McIntyre, Michael | 1158 | Stetter, Derek |
| 1124 | Liu, Chia-Jen | 1159 | Leasure, Matthew |
| 1125 | Frederick, Charles M. | 1166 | Hadley, Nicole E. |
| 1131 | Rogers, Justin | 1169 | Bartley, Jennifer R. |
| 1137 | Robinson, Rachel | 1170 | Bockrath, Mark J. |
| 1138 | Stechsulte, Eric J. | 1171 | Kimbrel, Christopher J. |
| 1139 | Hemmer, Ken | 1172 | Grosjean, Lavonne M. |
| 1140 | Wilson, Scott D. | 1175 | Vondran, Chris |

| | | | |
|-------------|---------------------|-------------|----------------------|
| 1141 | Nicholls, Diane K. | 1190 | Pistolos, Michael G. |
| 1142 | Bernstein, Brian D. | 1194 | Pearson, Ryan A. |
| 1147 | Deiss, Robert W. | 1196 | Randall, Emi J. |
| 1148 | Chillog, Gregory S. | 1197 | Singh, Vikramjeet |
| 1149 | McGrath, Matt | | |

Change of Address?

Please make sure that we have your most current mailing address, e-mail and telephone number so we may send renewal notices and other important information to you in a timely fashion. If you were forwarded this newsletter and would like to be added to our list, please let us know that, too.

You may update your contact information with the Board online at <http://www.arc.ohio.gov/lae/address.stm>, by emailing Jodi Ross at jodi.ross@arla.state.oh.us, via telephone at (614) 466-2316, or by fax at (614) 644-9048.

Do you know Ohio's Landscape Architecture Laws and Rules?

When was the last time you read the laws and rules regulating the practice of landscape architecture in Ohio?

The Board constantly reviews and updates its rules. It is the licensee's responsibility to be aware of changes to the rules.

The latest versions of Ohio's laws and rules affecting the practice of landscape architecture can be found on the "Laws and Rules" page of the Board's website at <http://arc.ohio.gov/lae/laws.stm>

Newly Licensed? What They Didn't Teach You in School

Reprinted (with modification) with the permission of the Nevada State Board of Architecture, Interior Design and Residential Design

Getting your landscape architect license is a capstone to years (and years and years) of hard work, long nights, endless paperwork and more hard work. Along the way you learned much of the necessary knowledge and skill to practice landscape architecture, and you will learn more as you practice every day. What often isn't taught are some of the responsibilities that come with that license.

Remember the law

When licensed to practice landscape architecture, landscape architects obligate themselves to uphold the profession's laws and rules. While this may seem pretty obvious, it doesn't hurt to refresh your knowledge of Ohio's laws and rules regarding the practice of landscape architecture. See updated laws & rules: <http://www.arc.ohio.gov/lae/laws.stm>

Practice what you know, not what you hope to know

Being granted a landscape architect license means that you have met a minimum threshold for registration. It means you are qualified to enter into the profession and have the basic knowledge and skills necessary to protect the public in your chosen field.

Once you are registered you are able, by law, to perform any service allowed by your scope of practice. However, that doesn't mean you necessarily should. Part of being a professional is recognizing your limitations and practicing within them. There may be a skill that you cursorily learned in school, but if you haven't practiced that skill effectively, you may be better off hiring another competent professional to handle that part of the project.

Practicing beyond your expertise is dangerous for the client, dangerous for the public and ultimately, can be dangerous for you. Practicing beyond your knowledge and abilities, even though it may be "within your scope of practice," is incompetent practice. You can be charged with that violation, sanctioned by the board, and possibly even lose your license.

Finally, always remember that if you have any profession-related questions about something you've seen, something you are considering doing, or something you aren't quite sure about, pick up the phone and call the board office. Board staff is happy to answer your questions.

Landscape Architect Registration Exam

The December administration of the graphic sections C and E of the Landscape Architect Registration Exam (LARE) will take place on December 8 and 9, 2008 in Columbus, Ohio at the BWC Training Facility in Pickerington, Ohio.

The deadline to return the Notice of Intent for the graphic sections of the exam is October 3; however, the deadline for applications for registration by examination, which is 120 days in advance of the exam date, has already passed. Notices of Intent have been mailed to eligible candidates; if you have not received your notice, contact Cheryl Thaxton at the Board office, (614) 466-6677.

The next administration of the multiple choice sections of the LARE is scheduled for March 10 & 11, 2009 - Sections A and B and March 11 & 12, 2009 - Section D. The 2009 dates for the graphic sections C & E have not been announced, but should be held in June and December as usual.

Exam candidates should be aware of their responsibility to have CLARB transmit scores from the multiple choice exam to the Ohio Board. Even if a candidate has successfully passed the graphic sections, a candidate will not be licensed in Ohio until an Ohio application has been filed and the multiple choice sections received from CLARB.

Many Prometric test centers in Ohio and Texas were affected by Hurricane Ike. Candidates who were scheduled to take the multiple choice sections on September 16 and 17 had to reschedule as test centers in Columbus and Texas were without power or were damaged.

Test dates were extended for these candidates and Prometric contacted all of the candidates in an effort to reschedule. Candidates unable to reschedule will be given refunds. Of course, candidates should call Prometric at the customer care line at 800-853-6769 and select option 4, then option 3, or contact

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

Enforcement Actions

The following cases are final results of investigative matters resolved between February 2006 and August 2008. Every effort is made to ensure that the following information is correct.

Prior to making any decision based on this information, 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 #2008-08
Joe Chiavaroli
Going Green Lawn Care, Ltd.
Upper Arlington, Ohio

This non-landscape architect allegedly violated Ohio Revised Code sections 4703.32 (A) and 4703.331 (D) which prohibit non-landscape architects and firms from advertising, offering or providing landscape architectural services. Mr. Chiavaroli allegedly advertised the provision of "Landscape Architecture" services via a marketing brochure when his firm did not meet the definition of a design/build firm as stated in Ohio Revised Code 4703.332 because he did not directly employ or enter into a contract with an Ohio landscape architect to provide landscape architectural services. This matter was resolved amicably whereby Mr. Chiavaroli agreed to delete any references to "landscape architecture" on his company brochures. This matter was closed May 2008.

File #LA 05-01
Donn B. Angus, Cert. No 1040
Medina, Ohio

After an administrative hearing, Mr. Angus was found to have violated Ohio Revised Code sections 4703.41 (C), (F) and Ohio Administrative Code sections 4703:1-3-04 (D) (3) and 4703:1-3-04 (E) for pleading guilty on February 27, 2004 to charges of grand theft, a felony of the 4th degree for offenses occurring on or about November 4, 2002 through on or about September 8, 2003 involving his former employer, the Akron Zoological park.

Mr. Angus, while employed as the director of projects and planning for the Akron Zoological Park, used zoo funds and property for his own personal use which was a fraudulent and deceitful act. As a result of his conduct and felony conviction which was directly related to the practice of landscape architecture, his license to practice landscape architecture was *revoked* in February 2006.