

**LANDSCAPE CONTRACTORS BOARD
STATE OF OREGON
AGENDA & NOTICE OF PUBLIC MEETING**

**January 22, 2016, at 8:30 a.m.
Keizer Community Center
930 NE Chemawa Road
Keizer, Oregon**

*Times are Staff Estimates Only – Actual Agenda Item Times are Subject to Change by Chair.
The minutes from this meeting will not be posted on the website until they are approved at the following Board meeting.*

8:00 a.m.

Reading Time (time to read any new agenda items distributed by staff)

8:30 a.m.

1. PROCEDURAL

- A. Call to Order
- B. Approval of Agenda and Order of Business
- C. Approval of Minutes:
 - i. November 20, 2015
 - ii. December 17, 2015

pgs. 2-21

pgs. 22-24

8:45 a.m.

2. ADMINISTRATOR'S REPORT

- A. Office Update
- B. 2015-17 Financial Report/Approval/requires a motion
- C. 2013-2015 Financial Review/Draft
- D. Change of Director Audit/Draft

pgs. 26-29

pgs. 30-45

pgs. 46-58

pgs. 59-65

9:15 a.m.

3. PRACTICAL SKILLS IMPLEMENTATION COMMITTEE UPDATE

pgs. 66-76

9:30 a.m.

4. EXAMINATION/LICENSE/EDUCATION

pgs. 77-88

5. ENFORCEMENT

A. Consent Agenda

- 1. Immediate Action
- 2. Site Checks; No Violation
- 3. Investigated; No Violation
- 4. Administrative Action

pg. 97

pgs. 98

pgs. 99-116

pgs. 117-162

B. Enforcement Cases for Discussion

1. Advertising without a License

- a. Craig De La Fe *pgs. 163-165*

2. Operating without a License

None

3. Other/Misc.

- a. Jared Lee Green dba: One Source Home & Lawn Care Inc *pg. 166*
Joseph P. Zachary & Obsidian Falls Landscapng LLC
- b. James Davies dba: Landscapes by Davies *pgs. 167-171*
- c. Northwest Landscape Services of Oregon LLC

10:30 a.m.

6. CLAIMS (Dispute Resolution)

A. Consent Agenda

None

B. Board Review of Claim Cases

1. 8774-103, Diane Elkins vs. Green Pro LLC *pgs. 175-210*

11:30 a.m.

7. OLD BUSINESS

- A. Jurisdiction of Water Features – *Defer*
- B. Review of OAR 808-002-0620/Landscape Maintenance *pgs. 212-214*

12:00 noon LUNCH

1:00 p.m.

8. PUBLIC COMMENT

This time is set aside for persons wishing to address the Board on any matter of interest. Speakers will be limited to five minutes, unless extended by the Board chair. The Board chair reserves the right to further limit or exclude repetitious or irrelevant presentations. **If written material is included, 10 three-hole punched copies of all information to be distributed to Board members should be given to the Recorder prior to the meeting.** Action will not be taken at this meeting on citizen comments. The Board, however, after hearing from interested citizens, may place items under new business on a future agenda so proper notice may be given to all interested parties. If no one wishes to comment, the next scheduled agenda item will be considered.

1:30 p.m.

9. NEW BUSINESS

- A. Revision of Claim Rules/OAR 808, Division 004 *pgs. 216-238*
- B. Prioritization of Enforcement Case *pgs. 239-241*

3:00 p.m.

10. ADJOURNMENT AND NEXT MEETING SCHEDULE

The following meeting is scheduled for February 18, 2016 by conference call.
The following meeting is scheduled for March 18, 2016 in Keizer, Oregon.

The Board may meet in executive session under authority of ORS 192.660 from time to time. The specific statutory basis for the executive session will be announced on the record prior to the commencement of the executive session. Executive sessions are closed to the public.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Kim Gladwill-Rowley at (503) 967-6291 ext. 223.

Procedural



LANDSCAPE CONTRACTORS BOARD
Minutes of the November 20, 2015
Board Meeting
930 NE Chemawa Road
Keizer, Oregon

PRESENT

Board Members

Molly McDowell Dunston, Chair
William Bumgardner, Vice Chair
Christine Hollenbeck
Loren Radford
John Gawlista

Guests

Catriona McCracken, Assistant Attorney General

Staff

Elizabeth Boxall, Administrator
Kim Gladwill-Rowley, Program Manager
Michael Hintz, Investigator
Jerri Jones, Licensing Specialist

EXCUSED

Larry Hoekman

1. PROCEDURAL

A. Call to Order

The meeting was called to order at 8:30 am by Mrs. McDowell Dunston, Chair.

B. Approval of Agenda and Order of Business

Board Action

Moved by Mr. Gawlista and seconded to approve the November 20, 2015 agenda.
Vote: 5-0

C. Approval of Minutes

i. September 18, 2015

Board Action

Moved by Mr. Gawlista and seconded to approve the September 18, 2015 minutes.
Vote: 5-0

ii. October 15, 2015

Board Action

Moved by Mr. Bumgardner and seconded to approve the October 15, 2015 minutes.
Vote: 5-0

2. Administrator's Report

A. Office Update

The Board reviewed Ms. Boxall's report, which is attached and made a permanent part of these minutes.

Ms. Boxall stated that staff is having some issues with the current payroll vendor and that they are not set up to support government agencies. When making corrections the Board is billed. Staff is considering having DAS provide some of the payroll services, helping with the benefits and tracking leave. Ms. Boxall stated that the increase would be roughly \$30 per month, however, this may be a wash based on the removal of these duties from staff time.

Ms. Boxall reviewed the risk and issue log with the Board as well as the enforcement counts:

33 cases in investigation status
51 cases pending to be opened
15 cases to be reviewed
77 cases closed, but still active, may be collecting fees.

B. 2013-2015 Financial Report/Approval

The Board reviewed the financial statements as of October 31, 2016.

Ms. Boxall discussed that at the September board meeting; there were two entry errors in the 2015-17 budget planning documents totaling \$68,378. Adjustments were made to line items of the budget so that the total income, expenses and projected net income align with the current adopted budget. In addition, a calculation error was discovered in staff salary schedules used to create the 2015-17 budget; totaling \$50,622 in expenses including salary and benefits paid by agency. This makes the total current discrepancy \$17,756 ($\$63,378 - \$50,662 = \$17,756$).

Ms. Boxall suggested that the Board *defer* budget modifications until January 2016 when staff hopes to have a clear pathway and better idea of costs related to the Practical Skills Exam (HB3304).

Ms. Boxall stated that because all budget line item adjustments have not been made, financials remain unreconciled and that additional notes have been made on the Budget vs. Actual report as well as the following:

1. Staff is tracking costs associated with the Practical Skills Implementation under 5400 Advisory Committee accounts.
2. Erroneous payroll expenses occurred related to unemployment and other taxes (line 5016 \$300.69) which the agency's current third party payroll service is working to resolve by year-end.

Total Income is down 4.34% from last year at this time. Renewals remain overall consistent. Total expenses are up 18.39% compared to last year at this time, primarily due to the purchase of Sauter books made early in the biennium (without the purchase consideration the increase is approximately 7%).

Ms. Boxall stated that she has made transfers from savings to checking totaling \$17,000 in the last couple of months which is typical this time of year and the Board has approximately 5.5 months reserves. Staff will continue to monitor costs closely as the agency is in a slower season with some additional costs associated to Senate Bill 580 changes (publications, supplies, and human resource time).

Ms. Boxall stated that as of the most recent invoice received after financial statements were prepared, we are now at 100% of budget for our legal counsel. This is due in large to a few complex cases which are now wrapped up. Staff is exploring a new pilot option to have a flat fee monthly billing based on a three (3) year rolling average of the agency's use of DOJ on annual basis. Mrs. Gladwill-Rowley and Ms. Boxall are strategizing on how to best utilize this resource while insuring that the Agency is staying within the legal parameters. Ms. Boxall is looking at a possible quarterly fee for council and will evaluate how this would impact the budget and if it would be a good route to go.

Board Action

Moved by Mr. Gawlista and seconded to approve the unreconciled financial report.
Vote: 5-0.

3. EXAMINATION/LICENSE/EDUCATION

The Board reviewed the examination statistics through October 31, 2015. The number of tests taken in September and October 2015 are significantly higher than the same months last year. Overall the total tests taken for 2015 versus 2014 is very close and will likely be more for 2015 by the end of the year.

The Board reviewed the CEH audit statistics from January 1, 2010 through the present.

Board members and staff introduced themselves to the new AAG Catriona McCracken.

4. ENFORCEMENT

The Board reviewed a listing of final actions taken from September 1, 2015 through October 31, 2015. There were 71 cases closed during that time period.

A. Consent Agenda

1. Immediate Action

A listing of actions is attached and made a permanent part of these minutes. No items were removed from this portion of the consent agenda.

2. Site Checks; No Violation

A listing of actions is attached and made a permanent part of these minutes. Edward Pearson was removed by the consent agenda.

3. Investigated; No Violation

Documentation is attached.

No items were removed from this portion of the consent agenda.

4. Administrative Action

A listing of actions is attached and made a permanent part of these minutes.

15-10-354 Quality Tree Service & Landscape Maintenance was removed by from the consent agenda.

Board Action

Moved by Mrs. Hollenbeck and seconded to approve the remaining consent agenda items.
Vote: 5-0.

15-10-354, **Quality Tree Service & Landscape Maintenance**, Advertising without a license.

Board Discussion

Quality Tree Service & Landscape Maintenance is a CCB Licensee; staff received an email from a third party who took responsibility for setting up the webpage, which has now been corrected. The word “landscaping” was also removed from the name of the business.

Board Action

Moved by Mr. Gawlista and seconded to follow the staff’s recommendation of no violation.
Vote: 5-0.

Edward Pearson – Ag-Gro Systems LLC & Little Deschutes Garden, performing landscape work without a license.

Board Discussion: Mrs. McDowell Dunston recused herself.

Mr. Radford asked, if the respondents have just not responded why is this case being closed? Mrs. Gladwill-Rowley stated that the only way to move forward on this case is to take them to court to require they respond to the subpoenas, which can be pretty costly. Staff made extensive effort to investigate this case.

Board Action

Moved by Mr. Radford and seconded to follow the staff’s recommendation of no violation
Vote: 4-0, Mrs. McDowell Dunston was recused.

B. Enforcement Cases for Discussion

1. Advertising without a License

a. All Backyard Construction

SUMMARY

At the September 28, 2015 board meeting this case was on the consent agenda as “ABC Lawn Maintenance” who does not hold a CCB license and was included in the motion to approve the consent agenda for violation.

Further investigation revealed that ABC was actually “All Backyard Construction” which does hold a CCB license for which items advertised are covered under that license (Stamped Concrete, Broomed/Exposed, Retaining Walls, and Decks/Fences).

STAFF RECOMMENDATION

No action as work advertised is covered with CCB license.

Board Action

Moved by Mrs. McDowell Dunston and seconded to uphold staff's recommendation of no action and to refer to CCB.

Vote: 5-0.

Board Discussion

Ms. Boxall stated that once staff recognized that this respondent was CCB licensed and the work was covered under that license that staff did not move forward with the investigation. Ms. Boxall stated that staff would refer it over to CCB.

b. Mountain Tree Card

SUMMARY

A photo of a business card for Mountain Tree Care, LLC was submitted from a contract investigator stating it was located in a store on a business board. The business card advertised for "Landscaping" and "Sprinkler Installation and Repair".

Respondent had a prior advertising violation for which a stipulated order was finalized March 18, 2014. The violation for the prior case was a Craigslist advertisement offering "Landscaping" services.

A notice of civil penalty for subsequent offense was issued September 28, 2015. On October 7, 2015 LCB received a timely request for hearing. On October 21, 2015 Respondent submitted a letter stating that new business cards were ordered after the first violation in February 2014.

CONCERNS/ISSUES

Alleged advertising violation for this case is different than the prior. The current case includes "Sprinkler Installation & Repair". However, when and how the business card was posted at the site cannot be determined..

Board Action

Moved by Mr. Gawlista and seconded to follow staffs recommendation to withdraw Notice of Civil penalty and dismiss case.

Vote: 5-0.

Board Discussion

Ms. Boxall stated that the respondent submitted an invoice showing that the business had ordered new cards and that staff cannot prove when the business card was posted.

2. Operating without a License

a. Christy Ditlefsen & David Crews

SUMMARY

Installation of an irrigation system.

On July 22, 2015, the LCB office received a Statement of Claim form from Janeane Reisner, homeowner who stated the respondent was hired to install a complete sprinkler system in her yard based on an article she read in her local newspaper (which she provided). She paid the respondent in full (\$2,500) and the system is not working correctly and the respondent will no longer accept her phone calls.

Advertising as a landscape contracting business

On March 11, 2015, there was a newspaper article in the *Hells Canyon Journal*. This article states there is a new business that offers "Landscape, Lawn Services". The article states that the respondent states he moved to Eagle Valley from California and specializes in sod, lawns, sprinkler systems and landscape work. It also quotes him to say that he loves to work with landscaping projects, planting..." and "We'll create flowerbeds and plant them, we will fill your planters with flowers and hanging baskets, and, of course, we can put in watering systems for flowerbeds. We are a full service landscape and lawn service business." The article states that the respondent "noted he is available for odd jobs that you might need help with such as fencing projects. "Our focus is on landscaping, lawn and gardens; we are available and willing to work on any job you might need help with." He further states "But, I'm not a plumber?"

CONCERNS/ISSUES

Staff would like the Board to discuss the advertisement and determine if there is a violation or if this was a newspaper article written by someone else and therefore; not advertising.

Board Action

Moved by Mr. Gawlista and seconded to uphold staffs recommendation to assess a civil penalty against respondent for advertising & operating as a landscape contracting business without a valid license.

Vote: 5-0

Board Discussion

Staff stated that the article was written by the newspaper and that it was not advertising secured by the respondent. Mr. Gawlista stated that in the article it appears the respondent is stating that this is the type of work he does, which seems to appear as an advertisement.

Council stated that you cannot advertise or represent in any manor, including using the word landscape unless it shows the maintenance nature of the unlicensed business.

b. Mark Jenkins, Hardway Construction LLC

SUMMARY

Installation of an irrigation system, nursery stock and sod lawn

The contract investigator spoke with Mark Jenkins who stated he had installed the irrigation and was also installing the plant and sod. The homeowner, Paul Grout also verified this

information. Mr. Jenkins thought he could not install the backflow because the front sprinklers are lower than the back sprinklers, so he thought a backflow was not necessary.

LCB exemption for CCB licensees allows a CCB licensee to perform up to \$3,800 of landscaping work in specific instances, but not the irrigation work and only for new residences. This job site was not new.

LCB staff subpoenaed the respondent and the homeowner for further documentation. However, the documentation submitted by both parties is not specific as to what specific work was being performed for \$590. However, one invoice shows on September 4, 2015, the homeowner paid Mariano Chavez to install new sod for \$638.

CONCERNS/ISSUES

The documentation submitted with the subpoena:

1. Does not show the specific work the respondent performed; and
2. Shows that Mariano Chavez, dba: Ledezma's Landscaping Maintenance performed "new sod" for \$638.

STAFF RECOMMENDATION

Close; no action against respondent.

Assess a civil penalty against Mariano Chavez, dba Ledezma's Landscaping Maintenance for advertising and operating as a landscape contracting business without a valid license.

Board Action

Moved by Mr. Radford and seconded to uphold staff's recommendation to assess a civil penalty against Mariano Chavez, dba Ledezma's Landscaping Maintenance for advertising and operating as a landscape contracting business without a valid license. Mr. Radford asked that this be referred to CCB.

Board Discussion

Mariano Chavez, dba Ledezma's Landscaping Maintenance is not licensed to install the sod. In addition, there appears to be an advertising violation for Mr. Chavez as well. If staff believes there may be a CCB violation, the case is referred to CCB. Mr. Jenkins provided a copy of an invoice that does not indicate the work was for the purpose of irrigation work.

Council stated that if an investigator took a specific statement from a respondent and the case went before an administrative law judge, she would have that person called to the stand and provide the information, which would be considered evidence. If a person makes a statement that they did work that they were not licensed to do, that is considered evidence.

Mr. Hintz stated that the Board has to weigh the evidence versus the cost associated with going to a hearing, and that in this case the Board has someone admitting to a violation.

The Board asked if at some point the respondent requests a hearing could the board withdraw the action at that time. Council stated the Board could do that. If the

respondent chooses to make a settlement then the Board is done. Council stated that you don't want to get into a position where it appears that every time a respondent asks for a hearing the Board chooses not to go forward. That could set precedence.

Ms. Gladwill-Rowley stated that the previous legal council had advised that all the evidence should be collected before issuing a notice and that a statement heard by an investigator is not adequate evidence. Current legal council stated that the LCB could collect additional evidence as a part of discovery after the hearing request is received and that in her experience that once a case goes to Administrative Hearing, then the DOJ subpoenas for more evidence. Ms. Gladwill-Rowley advised legal counsel that the LCB staff represents the agency at most cases, so the agency staff will be issuing the subpoenas.

The Board asked if there is any liability when you don't have probable cause. Legal council stated that the Board should not move forward if the Agency does not have probable cause.

Mr. Radford withdrew his motion.

Board Action

Moved by Mr. Radford and seconded to issue a penalty to both Hardway Construction LLC for operating without a licenses and to Mariano Chavez, dba Ledezma's Landscaping Maintenance for operating and advertising without a license.

Vote: 5-0.

c. Meyers Construction Company

SUMMARY

Installation of an irrigation system

Respondent admitted to the installation of an irrigation system on three homes in the new subdivision. Respondent stated he was told by his plumber that the respondent is allowed to perform the irrigation installation, but not the hook up to the water meter.

LCB exemption for CCB licensees allows a CCB licensee to perform up to \$3,800 of landscaping work in specific instances, but not the irrigation work. Respondent stated the homes are all pre-sold. Respondent supplied a copy of the sales agreement for each of the 3 sites. These appear to be sales agreements, not contracts for construction. Two of the three agreements were signed prior to the prior to the August 27, 2015 on-site investigation; the addendum was signed September 4, 2015.

APPLICABLE LAWS & RULES

671.540 Application of ORS 671.510 to 671.760.

(1) Except as provided in subsection (2) of this section, ORS 671.510 to 671.760 and 671.990 (2) do not apply to:

(h) A residential general contractor licensed under ORS chapter 701 who performs landscaping work if the total value of the landscaping is less than \$2,500 (***this has been increased to \$3,800***) per residential dwelling and the landscaping work is performed on residential property for which the contractor is ***under contract for the construction of a***

new dwelling. The exception provided by this paragraph **does not apply to the performance of irrigation** work by a residential general contractor.

CONCERNS/ISSUES

Staff believes the Board needs to discuss this as it is not a “routine” case.

Board Action

Moved by Mrs. Hollenbeck and seconded to uphold staff’s recommendation to assess a civil penalty against respondent for operating as a landscape contracting business without a valid license (3 counts).

Vote: 5-0.

Board Discussion

Ms. Gladwill-Rowley stated that there appears to be no contract but only a sales agreement and that all the work was done by the homeowner and now he is selling.

The Board discussed whether the respondent built the house as a general contractor or as the homeowner. Ms. Gladwill-Rowley stated that what is in question is if the intent was that the house was built to sell, 671-540 (h)(g). The Board reviewed the sales agreements.

3. Other/misc

a. Multiple – failure to include license number in advertisement

SUMMARY

OAR 808-003-0010(1) states all written advertising shall include the landscape contracting business license number.

LCB staff received ten (10) enforcement reports from contracted investigators stating the businesses were licensed with the LCB, but were not showing their 4 digit number on their advertisement on their vehicles.

At the July 2015 Board meeting, the Board adopted a rule change regarding vehicle stickers and that they would no longer be valid as the 4 digit number on vehicles if there was an advertisement on that vehicle. This rule goes into effect January 1, 2016.

The cases received in the LCB office included photos of the vehicles, but not photos of all 4 sides of the vehicles. LCB Investigator, Michael Hintz contacted four of these businesses to discuss this issue. One business said the wrong number was put on the vehicle so he scratched it off since it was incorrect, but hasn’t had the correct one added; another said those vehicles are only used for maintenance work; the third said he has always used the LCB’s green stickers on the windshield, but the windshield may have been replaced on that vehicle; and the fourth stated he has new vehicles and thought he could order these stickers from the LCB. Each one of them said they would take care of the issue immediately.

CONCERNS/ISSUES

In the past, licensees were told if the number was any where on the vehicle (even on a sticker not in view of the ad) this was in compliance with the rule. Staff is concerned that since the photos do not show all sides of the vehicles, the green sticker could possibly be out of view.

Board Discussion

The law states all written advertising must include the 4 digit license number. If an advertisement is on the vehicle the license number should be included. The Board asked if this could be deferred until January and if staff could send out warnings? Staff stated that the costs associated with that could be substantial. Does the Board want the investigators to spend more time taking photos of all sides of the truck, since it appears that the Board needs more evidence? Legal counsel stated that if an investigator made a statement that they checked the whole the truck would that be sufficient, but the photos would be better.

Mrs. McDowell Dunston stated that staff may want to include something in the newsletter regarding how important it is to have an LCB number listed in all written advertisements.

Board Action

Moved by Mrs. Hollenbeck and seconded to take no action on any of these cases.

Vote: 5-0

b. A1 GENERAL CLEAN-UP AND LANDSCAPE COMPANY

SUMMARY

Performing Work Outside the Scope of the License:

On or about April 17, 2015, LCB Contract Investigator observed landscape activities being conducted at the above job site. Specifically, the landscape activities included installation of about 30 arborvitae and a drip irrigation system. At that time the respondent was only licensed for Standard – No Irrigation or Backflow, which does not allow respondent's employees to perform any irrigation installation.

Advertising the installation of full landscape services with a planting only license.

On April 17, 2015, respondent advertised on a truck for "sprinkler System". As stated above, respondent does not hold an Irrigation Phase of license.

Failure to Comply with Minimum Standard for Contracts:

On April 20, 2015, respondent's LCP, Tim Yocum submitted a copy of a contract for the above landscaping work. This contract was directly type into an e-mail with no signatures of either party, no guarantee language (or a statement if no guarantee), no statement about the LCB license and the Landscape Contractors Board current address and phone number, and no statement about the irrigation work being subcontracted.

CONCERNS/ISSUES

Advertising outside the scope of the license – no concern. Advertisement on vehicle and the case includes photos of the advertisement.

Working outside the scope of the license – see e-mailed “contract”. This contract states “Install 30 Arbor Videa shrub” and “Repair soaker hose”. It does not mention the installation of the drip system and there are no photos of the system.

Contract issues: The Board just needs to decide which violation: failure to comply with minimum standards for contracts or performing landscaping work without a written contract. It appears the failure to comply with minimum standards is a violation, if the e-mailed contract is considered a “contract” without signatures.

Board Action

Moved by Mr. Bumgardner and seconded to follow staff’s recommendation to Issue a notice of civil penalty for:

1. Performing the installation of a drip irrigation system with a Standard – No Irrigation or Backflow license (working outside the scope of the license).
2. Advertising landscaping work outside the scope of their license.
3. Failing to comply with minimum standard for landscaping contracts or performing landscaping work without a written contract. Vote: 5-0.

Board Discussion

Council stated that if there is no signature and no verification that an agreement was made, then there would be no contract. In addition Mr. Yocum stated that there was no contract.

c. FLI Landscape LLC

SUMMARY

OAR 808-003-0010(1) states all written advertising shall include the landscape contracting business license number.

On August 9, 2015, respondent’s Newspaper ad did not include the 4 digit landscape contracting business license number.

CONCERNS/ISSUES

This newspaper advertisement was not specifically for landscaping work, but as a sponsor. It states:

FLI Landscape
Is a proud sponsor of the
WASCO County
FAIR & RODEO
August 13-16, 2015
Tygh Valley
www.flilandscape.com
541-296-1424

Board Action

Moved by Mrs. Hollenbeck and seconded to assess a civil penalty for advertising without including the four digit license number in the ad and on their website.

Vote: 5-0.

Board Discussion

The board reviewed the newspaper ad/article. Board stated that it appears to be an ad not a listing of sponsors for the event.

d. John R Gimby, dba: Omega Landscape Maintenance & Design
CONCERNS/ISSUES TO KNOW BEFORE READING THE SUMMARY

Respondent's landscape contracting business license expired May 1, 2015. This license was not renewed until May 6, 2015. The LCB Investigator was on respondent's job site on May 5, 2015. The board has never discussed when a timely renewal form is received in the LCB office, but the license is not renewed until after the expiration date due to respondent's lack of compliance with a specific requirement – in this case a business name registration with the Secretary of State.

SUMMARY

1. Operating without a valid license

On May 5, 2015, LCB Investigator, Michael Hintz visited a job site (1401 W Ellensdale #53, Dallas, OR) where the respondent had been performing landscaping work. The homeowner stated the respondent had been on the job site that morning. Respondent held an active license, but that license expired April 30, 2015. As of May 1, 2015, respondent did not hold an active license.

However, that license renewal form was received in the LCB office on May 1, 2015 with a postmark date prior to that date so the renewal form was not considered late. However, it could not be renewed due to the assumed business name being inactive with the Secretary of State. On May 6, 2015, respondent's business name was active, so LCB staff reinstated respondent's business license effective May 6, 2015. Respondent was expired from May 1 – 5, 2015.

OR

1. Failure to have LCB number on advertisement; and

2. Failure to change employment status and have workers' compensation when an employee is hired.

At the job sites listed above, respondent's signs were in the front yards. These signs stated respondent's business name and phone number, but did not include the 4 digit LCB number.

During the investigation, respondent admitted to the investigator to having a workers on both job sites who was not on his payroll and not covered by workers compensation coverage. On May 11, 2015, the LCB received a certificate of insurance showing

respondent has workers comp coverage beginning May 9, 2015; this is after the respondent admitted the having a worker on the job sites. On May 12, 2015, respondent updated the employer status to “Non-Exempt (has employees)”

CONCERNS/ISSUES TO KNOW AFTER READING THE SUMMARY

Operating without a valid license

Respondent’s license was expired May 1-5, 2015. LCB Investigator took photos of respondent’s yard signs on May 5, 2015. Omega Landscape Maintenance & Design is the respondent’s business name – without a valid license, this name is not in violation; therefore, the sign advertisements are not in violation for an unlicensed business.

A homeowner told the investigator the respondent had been working at her job site that morning, however, there is no other evidence that respondent performed landscaping work while the license was expired.

Failure to have LCB number on advertisement

If Respondent’s license is considered “expired” on May 5, 2015 when the investigator took photos of the signs, no LCB number would have been required (that day).

Failure to change employment status and have workers’ compensation when an employee is hired

Respondent admitted over the phone to the investigator that he had a worker on the job site, but had not gotten him on the payroll yet, therefore, he was not covered by workers’ compensation insurance. However, there is no evidence this worker was on the job site at any time.

Board Action

Moved by Mr. Radford and seconded to assess a civil penalty for failure to comply with not having workers compensation, no license number in advertisement and no contract.
Vote: 5-0.

Board Discussion

Mr. Hintz asked if the contract was missing the license number. Mrs. Gladwill-Rowley stated that after looking at the contract it was not signed so does not appear to be a contract.

5. CLAIMS (DISPUTE RESOLUTION)

A. Consent Agenda

NONE

B. Board Review of Claim Cases

- 1. 8980-103, Gary D. Brown vs
Westside Landscape Main/Div LLC**

SUMMARY OF COMPLAINT – follows numbering of Investigation Report

- 1. No signed contract**
- 2. Depth of Barkdust**
- 3. Paver Color/Type and Amount**
- 4. Paver Path Contour**
- 5. Pavers “tip” under weight of airplane**
- 6. Planting Allowance**

REQUESTED MONETARY DAMAGES FROM CLAIMANT

- 1. No Signed Contract**
No award can be provided for this item. Refer to enforcement investigation

Board Discussion

Board discussed that there was no signature. Council stated that if you look at the statues one of the things you need is a signature to make a valid contract.

- 2. Bark Mulch**

Bid for Repair: No bid submitted.

- 3. Paver Color/Type and Amount**

Bid for Repair: \$3,985 (Remove lighter stones in serpentine path and aircraft parking area and replace with darker stone.)

Board Discussion

Additional cost for the replacement of stone of .06 per pound, in addition a restocking fee was charged. Council asked if the project took multiple days and was curious why the claimant didn't say something sooner. The struggle is that we don't know what anybody agreed on. There is no picture and no contract.

- 4. Paver Path Contour**

Bid for Repair: Included above in #3.

Board Discussion

Mr. Hintz stated that there was a discussion of how the stones would be laid and the claimant stated that the contractor told them that continuing the path off the drive would suffice. The contractor was aware the claimant would be driving his airplane on these stones. This type of installation did not work and the contractor came back and cemented some of the stones. The Board discussed what would the generic standard be for stone on sand and that if set in sand you would have some tipping of the stones. If you set the stone in cement you would not have this tipping issue. They believe this is a unique application.

Negligent work is defined as:

1. Marked by or given to negligent especially habitually or culpably
2. Failing to exercise the care expected of a reasonably prudent person in like circumstances
3. Marked by a carelessly easy manner

Council stated that failing to exercise the care expected of a reasonably prudent person in like circumstances appears to fit this situation based on what the Board members have been discussing.

5. Pavers “tip” under weight of airplane

Bid for Repair: \$1,765 (replace stone with pavers in aircraft parking area - cut and remove existing stones, rebase area to support aircraft, install 70 sq ft pavers and 5' circle paver area, cut to fit as needed, compact and finish sweep) (see board discussion above).

6. Planting Allowance

Bid for Repair: \$275 (replacement of tree only).

The landscaper had the customer show them that they wanted a particular type of tree and then called it a different type of a tree, and the contractor provided the type of tree that was stated, not the tree that the homeowner showed them.

7. Miscellaneous

Bid for Repair: \$75 for Removal of Debris.

Board Action

Moved by Mr. Bumgardner and seconded to award the claimant to replace the stone pavers in the airplane turn around area at \$1,765.00 and the exclude all other items due to no signed contract, so it cannot be determined what was agreed upon.

Vote: 5-0

Board Discussion

Council stated that only the items that are included in the complaint can be considered as part of the claim.

2. 8266-101, Bruce & Sandra Haskins

Paul W. Winterbottom, dba: Premier Irrigation & Landscape

SUMMARY OF COMPLAINT – follows numbering of Investigation Report

1. \$60 charge to drive to Klamath Falls from Medford to evaluate the drip system – Claimants' gave him \$100
2. Request for additional \$2,600 to make further adjustments
3. Prior existing drip system worked better than new drip system
4. Installed spray emitters instead of rings for rose bushes
5. Water is not reaching the last 1/3 of the emitters and where water is reading, the emitters are in the wrong place
6. Unsure if new equipment in the sprinkler boxes were used as stated in contract
7. Work took ½ the time he estimated

CONTRACT (scope of work)

Dig up existing drip valve, inside an underground valve box

Install a new drip valve, pressure regulator, filter combination valve

NOTE: This is only for the drip around the house and does not include the drip on beds that are not connected to the house

Remove all old drip tube around the house

Rake back the rocks to install new drip tubing

Install new .710" drip tubing

Tack down the new drip tubing using "Jute" staples

Install approximately 50 micro-spray riser assemblies

Cover up the new drip tubing as good as possible with the existing rocks that were raked back

Install new drip to both beds on either side of the entrance steps

Includes 1 hotel night stay as well as "Per diem" for two days

Provide all labor, equipment and supplies needed

Contract total \$2,150

REQUESTED MONETARY DAMAGES FROM CLAIMANT

Claimant is requesting the full \$2,150 that was paid.

Claimant submitted 3 bids from licensed businesses.

The Board should review the photos provided at the Board meeting, discuss the on-site investigation with the investigator along with the written complaint and response from the contractor to determine if there are damages caused by the respondent.

Board Action

Moved by Mrs. Hollenbeck and seconded to award the claimants \$1,064.00 for negligent and improper work and breach of contract.

Vote: 5-0

Board Discussion

The Board reviewed photos submitted by the investigator and determined there was a new valve. The Board also determined that the drip system came with a filter; however, the respondent chose not to install it. The filter situation is more important than the pressure situation. Respondent breached the contract by not installing the filter as required.

The Board determined the claimants' expectations were not met with a working irrigation drip system when their prior system worked better than the new system. A prudent person would expect to replace one system with another system that worked just as well, if not better. In this case, it appears the new system worked worse than the prior system. Therefore, the Board determined the respondent performed negligent or improper work

The Board determined there was a breach of contract and negligent or incompetent work when determining the issue with the prior existing irrigation system and not

installing the filter. The Board took an average of the three bids submitted for an award of \$1,064.

6. OLD BUSINESS

A. Jurisdiction of Water Features/Defer to future meeting

B. Practical Skills Implementation Committee Update

On October 20, 2015, the Practical Skills Implementation Committee (PSIC) met with Renee Harber, Horticulture Chair at Clackamas Community College (CCC) –site of the current Certified Landscape Technician (CLT) exam. The objective was to learn what information was needed to determine the viability of leveraging the existing CLT exam.

From this discussion it was determined that a gap analysis was needed to better determine the additional modules and work that may be involved. A decision was made to start with a matrix of the CLT exam to the LCB written exam and flush this out with the committee subject matter experts in a work session on November 4, 2015. The committee also discussed several potential modifications to current law (HB3304). Representative Dallas Heard indicated potential to introduce more flexibility in the areas discussed.

On October 30, 2015 Ms. Gladwill-Rowley and Elizabeth Boxall met with the National Association of Landscape Professionals (NALP), Karen Barnett and David Hupman, via conference call to inquire about two areas:

1. Licensing: NALP said that OLCA holds the license and can share that license with the LCB. No additional licensing is required. If for any reason OLCA decided not to partner with the LCB, no license could be obtained under current contract. Though we do not currently anticipate this, it seemed prudent to inquire.
2. Raw Score Access: NALP releases pass/fail to applicants. If an applicant fails, they are provided a breakdown showing specific areas which resulted in a deduction. This complies with the current requirement by law (HB 3304).

On November 4, 2015 a committee work session was held in executive session to review both the CLT and LCB exam to determine a possible approach to meet requirements with modifications. Based on the outcome of that work session, it was determined that the best approach was to leverage the current CLT exam for the obtainment of Planting only or Irrigation only licensing to start. This will also require an additional LCB specific common core construction portion of the exam to be added. This also minimizes resource impacts to CCC at this time. The outcome from this meeting was discussed with Representative Heard who expressed support for all modifications as listed below. Due to the limited amount of bills Representative Heard can introduce (2) and tight timeframe to submit, a more detailed letter drafted to Representative Heard was sent to the Board on November 5, 2015 for feedback in preparation to send to Representative Heard on November 10, 2015. Below are the modifications proposed:

1. Amend the numbers of times the practical skills exam is required to be provided from three (3) times per year for two (2) consecutive days to one (1) time per year for one (1) day;

2. Amend the law to allow a combination of written sections and practical skills sections for licensure;
3. Amend the law to allow candidates to attend the business course at any time through the exam process;
4. Amend the law to only license for a partial phase license through the practical skills exam; specifically Planting only or Irrigation only.
5. Amend the law to allow a small review-type quiz at the end of the business course; and
6. Amend the law to add the allowance of written multiple choice in some sections.

Once the committee has confirmation that Representative Heard has received the modification letter and address any questions or concerns, if any exist, the PSIC committee will resume meeting to continue flushing out the details on how to implement based on proposed modifications. This will be critical in order to maintain traction to meet the accelerated July 2016 implementation to align with next the CLT exam.

Mr. Radford stated that he felt the last meeting was much more successful and that the committee seems to be in a good place.

The Board discussed staff to create a matrix to track to see how the hands on testing process impacts the licensees regarding enforcement issues and claims. The Board asked if there is an incentive for OLCA to help implement the exam. Staff stated that OLCA will be collecting all the fees and including it as part of the CLT exam. The Board had concerns that this may add too many candidates to OLCA's CLT testing. As far as the sections that the CLT will not cover, the LCB will be responsible for implementing that possibly through a collaborative effort with Clackamas Community College.

C. Review of OAR 808-002-0620/Landscape Maintenance Fertilizer/Dunston & Hollenbeck

Mrs. Hollenbeck stated that she doesn't think that it is broken enough that this needs to be fixed. If fertilizer is misapplied over time it can build up in the soil, which can cause poor health of plants and the Department of Agriculture oversees that area

Start up and Winterization of Irrigation System/Hoekman & Radford

The Board discussed adding something in the Landscape Maintenance definition 808-002-0620 regarding winterization and compressed air, possibly also including something in Landscape Maintenance regarding sprinkler heads and adjustments. Mr. Radford and Mr. Hoekman will submit further information.

7. PUBLIC COMMENT

At 1:00 pm, Mrs. McDowell Dunston, Chair, opened the public comment session of the meeting. No public in attendance.

At 1:10pm, Mrs. McDowell Dunston, Chair, closed the public comment session of the meeting.

8. NEW BUSINESS

A. Discussion RE: RSMeans, Site Work & Landscape Cost Data Publication

RSMeans provides a framework for making decisions regarding claims that can be used in determining costs. The Board would likely use this as a resource for comparison against bids and it would be helpful in the claim process if bids came in using unit pricing. In addition, this resource would give the Board an industry standard and also provides a regional factor in order to adjust for pricing based on location.

Board Action

Board directed staff to purchase 1 copy of the RSMeans book for landscape cost.

B. Discussion RE: Prioritization for Enforcement Cases

Ms. Boxall stated that with the SB 580 language change from shall to may when imposing a civil penalty; the Board should discuss this in January.

Council stated that other Boards use a matrix and the Board may find this to be useful, the matrix may also include a section for "other". The matrix might not show how much to impose, but whether or not to impose and what type of severity. Other Boards look at specific factors in order to make decisions. The Board may want to consider the type of license violation and then severity along with a first of subsequent offense.

The board agreed that setting up the matrix based on the type of violation makes the most sense. If the Board can agree on the parameters for the matrix the staff can move forward on setting up the matrix and have the Board review it in January.

The board directed staff to move forward using the matrix provided in the board packet as a starting point for creating the prioritization for enforcement cases.

C. January 2016 Board Meeting/Work Session Schedule

The Board reviewed a list of possible discussion items presented by staff for the January 2016 Board work session. It was determined that a Board member and staff will facilitate this meeting.

D. Executive Session, ORS 192.660(2)(f), to review written advice from legal Council re: Marijuana.

Mrs. McDowell Dunston, Chair, moved the Board into executive sessions at 1:39pm.

Mrs. McDowell Dunston, Chair, moved the Board out of executive session at 1:57pm.

No decisions or votes were made during executive session.

9. ADJOURNMENT AND NEXT MEETING SCHEDULE

The meeting was adjourned at 2:35pm. The next meeting of the Landscape Contractors Board will be December 17, 2015 by conference call. The following meeting will be held on January 14 & 15, 2016 in Keizer, Oregon.

Respectfully Submitted,

Jerri Jones
Licensing Specialist

LANDSCAPE CONTRACTORS BOARD
Minutes of the December 17, 2015
Board Meeting
Conference Call

PRESENT

Board Members

Molly McDowell Dunston, Chair
William Bumgardner, Vice Chair
Larry Hoekman
Christine Hollenbeck
Loren Radford
John Gawlista

Guests

None

Staff

Elizabeth Boxall, Administrator
Kim Gladwill-Rowley, Program Manager
Michael Hintz, Investigator

EXCUSED

None

1. CALL TO ORDER

The meeting was called to order at 2:12 pm by Ms. Dunston, Chair.

2. RULEMAKING HEARING REPORT/SB580

The Board reviewed the proposed rule amendments to further clarify the statute changes from SB580 in the 2015 legislative session. No oral comments were received at the rule hearing. However, written comments were received from the Oregon State Landscape Architects Board (OSLAB).

OSLAB has suggested the license phase "Irrigation; No Backflow Allowed" not be included in allowing irrigation design-only services and the licensees that are included meet a minimum qualifying work experience and continuing education requirements.

The Board members agree with the suggestions that the license phase "Irrigation; No Backflow Allowed" not be included in allowing irrigation design-only services. They believe the backflow is the biggest consumer protection issue in regard to the irrigation system and that designing a system without the knowledge of backflow is a concern. However, upon reading the language in the new statute in section 5 it states an LCP may perform the irrigation design-only services if that LCP holds a license that authorizes the LCP to install irrigation systems. The board is concerned that this language does not allow them to remove the irrigation; no backflow allowed licenses from this service because they are "authorized to install irrigation systems."

The Board discussed OSLAB's second suggestion regarding continuing education and believe that not everyone with an all phase or irrigation license will perform irrigation design-only services. They also discussed the fact that they eliminated the requirement to have specific types of continuing education hours. The Board believes this type of requirement would be a burden on the office staff and would be difficult to manage. The Board believes their continuing education requirement is adequate.

The Board discussed requiring the no backflow licenses to test for the backflow phase to make it easier to deal with. However, there are only approximately 46 licensees with a no backflow phase and they do not believe it would be fair to those licensees to now require they upgrade their license. An Irrigation; No Backflow phase of license is no longer offered. Once those 46 licenses expire, this will no longer be an issue. They feel the irrigation design-only service is moving in the right direction and they do not want to complicate it with the older (outdated) licenses.

The Board members discussed having the OSLAB members come to a future meeting to discuss this requirement. They want a smooth cohesiveness between the two groups. They do not believe a normal consumer knows the difference between a landscape construction professional and a landscape architect and a landscape maintenance person. Each board member is a member because they care to protect the consumer and want to work together in areas the Board's overlap. They believe there has to be a good relationship between the boards.

Board Action

Moved by Mr. Bumgardner and seconded to approve all rule amendments cited on the notice of rulemaking hearing page 3 of board packet and direct staff to check with legal counsel on whether the irrigation component of this law is consistent with the rules. Vote: 6-0.

3. REQUEST TO INCREASE NOT-TO-EXCEED CONTRACTED AMOUNT FOR RON PUGH & ASSOCIATES (CONTRACTED INVESTIGATOR) THROUGH JUNE 30, 2016

The contract amount for investigation work with Ron Pugh & Associate is currently set at a not-to-exceed \$5,000. Between June 1, 2015 and November 30, 2015 the business has billed \$4,787.00. Based on his activity during blow out season and again in the spring, it's likely he will exceed the \$5,000 amount and staff would like to encourage his continued activity and value to the agency. Ms. Boxall requested board approval to prepare and execute an addendum to increase the amount to \$10,000 for 2015-16 as the Board did the year prior.

Board Action

Moved by Ms. Holleneck and seconded to give staff an approval to execute an addendum to \$10,000 for Ron Pugh & Associates. Vote: 6-0.

4. PUBLIC COMMENT

There were no public members present for public comment.

5. ADJOURNMENT AND NEXT MEETING SCHEDULE

Ms. Boxall reported that the January 2016 work session and board meeting need to be rescheduled due to a lack of a quorum. Dates were discussed and it was determined to schedule only a one day board meeting and cancel the work session due to the budget modification that won't be ready and a few other items that are not as time sensitive that could be spread out to other board meetings throughout the year.

The meeting was adjourned at 2:58 pm. The next meeting of the Landscape Contractors Board will be January 22, 2016 in Keizer, Oregon.

Respectfully Submitted,

Kim Gladwill-Rowley
Program Manager

Administrator's Report





Office Status Update

January 2016 (Reporting Period: Nov 21, 2015 – Jan 7, 2016)

Prepared by: Elizabeth Boxall, Administrator

Below is the status update for the period of November 21, 2015 – January 7, 2016 with a risk and issue log attached. The update includes major accomplishments and larger planned activities outside the scope of day-to-day operations unless warranted. The intent of the risk and issue log is to help foster awareness, transparency and discussions about competing priorities and mitigations and/or action plans.

Major Accomplishments (11/21/15 – 1/7/16):

1. Continued work on the Practical Skills Implementation planning. (See detailed update on this topic contained in board packet).
2. Spanish version of the exam went live on January 4, 2016.
3. Drafted additional framework for enforcement prioritization discussion based on Senate Bill 580 changes.
4. Rules related to Senate Bill (SB) 580 were adopted December 17, 2015.
5. Implemented SB580 requirements; bond changes, web site and office publication updates.
6. Administrator attended training with Legislative Fiscal Office to learn how to better understand and prepare Fiscal Impact Statements during legislative sessions.
7. Met with Department of Administrative Services (DAS) to discuss options to contract payroll services in efforts improve payroll process efficiencies and associated costs.
8. Secured an additional contract investigator in the Salem/Keizer area to cover when staff investigator is not available.
9. Attended the 2015 OLCA NW Landscape Expo on December 9, 2015.
10. Executed new five (5) year contract with written exam proctor, PSI (approved at prior board meeting) for cost increase and extension of four (4) years.
11. Continued to work with and provide information for the Change of Director Audit and Financial Review started in September 2015. Prepared draft responses for board to each for board review (attached in board packet).
12. Started revisions/updates of the Owner Managing Employee manual to align with new exam process and legislative changes.

Planned Activities (1/8/15 – 3/18/16):

1. Continue work on the Practical Skills Implementation planning. (See detailed update with next steps outlined on this topic contained in board packet).
2. Finalize and submit responses to Change of Director Audit and Financial Review to auditor.
3. Meet with Enterprise Shared Services in January to refresh information regarding work order started under prior Administrator for online payment and processing.
4. Prepare and issue and 1099 statements for contracted parties in 2015.

5. Prepare and issue quarterly newsletter in February 2016.
6. Draft biennial Governor's Report (which contains Financial Review and response) for Board review in February 2016 prior to allow time for feedback to be incorporated by the March meeting. This will help ensure we meet the April due date of the final report to the Governor's office.
7. Present to Portland Community College (PCC) Business Operations class scheduled for January 12, 2016.
8. Attend PCC Technology Open House on January 19, 2016.
9. Present to American Backflow Prevention Association in Wilsonville on January 28, 2016.
10. Attend the 2016 Yard, Garden & Patio Show in Portland February 12-14, 2016.
11. Administrator to attend training for legislative bill tracking to help ensure efficient tracking of bills that may potentially impact the agency.
12. Complete revisions/updates of the Owner Managing Employee manual to align with new exam process and legislative changes
13. Revisit and start draft for 2016 Strategic Plan and plan to address and next board meeting.
14. Continue communication efforts regarding changes related to SB580; focusing on new bond requirements.
15. Start on budget modification options for March 2016 board meeting (see more details on the Financial Memo in board packet).
16. Administrator to start attending Interagency Compliance Network (ICN) Steering Committee meetings. *(carry over from last reporting period)*
17. Continue work to find a public board member. *(carry over from last reporting period)*
18. Prepare cost benefit analysis for consideration to upgrade from Microsoft Suite 2003 which is no longer supported with security as of July 14, 2015. *(carry over from last reporting period)*

LCB Risk and Issue Log as of 2016-01-07

| Item # | Item | Risk/Issue | Date ID'd | Severity | Description | Mitigation/Action Plan |
|---------------|---|-------------------|------------------|-----------------|--|--|
| 1. | Time constraints to meet deadline for Spanish translation date of January 1, 2016 | Risk | 7/24/2015 | Closed | LCB staff finished revisions needed to the Laws, Rules and Business Practice section on 8/31/15. This was the last piece from exam review needed for republication so Spanish translation can begin. | Monitoring. 11/6/15: downgraded from Medium to Low based on completion of other contingent updates made and confirmation from PSI that this is tracking on time. 1/7/16: Spanish exam implemented January 4, 2016. |
| 2. | Time constraints to meet Practical Skills Implementation date of September 1, 2016 | Risk | 7/24/2015 | Medium | While solutions to meet requirements are being actively pursued, current proposed options require modification to existing law to go through and pass February 2016 legislation. | 1/7/16: Keeping at Medium, trending High due to the following; Direction to pursue leveraging existing CLT exam and working with Clackamas Community College and PSI to augment multiple choice question portions . While this provides an alternate pathway, it also accelerates the time to implement from Sept 2016 to July 2016 and requires acceptance and modification to existing bill through Feb 2016 legislative session. |
| 3. | Costs associated to HB 3304 are generally unknown and were not budgeted for 2015-17 | Risk | 7/24/2015 | High | Upfront and ongoing costs for the practical skills/hands-on testing are largely unknown and were not included in the current approved 2015-17 budget. Based on the solution identified we should then be able to start better identifying costs. | 1/7/16: Discussions with PSI and OLCA are occurring in late January 2016. This will help to inform additional costs not already accounted for in order to prepare modification options (see Financial Memo in this board packet for more details). |

LCB Risk and Issue Log as of 2016-01-07

| Item # | Item | Risk/Issue | Date ID'd | Severity | Description | Mitigation/Action Plan |
|--------|--|------------|-----------|----------|---|---|
| 4. | Resource constraints to fulfill the work required to meet the legislative deadlines without negative impact to day-to-day business | Issue | 7/24/2015 | High | Due to a high volume of items that need work, primarily due to legislative changes, certain day-to-day operational activities are being slowed or stalled (e.g.; obtaining a new board member, delayed response time to inquiries, inability to follow up as timely as desired on enforcement cases). | Continue to prioritize activities by those that are hard date driven (e.g.; legislatively mandated or other legal), activities that may have negative impact to the safety of the public or affect licensing. 1/7/16: Business license applications, study materials and enforcement collections are down which may be an impact from this issue. Current action plans are; presentations and trade shows to help with awareness and education. |

Risk: An uncertain event or condition that, if it occurs, has a positive or negative effect on objectives.

Issue: An event or condition that has already happened and has impacted or is currently impacting objectives.

Updates from last reporting in bold



MEMORANDUM

To: LCB Board Members

From: Elizabeth Boxall, Administrator *eb*

Cc: LCB Staff; Catriona McCracken & Katharine Lozano, AAGs

Date: January 6, 2016

Re: Financials: 2015-16

Attached are the following financial reports:

- 1) November 2015 Balance Sheet
- 2) December 2015 Balance Sheet
- 3) July 2015 through December 2015 Profit & Loss—Previous Year Comparison
- 4) July 2015 through December 2015 Profit & Loss—Budget vs. Actual

P & L Previous Year Comparison:

Total Income is down approximately 5% from last year at this time, primarily in areas of new business license fees, renewals and exam materials. Business applications are down approx 24% while individual applications are up approx 27%. Based on this trend, we should start to see an increase in exam materials as well as business license applications to follow. January and in to spring we start back in to more presentations and trade shows which should also help contribute to new licensing.

Civil Penalties are also down compared to last year. While we opened more cases in 2015 vs. 2014, many of these were opened toward year end due to work load capacity and any collections from these cases will be reflected in subsequent reporting.

Total expenses are up approx 11% from last year at this time due to the primary areas listed below:

- AAG (Legal Counsel) costs up total of \$10,358 from last year at this time (line 5151 +119% & 6125 +61%). We had a few complex cases for which billing fell in to this biennium. As of the date of this memo, we are still awaiting a price quote for the flat fee pilot program to see if that makes the most sense for budgeting ongoing. We are also exploring ways to minimize AAG costs and still maintain adequate support.
- PSIC Committee hard costs (line 5400) \$1271 was unbudgeted and does not currently count resource time.

- Sauter Book purchase of \$20,000
- Audit Fees (Final Review) of \$3,850 in 2015 was budgeted for \$4,000 and will include charges for the Change of Director audit which was unbudgeted and has a not-to-exceed \$13,000 contract.
- Rule filing is up approximately 48% and will continue in to increase with the recent Senate Bill 580 rule filing and adoption.

Balance Sheets:

We've made a couple transfers from savings and money market accounts to checking totaling \$31,000 in the last couple months and still have approximately 5.5 months reserves. This was the first time this year we've needed to access money market account to cover expenses, but in reviewing the last several years, discovered this is not atypical.

Budget Update:

Discussion at the November 2015 Board Meeting included plans to discuss and review modified budget options. Due to both resource constraints, elimination of the January work session and nearing more known expenses, this will need to be deferred until at least the next board meeting. Some unbudgeted costs that will be included are; the Change of Director Audit and additional costs associated to implementation of the Practical Skills Exam (e.g.; costs to administer the business class and exam with PSI, costs to administer hand-on testing through OLCA, and resource costs).

Oregon Landscape Contractors Board
Balance Sheet Prev Year Comparison
As of November 30, 2015

| | <u>Nov 30, 15</u> | <u>Nov 30, 14</u> | <u>\$ Change</u> | <u>% Change</u> |
|---|--------------------------|--------------------------|--------------------------|---------------------|
| ASSETS | | | | |
| Current Assets | | | | |
| Checking/Savings | | | | |
| 1010 - Petty Cash | 200.00 | 200.00 | 0.00 | 0.0% |
| 1020 - Cash in Checking | 8,834.43 | 4,128.21 | 4,706.22 | 114.0% |
| 1030 - Cash in Savings | 5,436.97 | 33,433.33 | -27,996.36 | -83.74% |
| 1035 - Investment Cetera #2AZ03697 | | | | |
| 1036 - Money Market | 100,034.67 | 100,043.31 | -8.64 | -0.01% |
| Total 1035 - Investment Cetera #2AZ03697 | <u>100,034.67</u> | <u>100,043.31</u> | <u>-8.64</u> | <u>-0.01%</u> |
| 1037 - Washington Federal Savings | | | | |
| 1037-MM - Money Market | 195,702.86 | 195,423.70 | 279.16 | 0.14% |
| Total 1037 - Washington Federal Savings | <u>195,702.86</u> | <u>195,423.70</u> | <u>279.16</u> | <u>0.14%</u> |
| Total Checking/Savings | <u>310,208.93</u> | <u>333,228.55</u> | <u>-23,019.62</u> | <u>-6.91%</u> |
| Accounts Receivable | | | | |
| 1100 - A/R Civil Penalties | 210.00 | 0.00 | 210.00 | 100.0% |
| Total Accounts Receivable | <u>210.00</u> | <u>0.00</u> | <u>210.00</u> | <u>100.0%</u> |
| Total Current Assets | <u>310,418.93</u> | <u>333,228.55</u> | <u>-22,809.62</u> | <u>-6.85%</u> |
| Fixed Assets | | | | |
| 1500 - Furniture | | | | |
| 1501 - Office Furniture | 2,609.00 | 2,494.00 | 115.00 | 4.61% |
| Total 1500 - Furniture | <u>2,609.00</u> | <u>2,494.00</u> | <u>115.00</u> | <u>4.61%</u> |
| 1510 - Office Equipment | | | | |
| 1511 - Computers | 24,935.90 | 24,935.90 | 0.00 | 0.0% |
| 1511AD - Accum. Depr. Computer | -16,811.38 | -16,811.38 | 0.00 | 0.0% |
| 1520 - Scanner | 719.00 | 719.00 | 0.00 | 0.0% |
| 1520AD - Accum. Depr. Scanner | -719.00 | -719.00 | 0.00 | 0.0% |
| 1530 - Printers | 899.00 | 899.00 | 0.00 | 0.0% |
| 1530AD - Accum. Depr. Printer | -899.00 | -899.00 | 0.00 | 0.0% |
| Total 1510 - Office Equipment | <u>8,124.52</u> | <u>8,124.52</u> | <u>0.00</u> | <u>0.0%</u> |
| Total Fixed Assets | <u>10,733.52</u> | <u>10,618.52</u> | <u>115.00</u> | <u>1.08%</u> |
| TOTAL ASSETS | <u><u>321,152.45</u></u> | <u><u>343,847.07</u></u> | <u><u>-22,694.62</u></u> | <u><u>-6.6%</u></u> |
| LIABILITIES & EQUITY | | | | |
| Liabilities | | | | |
| Current Liabilities | | | | |
| Accounts Payable | | | | |
| 2010 - Accounts Payable | 6,103.07 | 14,002.46 | -7,899.39 | -56.41% |
| Total Accounts Payable | <u>6,103.07</u> | <u>14,002.46</u> | <u>-7,899.39</u> | <u>-56.41%</u> |
| Other Current Liabilities | | | | |
| 2050 - Compensated Absence Liability | 15,111.30 | 13,727.13 | 1,384.17 | 10.08% |

Oregon Landscape Contractors Board
Balance Sheet Prev Year Comparison
 As of November 30, 2015

| | <u>Nov 30, 15</u> | <u>Nov 30, 14</u> | <u>\$ Change</u> | <u>% Change</u> |
|--|--------------------------|--------------------------|--------------------------|---------------------|
| Total Other Current Liabilities | 15,111.30 | 13,727.13 | 1,384.17 | 10.08% |
| Total Current Liabilities | <u>21,214.37</u> | <u>27,729.59</u> | <u>-6,515.22</u> | <u>-23.5%</u> |
| Total Liabilities | 21,214.37 | 27,729.59 | -6,515.22 | -23.5% |
| Equity | | | | |
| 3000 - Opening Bal Equity | 10,856.88 | 10,856.88 | 0.00 | 0.0% |
| 3010 - Paid In Equity | 67,096.54 | 67,096.54 | 0.00 | 0.0% |
| 3900 - Retained Earnings | 328,193.36 | 298,899.21 | 29,294.15 | 9.8% |
| 3910 - Prior Period Adjustment | -36,474.00 | -36,474.00 | 0.00 | 0.0% |
| Net Income | <u>-69,734.70</u> | <u>-24,261.15</u> | <u>-45,473.55</u> | <u>187.43%</u> |
| Total Equity | <u>299,938.08</u> | <u>316,117.48</u> | <u>-16,179.40</u> | <u>-5.12%</u> |
| TOTAL LIABILITIES & EQUITY | <u><u>321,152.45</u></u> | <u><u>343,847.07</u></u> | <u><u>-22,694.62</u></u> | <u><u>-6.6%</u></u> |

Oregon Landscape Contractors Board
Balance Sheet Prev Year Comparison
As of December 31, 2015

| | <u>Dec 31, 15</u> | <u>Dec 31, 14</u> | <u>\$ Change</u> | <u>% Change</u> |
|---|-------------------|-------------------|-------------------|-----------------|
| ASSETS | | | | |
| Current Assets | | | | |
| Checking/Savings | | | | |
| 1010 - Petty Cash | 200.00 | 200.00 | 0.00 | 0.0% |
| 1020 - Cash in Checking | 13,754.57 | 2,669.65 | 11,084.92 | 415.22% |
| 1030 - Cash in Savings | - 5,436.97 | 33,433.60 | -27,996.63 | -83.74% |
| 1035 - Investment Cetera #2AZ03697 | | | | |
| 1036 - Money Market | 80,034.67 | 100,035.66 | -20,000.99 | -19.99% |
| Total 1035 - Investment Cetera #2AZ03697 | 80,034.67 | 100,035.66 | -20,000.99 | -19.99% |
| 1037 - Washington Federal Savings | | | | |
| 1037-MM - Money Market | 195,702.86 | 195,456.90 | 245.96 | 0.13% |
| Total 1037 - Washington Federal Savings | 195,702.86 | 195,456.90 | 245.96 | 0.13% |
| Total Checking/Savings | 295,129.07 | 331,795.81 | -36,666.74 | -11.05% |
| Accounts Receivable | | | | |
| 1100 - A/R Civil Penalties | 210.00 | 0.00 | 210.00 | 100.0% |
| Total Accounts Receivable | 210.00 | 0.00 | 210.00 | 100.0% |
| Total Current Assets | 295,339.07 | 331,795.81 | -36,456.74 | -10.99% |
| Fixed Assets | | | | |
| 1500 - Furniture | | | | |
| 1501 - Office Furniture | 2,609.00 | 2,609.00 | 0.00 | 0.0% |
| Total 1500 - Furniture | 2,609.00 | 2,609.00 | 0.00 | 0.0% |
| 1510 - Office Equipment | | | | |
| 1511 - Computers | 24,935.90 | 24,935.90 | 0.00 | 0.0% |
| 1511AD - Accum. Depr. Computer | -16,811.38 | -16,811.38 | 0.00 | 0.0% |
| 1520 - Scanner | 719.00 | 719.00 | 0.00 | 0.0% |
| 1520AD - Accum. Depr. Scanner | -719.00 | -719.00 | 0.00 | 0.0% |
| 1530 - Printers | 899.00 | 899.00 | 0.00 | 0.0% |
| 1530AD - Accum. Depr. Printer | -899.00 | -899.00 | 0.00 | 0.0% |
| Total 1510 - Office Equipment | 8,124.52 | 8,124.52 | 0.00 | 0.0% |
| Total Fixed Assets | 10,733.52 | 10,733.52 | 0.00 | 0.0% |
| TOTAL ASSETS | 306,072.59 | 342,529.33 | -36,456.74 | -10.64% |
| LIABILITIES & EQUITY | | | | |
| Liabilities | | | | |
| Current Liabilities | | | | |
| Accounts Payable | | | | |
| 2010 - Accounts Payable | -2,539.64 | 17,635.78 | -20,175.42 | -114.4% |
| Total Accounts Payable | -2,539.64 | 17,635.78 | -20,175.42 | -114.4% |
| Other Current Liabilities | | | | |
| 2050 - Compensated Absence Liability | 15,111.30 | 14,333.48 | 777.82 | 5.43% |

Oregon Landscape Contractors Board
Balance Sheet Prev Year Comparison
 As of December 31, 2015

| | <u>Dec 31, 15</u> | <u>Dec 31, 14</u> | <u>\$ Change</u> | <u>% Change</u> |
|--|--------------------------|--------------------------|--------------------------|-----------------------|
| Total Other Current Liabilities | 15,111.30 | 14,333.48 | 777.82 | 5.43% |
| Total Current Liabilities | <u>12,571.66</u> | <u>31,969.26</u> | <u>-19,397.60</u> | <u>-60.68%</u> |
| Total Liabilities | 12,571.66 | 31,969.26 | -19,397.60 | -60.68% |
| Equity | | | | |
| 3000 - Opening Bal Equity | 10,856.88 | 10,856.88 | 0.00 | 0.0% |
| 3010 - Paid In Equity | 67,096.54 | 67,096.54 | 0.00 | 0.0% |
| 3900 - Retained Earnings | 328,193.36 | 298,899.21 | 29,294.15 | 9.8% |
| 3910 - Prior Period Adjustment | -36,474.00 | -36,474.00 | 0.00 | 0.0% |
| Net Income | <u>-76,171.85</u> | <u>-29,818.56</u> | <u>-46,353.29</u> | <u>155.45%</u> |
| Total Equity | <u>293,500.93</u> | <u>310,560.07</u> | <u>-17,059.14</u> | <u>-5.49%</u> |
| TOTAL LIABILITIES & EQUITY | <u><u>306,072.59</u></u> | <u><u>342,529.33</u></u> | <u><u>-36,456.74</u></u> | <u><u>-10.64%</u></u> |

Oregon Landscape Contractors Board
Profit & Loss Prev Year Comparison
July through December 2015

| | <u>Jul - Dec 15</u> | <u>Jul - Dec 14</u> | <u>\$ Change</u> | <u>% Change</u> |
|--|---------------------|---------------------|-------------------|-----------------|
| Ordinary Income/Expense | | | | |
| Income | | | | |
| 4000 - Applications/Examination | | | | |
| 4005 - LCP Application Fee | 7,600.00 | 7,625.00 | -25.00 | -0.33% |
| 4005ME - ME Application Fee | 60.00 | 60.00 | 0.00 | 0.0% |
| 4005P - Probationary Application Fee | 975.00 | 150.00 | 825.00 | 550.0% |
| 4026 - Exam Resource Material Sales | | | | |
| 4026OM - Owner Managing Employee Manual | 880.00 | 1,600.00 | -720.00 | -45.0% |
| 4026PT - Plant CD Sales | 200.00 | 355.00 | -155.00 | -43.66% |
| 4026SM - Sauter Manual Sales | 8,910.00 | 11,715.00 | -2,805.00 | -23.94% |
| 4026 - Exam Resource Material Sales - Other | 175.00 | 0.00 | 175.00 | 100.0% |
| Total 4026 - Exam Resource Material Sales | 10,165.00 | 13,670.00 | -3,505.00 | -25.64% |
| 4027 - Exam Resource S & H | 220.00 | 300.00 | -80.00 | -26.67% |
| 4036 - PSI | 1,190.00 | 930.00 | 260.00 | 27.96% |
| Total 4000 - Applications/Examination | 20,210.00 | 22,735.00 | -2,525.00 | -11.11% |
| 4100 - Licensing Fees | | | | |
| 4109 - New Business Application Fee | 4,250.00 | 5,590.00 | -1,340.00 | -23.97% |
| 4110 - New Business License Fee | 7,170.00 | 9,990.00 | -2,820.00 | -28.23% |
| 4115 - Business Renewal Fee | 112,330.00 | 116,740.00 | -4,410.00 | -3.78% |
| 4120 - New Individual License Fees | 3,125.00 | 2,470.00 | 655.00 | 26.52% |
| 4125 - Renewal Individual License | 57,450.00 | 57,265.00 | 185.00 | 0.32% |
| 4127 - Reinstatement Fee | 1,385.00 | 1,200.00 | 185.00 | 15.42% |
| 4129 - Status Change Fee | 250.00 | 200.00 | 50.00 | 25.0% |
| 4130 - Late Fees | 3,010.00 | 2,555.00 | 455.00 | 17.81% |
| 4140 - Document Fees | 430.00 | 375.00 | 55.00 | 14.67% |
| Total 4100 - Licensing Fees | 189,400.00 | 196,385.00 | -6,985.00 | -3.56% |
| 4200 - Enforcement | | | | |
| 4210 - Collected Civil Penalties | | | | |
| 4211 - Civil Penalties Collected | 37,532.27 | 42,025.36 | -4,493.09 | -10.69% |
| Total 4210 - Collected Civil Penalties | 37,532.27 | 42,025.36 | -4,493.09 | -10.69% |
| 4200 - Enforcement - Other | 8.87 | 0.00 | 8.87 | 100.0% |
| Total 4200 - Enforcement | 37,541.14 | 42,025.36 | -4,484.22 | -10.67% |
| 4999 - Uncategorized Income | 0.00 | 75.80 | -75.80 | -100.0% |
| Total Income | 247,151.14 | 261,221.16 | -14,070.02 | -5.39% |
| Gross Profit | 247,151.14 | 261,221.16 | -14,070.02 | -5.39% |
| Expense | | | | |
| 5000 - Direct Costs | | | | |
| 5010 - Staff Wages | 134,328.90 | 124,974.60 | 9,354.30 | 7.49% |
| 5011 - Payroll Taxes | | | | |
| 5012 - FICA Expense | 9,491.22 | 7,404.64 | 2,086.58 | 28.18% |
| 5013 - Medicare Expense | 2,219.72 | 1,731.71 | 488.01 | 28.18% |
| 5015 - Worker's Compensation | 871.26 | 77.59 | 793.67 | 1,022.9% |
| 5016 - Unemployment Expense | 300.69 | 0.00 | 300.69 | 100.0% |
| 5011 - Payroll Taxes - Other | -190.51 | 0.00 | -190.51 | -100.0% |
| Total 5011 - Payroll Taxes | 12,692.38 | 9,213.94 | 3,478.44 | 37.75% |

Oregon Landscape Contractors Board
Profit & Loss Prev Year Comparison
July through December 2015

| | Jul - Dec 15 | Jul - Dec 14 | \$ Change | % Change |
|---|------------------|------------------|------------------|------------------|
| 5020 · Employee Benefits | | | | |
| 5021 · PEBB/BCA | 35,666.92 | 36,190.32 | -523.40 | -1.45% |
| 5022 · PERS | | | | |
| 5022-A · PERS- Regular Payment | 18,704.42 | 19,593.38 | -888.96 | -4.54% |
| 5022-B · DAS-PERS Bond | 5,879.21 | 8,405.60 | -2,526.39 | -30.06% |
| Total 5022 · PERS | 24,583.63 | 27,998.98 | -3,415.35 | -12.2% |
| Total 5020 · Employee Benefits | 60,250.55 | 64,189.30 | -3,938.75 | -6.14% |
| 5026 · Exam Resource Material | 22,037.96 | 566.00 | 21,471.96 | 3,793.63% |
| 5030 · Printing Costs | | | | |
| 5030-AD · Admin. Printing | 437.00 | 1,465.49 | -1,028.49 | -70.18% |
| 5030NL · Newsletter | 609.00 | 1,117.00 | -508.00 | -45.48% |
| 5030PR · Pamphlet/Brochure | 382.00 | 471.00 | -89.00 | -18.9% |
| 5030 · Printing Costs - Other | 0.00 | 52.00 | -52.00 | -100.0% |
| Total 5030 · Printing Costs | 1,428.00 | 3,105.49 | -1,677.49 | -54.02% |
| 5035 · Postage Costs | | | | |
| 5035M · Postage Assessed for Mail | 0.00 | 4,153.37 | -4,153.37 | -100.0% |
| 5035NL · Postage for Newsletter | 436.50 | 786.88 | -350.38 | -44.53% |
| 5035S · State Mail Service Charge | 6,282.33 | 2,860.00 | 3,422.33 | 119.66% |
| 5035 · Postage Costs - Other | 8.95 | 604.33 | -595.38 | -98.52% |
| Total 5035 · Postage Costs | 6,727.78 | 8,404.58 | -1,676.80 | -19.95% |
| 5040 · Staff Mileage | | | | |
| 5040S · Staff Personal Car Mileage | 271.53 | 263.29 | 8.24 | 3.13% |
| 5040VIN · Staff Car -Michael/ Vince's | 1,183.30 | 2,734.70 | -1,551.40 | -56.73% |
| Total 5040 · Staff Mileage | 1,454.83 | 2,997.99 | -1,543.16 | -51.47% |
| 5050 · Staff Travel | | | | |
| 5050 L · Staff Lodging | 605.10 | 0.00 | 605.10 | 100.0% |
| 5050M · Staff Meals | 165.79 | 0.00 | 165.79 | 100.0% |
| Total 5050 · Staff Travel | 770.89 | 0.00 | 770.89 | 100.0% |
| 5100 · Hearing Officer Panel | 8,145.49 | 12,194.72 | -4,049.23 | -33.21% |
| 5150 · Department Of Justice | | | | |
| 5151 · AAG Advice (Enf/Claims/Admin) | 13,982.50 | 6,391.80 | 7,590.70 | 118.76% |
| 5150 · Department Of Justice - Other | 0.00 | 31.80 | -31.80 | -100.0% |
| Total 5150 · Department Of Justice | 13,982.50 | 6,423.60 | 7,558.90 | 117.67% |
| 5154 · Filing Fees | | | | |
| 5154-LF · Lien Filing Fee | 0.00 | 285.00 | -285.00 | -100.0% |
| Total 5154 · Filing Fees | 0.00 | 285.00 | -285.00 | -100.0% |
| 5200 · Investigations | | | | |
| 5210 · Contract Investigators | | | | |
| 5210-FI · Formal Investigations | 3,450.00 | 6,250.00 | -2,800.00 | -44.8% |
| 5210-M · Investigator Mileage | 339.68 | 290.01 | 49.67 | 17.13% |
| 5210-O · Other Investigative Expense | 380.00 | 0.00 | 380.00 | 100.0% |
| 5210-SC · Site Checks | 4,600.00 | 5,640.00 | -1,040.00 | -18.44% |
| 5210-TT · Travel Time | 1,395.00 | 132.50 | 1,262.50 | 952.83% |

Oregon Landscape Contractors Board
Profit & Loss Prev Year Comparison
July through December 2015

| | <u>Jul - Dec 15</u> | <u>Jul - Dec 14</u> | <u>\$ Change</u> | <u>% Change</u> |
|--|---------------------|---------------------|------------------|-----------------|
| Total 5210 - Contract Investigators | 10,164.68 | 12,312.51 | -2,147.83 | -17.44% |
| 5225 - Investigation Inquiry fees | 348.80 | 178.10 | 170.70 | 95.85% |
| Total 5200 - Investigations | 10,513.48 | 12,490.61 | -1,977.13 | -15.83% |
| 5300 - Collection Costs | | | | |
| 5302 - Private Collections Costs | 135.42 | -50.00 | 185.42 | -370.84% |
| 5300 - Collection Costs - Other | 0.00 | -41.84 | 41.84 | 100.0% |
| Total 5300 - Collection Costs | 135.42 | -91.84 | 227.26 | -247.45% |
| 5400 - Committee Meeting Expenses | | | | |
| 5401 - Advisory Committee | | | | |
| 5401L - AC Lodging/Meals | 395.88 | 0.00 | 395.88 | 100.0% |
| 5401M - AC Mileage | 633.19 | 0.00 | 633.19 | 100.0% |
| 5401 - Advisory Committee - Other | 242.21 | 0.00 | 242.21 | 100.0% |
| Total 5401 - Advisory Committee | 1,271.28 | 0.00 | 1,271.28 | 100.0% |
| Total 5400 - Committee Meeting Expenses | 1,271.28 | 0.00 | 1,271.28 | 100.0% |
| Total 5000 - Direct Costs | 273,739.46 | 244,753.99 | 28,985.47 | 11.84% |
| 6000 - Administrative Expenses | | | | |
| 6020 - Staff Training | 0.00 | 99.00 | -99.00 | -100.0% |
| 6100 - Board Meeting Expenses | | | | |
| 6110 - Board Members Expense | | | | |
| 6110-LM - Board Member Meal/Lodging | 871.14 | 1,357.49 | -486.35 | -35.83% |
| 6110-M - Board Member Mileage | 2,271.13 | 2,421.84 | -150.71 | -6.22% |
| 6110-PD - Board Member Per Diem | 1,619.79 | 693.92 | 925.87 | 133.43% |
| 6110-TE - Board Member conf call exp | 113.58 | 179.42 | -65.84 | -36.7% |
| 6110 - Board Members Expense - Other | 52.55 | 0.00 | 52.55 | 100.0% |
| Total 6110 - Board Members Expense | 4,928.19 | 4,652.67 | 275.52 | 5.92% |
| 6120 - Board Meeting Room Chrg | 730.00 | 750.00 | -20.00 | -2.67% |
| 6122 - Board Meeting Meals | 739.51 | 223.75 | 515.76 | 230.51% |
| 6125 - A.G. Board Meeting Consult | 7,315.00 | 4,547.40 | 2,767.60 | 60.86% |
| Total 6100 - Board Meeting Expenses | 13,712.70 | 10,173.82 | 3,538.88 | 34.78% |
| 6400 - Payroll Preparation Service | 650.95 | 594.94 | 56.01 | 9.41% |
| 7000 - Office Lease | | | | |
| 7000ML - Monthly Lease | 13,611.44 | 13,242.78 | 368.66 | 2.78% |
| Total 7000 - Office Lease | 13,611.44 | 13,242.78 | 368.66 | 2.78% |
| 7003 - Utilities | | | | |
| 7003EL - Electric | 640.52 | 882.70 | -242.18 | -27.44% |
| 7003GA - Gas | 15.17 | 246.51 | -231.34 | -93.85% |
| 7003SC - Office Security | 215.34 | 311.27 | -95.93 | -30.82% |
| Total 7003 - Utilities | 871.03 | 1,440.48 | -569.45 | -39.53% |
| 7010 - Insurance | 1,326.50 | 0.00 | 1,326.50 | 100.0% |
| 7100 - Telephone | | | | |
| 7101 - Cell Phone | 451.47 | 670.00 | -218.53 | -32.62% |
| 7102 - Office Telephone | 1,104.96 | 1,086.45 | 18.51 | 1.7% |

Oregon Landscape Contractors Board
Profit & Loss Prev Year Comparison
July through December 2015

| | <u>Jul - Dec 15</u> | <u>Jul - Dec 14</u> | <u>\$ Change</u> | <u>% Change</u> |
|--|---------------------|---------------------|------------------|-----------------|
| Total 7100 - Telephone | 1,556.43 | 1,756.45 | -200.02 | -11.39% |
| 7110 - Office Supplies | | | | |
| 7111 - Office equip. repair and maint. | 465.99 | 474.00 | -8.01 | -1.69% |
| 7112 - Dues & Subscriptions | 0.00 | 82.65 | -82.65 | -100.0% |
| 7113 - Office Furnishing/setup | 0.00 | 639.92 | -639.92 | -100.0% |
| 7114 - Office Supplies | 1,489.92 | 2,142.98 | -653.06 | -30.47% |
| Total 7110 - Office Supplies | 1,955.91 | 3,339.55 | -1,383.64 | -41.43% |
| 7115 - Copier/Fax/Print Lease | | | | |
| 7116 - Copier/Fax/Print Maint | 427.46 | 297.78 | 129.68 | 43.55% |
| 7117 - Lease Fee for Copier | 739.21 | 915.78 | -176.57 | -19.28% |
| 7115 - Copier/Fax/Print Lease - Other | 241.00 | 0.00 | 241.00 | 100.0% |
| Total 7115 - Copier/Fax/Print Lease | 1,407.67 | 1,213.56 | 194.11 | 16.0% |
| 7200 - Bank fees | | | | |
| 7202 - DAS Fees/Treasury | 200.00 | 0.00 | 200.00 | 100.0% |
| 7205 - Credit Card Use Fees | 3,467.11 | 3,582.89 | -115.78 | -3.23% |
| 7206IN - Credit Card Interest | 8.86 | 51.89 | -43.03 | -82.93% |
| 7207 - NSF Fee | 10.00 | 0.00 | 10.00 | 100.0% |
| 7211 - Bank Fee | 3.00 | 71.00 | -68.00 | -95.78% |
| 7213 - iDEPOSIT FEE | 0.00 | 375.00 | -375.00 | -100.0% |
| 7214 - ONLINE BANKING FEE | 125.00 | 100.00 | 25.00 | 25.0% |
| 7215 - MAINTENANCE FEE | 153.00 | 208.50 | -55.50 | -26.62% |
| Total 7200 - Bank fees | 3,966.97 | 4,389.28 | -422.31 | -9.62% |
| 8000 - Trade Show Expense | | | | |
| 8025 Trade Show Giveaway Items | 0.00 | 881.46 | -881.46 | -100.0% |
| 8010 - Staff Milage and Parking | 59.92 | 472.00 | -412.08 | -87.31% |
| 8011 - Staff Meals/Lodging Trade Show | 0.00 | -27.06 | 27.06 | 100.0% |
| 8012 - Trade Show Booth Fees | 250.00 | 537.50 | -287.50 | -53.49% |
| 8020 - Trade Show Display | 0.00 | 302.39 | -302.39 | -100.0% |
| Total 8000 - Trade Show Expense | 309.92 | 2,166.29 | -1,856.37 | -85.69% |
| 8100 - Web Expense | | | | |
| 8105 - Web Hosting | 375.00 | 450.00 | -75.00 | -16.67% |
| 8106 - Offsite Data Storage | 355.95 | 0.00 | 355.95 | 100.0% |
| 8116 - Comcast Connection | 719.40 | 689.40 | 30.00 | 4.35% |
| 8120 - E-mail Hosting | 197.15 | 163.62 | 33.53 | 20.49% |
| 8125 - DAS EMAIL FEE | 163.89 | 0.00 | 163.89 | 100.0% |
| Total 8100 - Web Expense | 1,811.39 | 1,303.02 | 508.37 | 39.02% |
| 8200 - Computer Expenses | | | | |
| 8210 - Computer Consulting | 660.00 | 818.00 | -158.00 | -19.32% |
| 8220 - Computer Software <\$500> | 0.00 | 102.86 | -102.86 | -100.0% |
| 8225 - Computer Hardware <\$500> | 0.00 | 318.98 | -318.98 | -100.0% |
| 8240 - Database Configuring | 487.50 | 1,781.25 | -1,293.75 | -72.63% |
| Total 8200 - Computer Expenses | 1,147.50 | 3,021.09 | -1,873.59 | -62.02% |
| 8300 - Professional Services | | | | |
| 8302 - Auditing | | | | |
| 8302-IA - Agency Audit/Financial Review | 3,850.00 | 0.00 | 3,850.00 | 100.0% |

Oregon Landscape Contractors Board
Profit & Loss Prev Year Comparison
July through December 2015

| | <u>Jul - Dec 15</u> | <u>Jul - Dec 14</u> | <u>\$ Change</u> | <u>% Change</u> |
|---|--------------------------|--------------------------|--------------------------|-----------------------|
| Total 8302 · Auditing | <u>3,850.00</u> | <u>0.00</u> | <u>3,850.00</u> | <u>100.0%</u> |
| 8303 · Janitorial | <u>765.56</u> | <u>930.10</u> | <u>-164.54</u> | <u>-17.69%</u> |
| 8305 · Recycle, Shred & Storage | <u>0.00</u> | <u>42.00</u> | <u>-42.00</u> | <u>-100.0%</u> |
| 8306 · Misc DAS fees | | | | |
| 8306-A · Archives | <u>538.50</u> | <u>388.00</u> | <u>150.50</u> | <u>38.79%</u> |
| 8306-EC · Ethics Commission | <u>31.00</u> | <u>65.50</u> | <u>-34.50</u> | <u>-52.67%</u> |
| 8306-L · Linus | <u>99.00</u> | <u>210.00</u> | <u>-111.00</u> | <u>-52.86%</u> |
| 8306-RF · Rule Filing | <u>2,016.37</u> | <u>1,367.00</u> | <u>649.37</u> | <u>47.5%</u> |
| Total 8306 · Misc DAS fees | <u>2,684.87</u> | <u>2,030.50</u> | <u>654.37</u> | <u>32.23%</u> |
| 8308 · Other Consulting | <u>0.00</u> | <u>1,050.00</u> | <u>-1,050.00</u> | <u>-100.0%</u> |
| Total 8300 · Professional Services | <u>7,300.43</u> | <u>4,052.60</u> | <u>3,247.83</u> | <u>80.14%</u> |
| Total 6000 · Administrative Expenses | <u>49,628.84</u> | <u>46,792.86</u> | <u>2,835.98</u> | <u>6.06%</u> |
| 6999 · Uncategorized Expenses | <u>58.00</u> | <u>0.00</u> | <u>58.00</u> | <u>100.0%</u> |
| 7009 · Carpet Cleaning | <u>0.00</u> | <u>150.00</u> | <u>-150.00</u> | <u>-100.0%</u> |
| Total Expense | <u>323,426.30</u> | <u>291,696.85</u> | <u>31,729.45</u> | <u>10.88%</u> |
| Net Ordinary Income | <u>-76,275.16</u> | <u>-30,475.69</u> | <u>-45,799.47</u> | <u>150.28%</u> |
| Other Income/Expense | | | | |
| Other Income | | | | |
| 9000 · Other Income | | | | |
| 9015 · Interest | <u>103.31</u> | <u>207.13</u> | <u>-103.82</u> | <u>-50.12%</u> |
| 9000 · Other Income - Other | <u>0.00</u> | <u>450.00</u> | <u>-450.00</u> | <u>-100.0%</u> |
| Total 9000 · Other Income | <u>103.31</u> | <u>657.13</u> | <u>-553.82</u> | <u>-84.28%</u> |
| Total Other Income | <u>103.31</u> | <u>657.13</u> | <u>-553.82</u> | <u>-84.28%</u> |
| Net Other Income | <u>103.31</u> | <u>657.13</u> | <u>-553.82</u> | <u>-84.28%</u> |
| Net Income | <u><u>-76,171.85</u></u> | <u><u>-29,818.56</u></u> | <u><u>-46,353.29</u></u> | <u><u>155.45%</u></u> |

Oregon Landscape Contractors Board
Profit & Loss Budget vs. Actual
July through December 2015

| | <u>Jul - Dec 15</u> | <u>Budget</u> | <u>\$ Over Budget</u> | <u>% of Budget</u> |
|--|---------------------|-------------------|-----------------------|--------------------|
| Ordinary Income/Expense | | | | |
| Income | | | | |
| 4000 - Applications/Examination | | | | |
| 4005 - LCP Application Fee | 7,600.00 | 9,600.00 | -2,000.00 | 79.17% |
| 4005ME - ME Application Fee | 60.00 | 60.00 | 0.00 | 100.0% |
| 4005P - Probationary Application Fee | 975.00 | 225.00 | 750.00 | 433.33% |
| 4026 - Exam Resource Material Sales | | | | |
| 4026OM - Owner Managing Employee Manual | 880.00 | | | |
| 4026PT - Plant CD Sales | 200.00 | | | |
| 4026SM - Sauter Manual Sales | 8,910.00 | | | |
| 4026 - Exam Resource Material Sales - Other | 175.00 | 13,200.00 | -13,025.00 | 1.33% |
| Total 4026 - Exam Resource Material Sales | 10,165.00 | 13,200.00 | -3,035.00 | 77.01% |
| 4027 - Exam Resource S & H | 220.00 | 249.98 | -29.98 | 88.01% |
| 4036 - PSI | 1,190.00 | 999.98 | 190.02 | 119.0% |
| Total 4000 - Applications/Examination | 20,210.00 | 24,334.96 | -4,124.96 | 83.05% |
| 4100 - Licensing Fees | | | | |
| 4109 - New Business Application Fee | 4,250.00 | 0.52 | 4,249.48 | 817,307.69% |
| 4110 - New Business License Fee | 7,170.00 | 11,549.00 | -4,379.00 | 62.08% |
| 4115 - Business Renewal Fee | 112,330.00 | 157,437.52 | -45,107.52 | 71.35% |
| 4120 - New Individual License Fees | 3,125.00 | 3,750.00 | -625.00 | 83.33% |
| 4125 - Renewal Individual License | 57,450.00 | 71,550.00 | -14,100.00 | 80.29% |
| 4127 - Reinstatement Fee | 1,385.00 | 999.98 | 385.02 | 138.5% |
| 4129 - Status Change Fee | 250.00 | 249.98 | 0.02 | 100.01% |
| 4130 - Late Fees | 3,010.00 | 3,249.98 | -239.98 | 92.62% |
| 4131 - Online Fee | 0.00 | 1,932.00 | -1,932.00 | 0.0% |
| 4140 - Document Fees | 430.00 | 300.00 | 130.00 | 143.33% |
| Total 4100 - Licensing Fees | 189,400.00 | 251,018.98 | -61,618.98 | 75.45% |
| 4200 - Enforcement | | | | |
| 4210 - Collected Civil Penalties | | | | |
| 4211 - Civil Penalties Collected | 37,532.27 | 35,000.02 | 2,532.25 | 107.24% |
| Total 4210 - Collected Civil Penalties | 37,532.27 | 35,000.02 | 2,532.25 | 107.24% |
| 4230 - Document Fees | 0.00 | 24.98 | -24.98 | 0.0% |
| 4200 - Enforcement - Other | 8.87 | | | |
| Total 4200 - Enforcement | 37,541.14 | 35,025.00 | 2,516.14 | 107.18% |
| 4300 - Claims | | | | |
| 4310 - Document Fees | 0.00 | 24.98 | -24.98 | 0.0% |
| Total 4300 - Claims | 0.00 | 24.98 | -24.98 | 0.0% |
| Total Income | 247,151.14 | 310,403.92 | -63,252.78 | 79.62% |
| Gross Profit | 247,151.14 | 310,403.92 | -63,252.78 | 79.62% |
| Expense | | | | |
| 5000 - Direct Costs | | | | |
| 5010 - Staff Wages | 134,328.90 | 121,561.38 | 12,767.52 | 110.5% |
| 5011 - Payroll Taxes | | | | |
| 5012 - FICA Expense | 9,491.22 | 9,299.44 | 191.78 | 102.06% |

Oregon Landscape Contractors Board
Profit & Loss Budget vs. Actual
July through December 2015

| | <u>Jul - Dec 15</u> | <u>Budget</u> | <u>\$ Over Budget</u> | <u>% of Budget</u> |
|---|---------------------|------------------|-----------------------|--------------------|
| 5013 · Medicare Expense | 2,219.72 | 1,762.66 | 457.06 | 125.93% |
| 5015 · Worker's Compensation | 871.26 | 999.98 | -128.72 | 87.13% |
| 5016 · Unemployment Expense | 300.69 | | | |
| 5011 · Payroll Taxes - Other | -190.51 | | | |
| Total 5011 · Payroll Taxes | 12,692.38 | 12,062.08 | 630.30 | 105.23% |
| 5020 · Employee Benefits | | | | |
| 5021 · PEBB/BCA | 35,666.92 | 15,937.46 | 19,729.46 | 223.79% |
| 5022 · PERS | | | | |
| 5022-A · PERS- Regular Payment | 18,704.42 | 16,787.62 | 1,916.80 | 111.42% |
| 5022-B · DAS-PERS Bond | 5,879.21 | 15,265.93 | -9,386.72 | 38.51% |
| Total 5022 · PERS | 24,583.63 | 32,053.55 | -7,469.92 | 76.7% |
| Total 5020 · Employee Benefits | 60,250.55 | 47,991.01 | 12,259.54 | 125.55% |
| 5024 · Contract Labor | 0.00 | 500.02 | -500.02 | 0.0% |
| 5026 · Exam Resource Material | 22,037.96 | 9,999.98 | 12,037.98 | 220.38% |
| 5030 · Printing Costs | | | | |
| 5030-AD · Admin. Printing | 437.00 | 1,500.00 | -1,063.00 | 29.13% |
| 5030NL · Newsletter | 609.00 | 1,650.00 | -1,041.00 | 36.91% |
| 5030PR · Pamphlet/Brochure | 382.00 | 500.02 | -118.02 | 76.4% |
| Total 5030 · Printing Costs | 1,428.00 | 3,650.02 | -2,222.02 | 39.12% |
| 5035 · Postage Costs | | | | |
| 5035M · Postage Assessed for Mail | 0.00 | 7,500.00 | -7,500.00 | 0.0% |
| 5035NL · Postage for Newsletter | 436.50 | 750.00 | -313.50 | 58.2% |
| 5035S · State Mail Service Charge | 6,282.33 | 1,500.00 | 4,782.33 | 418.82% |
| 5035 · Postage Costs - Other | 8.95 | | | |
| Total 5035 · Postage Costs | 6,727.78 | 9,750.00 | -3,022.22 | 69.0% |
| 5040 · Staff Mileage | | | | |
| 5040-PF Parking Fees | 0.00 | 50.02 | -50.02 | 0.0% |
| 5040S · Staff Personal Car Mileage | 271.53 | 500.02 | -228.49 | 54.3% |
| 5040VIN · Staff Car -Michael/ Vince's | 1,183.30 | 2,499.98 | -1,316.68 | 47.33% |
| Total 5040 · Staff Mileage | 1,454.83 | 3,050.02 | -1,595.19 | 47.7% |
| 5050 · Staff Travel | | | | |
| 5050 L · Staff Lodging | 605.10 | 750.00 | -144.90 | 80.68% |
| 5050M · Staff Meals | 165.79 | 500.02 | -334.23 | 33.16% |
| Total 5050 · Staff Travel | 770.89 | 1,250.02 | -479.13 | 61.67% |
| 5100 · Hearing Officer Panel | 8,145.49 | 9,999.98 | -1,854.49 | 81.46% |
| 5150 · Department Of Justice | | | | |
| 5151 · AAG Advice (Enf/Claims/Admin) | 13,982.50 | 6,000.00 | 7,982.50 | 233.04% |
| 5153 · DOJ (Injunct/UTPA/Enforce) | 0.00 | 249.98 | -249.98 | 0.0% |
| 5150 · Department Of Justice - Other | 0.00 | | | |
| Total 5150 · Department Of Justice | 13,982.50 | 6,249.98 | 7,732.52 | 223.72% |
| 5152 · Legislative Counsel | 0.00 | 750.00 | -750.00 | 0.0% |
| 5154 · Filing Fees | | | | |
| 5154-LF · Lien Filing Fee | 0.00 | 500.02 | -500.02 | 0.0% |
| Total 5154 · Filing Fees | 0.00 | 500.02 | -500.02 | 0.0% |

Oregon Landscape Contractors Board
Profit & Loss Budget vs. Actual
July through December 2015

| | <u>Jul - Dec 15</u> | <u>Budget</u> | <u>\$ Over Budget</u> | <u>% of Budget</u> |
|--|---------------------|-------------------|-----------------------|--------------------|
| 5200 - Investigations | | | | |
| 5210 - Contract Investigators | | | | |
| 5210-CL - Claims Investigations | 0.00 | 500.02 | -500.02 | 0.0% |
| 5210-FI - Formal Investigations | 3,450.00 | 6,999.98 | -3,549.98 | 49.29% |
| 5210-LM - Investigator Meals/Lodging | 0.00 | 500.02 | -500.02 | 0.0% |
| 5210-M - Investigator Mileage | 339.68 | 999.98 | -660.30 | 33.97% |
| 5210-O - Other Investigative Expense | 380.00 | 249.98 | 130.02 | 152.01% |
| 5210-SC - Site Checks | 4,600.00 | 2,000.02 | 2,599.98 | 230.0% |
| 5210-TT - Travel Time | 1,395.00 | 500.02 | 894.98 | 278.99% |
| Total 5210 - Contract Investigators | 10,164.68 | 11,750.02 | -1,585.34 | 86.51% |
| 5225 - Investigation Inquiry fees | 348.80 | 249.98 | 98.82 | 139.53% |
| 5226 - Investigative Subpoena Expense | 0.00 | 249.98 | -249.98 | 0.0% |
| Total 5200 - Investigations | 10,513.48 | 12,249.98 | -1,736.50 | 85.82% |
| 5300 - Collection Costs | | | | |
| 5301 - DOR Collection costs | 0.00 | 249.98 | -249.98 | 0.0% |
| 5302 - Private Collections Costs | 135.42 | 999.98 | -864.56 | 13.54% |
| Total 5300 - Collection Costs | 135.42 | 1,249.96 | -1,114.54 | 10.83% |
| 5400 - Committee Meeting Expenses | | | | |
| 5401 - Advisory Committee | | | | |
| 5401L - AC Lodging/Meals | 395.88 | | | |
| 5401M - AC Mileage | 633.19 | | | |
| 5401 - Advisory Committee - Other | 242.21 | | | |
| Total 5401 - Advisory Committee | 1,271.28 | | | |
| Total 5400 - Committee Meeting Expenses | 1,271.28 | | | |
| Total 5000 - Direct Costs | 273,739.46 | 240,814.45 | 32,925.01 | 113.67% |
| 6000 - Administrative Expenses | | | | |
| 6020 - Staff Training | 0.00 | 249.98 | -249.98 | 0.0% |
| 6100 - Board Meeting Expenses | | | | |
| 6110 - Board Members Expense | | | | |
| 6110-LM - Board Member Meal/Lodging | 871.14 | 1,500.00 | -628.86 | 58.08% |
| 6110-M - Board Member Mileage | 2,271.13 | 2,250.00 | 21.13 | 100.94% |
| 6110-PD - Board Member Per Diem | 1,619.79 | 1,500.00 | 119.79 | 107.99% |
| 6110-TE - Board Member conf call exp | 113.58 | | | |
| 6110 - Board Members Expense - Other | 52.55 | | | |
| Total 6110 - Board Members Expense | 4,928.19 | 5,250.00 | -321.81 | 93.87% |
| 6120 - Board Meeting Room Chrg | 730.00 | 600.00 | 130.00 | 121.67% |
| 6122 - Board Meeting Meals | 739.51 | 600.00 | 139.51 | 123.25% |
| 6125 - A.G. Board Meeting Consult | 7,315.00 | 3,800.02 | 3,514.98 | 192.5% |
| Total 6100 - Board Meeting Expenses | 13,712.70 | 10,250.02 | 3,462.68 | 133.78% |
| 6400 - Payroll Preparation Service | 650.95 | 600.00 | 50.95 | 108.49% |
| 7000 - Office Lease | | | | |
| 7000FEE - Leasing Fees | 0.00 | 13,644.62 | -13,644.62 | 0.0% |
| 7000ML - Monthly Lease | 13,611.44 | | | |

Oregon Landscape Contractors Board
Profit & Loss Budget vs. Actual
 July through December 2015

| | <u>Jul - Dec 15</u> | <u>Budget</u> | <u>\$ Over Budget</u> | <u>% of Budget</u> |
|--|---------------------|---------------|-----------------------|--------------------|
| Total 7000 - Office Lease | 13,611.44 | 13,644.62 | -33.18 | 99.76% |
| 7003 - Utilities | | | | |
| 7003EL - Electric | 640.52 | 900.00 | -259.48 | 71.17% |
| 7003GA - Gas | 15.17 | 600.00 | -584.83 | 2.53% |
| 7003SC - Office Security | 215.34 | 300.00 | -84.66 | 71.78% |
| Total 7003 - Utilities | 871.03 | 1,800.00 | -928.97 | 48.39% |
| 7010 - Insurance | | | | |
| 7010 - Insurance | 1,326.50 | 1,380.98 | -54.48 | 96.06% |
| 7100 - Telephone | | | | |
| 7101 - Cell Phone | 451.47 | 750.00 | -298.53 | 60.2% |
| 7102 - Office Telephone | 1,104.96 | 1,250.02 | -145.06 | 88.4% |
| Total 7100 - Telephone | 1,556.43 | 2,000.02 | -443.59 | 77.82% |
| 7110 - Office Supplies | | | | |
| 7111 - Office equip. repair and maint. | 465.99 | 399.98 | 66.01 | 116.5% |
| 7112 - Dues & Subscriptions | 0.00 | 249.98 | -249.98 | 0.0% |
| 7114 - Office Supplies | 1,489.92 | 1,250.02 | 239.90 | 119.19% |
| Total 7110 - Office Supplies | 1,955.91 | 1,899.98 | 55.93 | 102.94% |
| 7115 - Copier/Fax/Print Lease | | | | |
| 7116 - Copier/Fax/Print Maint | 427.46 | 500.02 | -72.56 | 85.49% |
| 7117 - Lease Fee for Copier | 739.21 | 750.00 | -10.79 | 98.56% |
| 7115 - Copier/Fax/Print Lease - Other | 241.00 | | | |
| Total 7115 - Copier/Fax/Print Lease | 1,407.67 | 1,250.02 | 157.65 | 112.61% |
| 7200 - Bank fees | | | | |
| 7202 - DAS Fees/Treasury | 200.00 | 1,932.00 | -1,732.00 | 10.35% |
| 7205 - Credit Card Use Fees | 3,467.11 | 3,000.00 | 467.11 | 115.57% |
| 7206IN - Credit Card Interest | 8.86 | | | |
| 7207 - NSF Fee | 10.00 | 24.98 | -14.98 | 40.03% |
| 7210 - Bank checks and supplies | 0.00 | 75.00 | -75.00 | 0.0% |
| 7211 - Bank Fee | 3.00 | 150.00 | -147.00 | 2.0% |
| 7213 - iDEPOSIT FEE | 0.00 | 480.00 | -480.00 | 0.0% |
| 7214 - ONLINE BANKING FEE | 125.00 | 150.00 | -25.00 | 83.33% |
| 7215 - MAINTENANCE FEE | 153.00 | 180.00 | -27.00 | 85.0% |
| 7200 - Bank fees - Other | 0.00 | 75.00 | -75.00 | 0.0% |
| Total 7200 - Bank fees | 3,966.97 | 6,066.98 | -2,100.01 | 65.39% |
| 8000 - Trade Show Expense | | | | |
| 8010 - Staff Milage and Parking | 59.92 | 500.02 | -440.10 | 11.98% |
| 8011 - Staff Meals/Lodging Trade Show | 0.00 | 750.00 | -750.00 | 0.0% |
| 8012 - Trade Show Booth Fees | 250.00 | 249.98 | 0.02 | 100.01% |
| 8020 - Trade Show Display | 0.00 | 750.00 | -750.00 | 0.0% |
| 8000 - Trade Show Expense - Other | 0.00 | 150.00 | -150.00 | 0.0% |
| Total 8000 - Trade Show Expense | 309.92 | 2,400.00 | -2,090.08 | 12.91% |
| 8100 - Web Expense | | | | |
| 8105 - Web Hosting | 375.00 | 450.00 | -75.00 | 83.33% |
| 8106 - Offsite Data Storage | 355.95 | 249.98 | 105.97 | 142.39% |
| 8116 - Comcast Connection | 719.40 | 750.00 | -30.60 | 95.92% |
| 8120 - E-mail Hosting | 197.15 | 200.02 | -2.87 | 98.57% |

Oregon Landscape Contractors Board
Profit & Loss Budget vs. Actual
 July through December 2015

| | <u>Jul - Dec 15</u> | <u>Budget</u> | <u>\$ Over Budget</u> | <u>% of Budget</u> |
|---|---------------------|-------------------|-----------------------|--------------------|
| 8125 · DAS EMAIL FEE | 163.89 | | | |
| Total 8100 · Web Expense | 1,811.39 | 1,650.00 | 161.39 | 109.78% |
| 8200 · Computer Expenses | | | | |
| 8210 · Computer Consulting | 660.00 | 999.98 | -339.98 | 66.0% |
| 8220 · Computer Software <\$500> | 0.00 | 2,000.02 | -2,000.02 | 0.0% |
| 8230 · Computer Maintenance | 0.00 | 249.98 | -249.98 | 0.0% |
| 8240 · Database Configuring | 487.50 | 2,499.98 | -2,012.48 | 19.5% |
| Total 8200 · Computer Expenses | 1,147.50 | 5,749.96 | -4,602.46 | 19.96% |
| 8300 · Professional Services | | | | |
| 8302 · Auditing | | | | |
| 8302-IA · Agency Audit/Financial Review | 3,850.00 | 3,999.98 | -149.98 | 96.25% |
| Total 8302 · Auditing | 3,850.00 | 3,999.98 | -149.98 | 96.25% |
| 8303 · Janitorial | 765.56 | 999.98 | -234.42 | 76.56% |
| 8305 · Recycle, Shred & Storage | 0.00 | 99.98 | -99.98 | 0.0% |
| 8306 · Misc DAS fees | | | | |
| 8306-A · Archives | 538.50 | 200.02 | 338.48 | 269.22% |
| 8306-EC · Ethics Commission | 31.00 | 37.50 | -6.50 | 82.67% |
| 8306-L · Linus | 99.00 | 105.00 | -6.00 | 94.29% |
| 8306-RF · Rule Filing | 2,016.37 | 750.00 | 1,266.37 | 268.85% |
| Total 8306 · Misc DAS fees | 2,684.87 | 1,092.52 | 1,592.35 | 245.75% |
| Total 8300 · Professional Services | 7,300.43 | 6,192.46 | 1,107.97 | 117.89% |
| Total 6000 · Administrative Expenses | 49,628.84 | 55,135.02 | -5,506.18 | 90.01% |
| 6999 · Uncategorized Expenses | 58.00 | | | |
| Total Expense | 323,426.30 | 295,949.47 | 27,476.83 | 109.28% |
| Net Ordinary Income | -76,275.16 | 14,454.45 | -90,729.61 | -527.69% |
| Other Income/Expense | | | | |
| Other Income | | | | |
| 9000 · Other Income | | | | |
| 9015 · Interest | 103.31 | 999.98 | -896.67 | 10.33% |
| Total 9000 · Other Income | 103.31 | 999.98 | -896.67 | 10.33% |
| Total Other Income | 103.31 | 999.98 | -896.67 | 10.33% |
| Net Other Income | 103.31 | 999.98 | -896.67 | 10.33% |
| Net Income | -76,171.85 | 15,454.43 | -91,626.28 | -492.88% |



LCB REPONSES TO POWERS CPA, LLC

Financial Review 2015

DRAFT FOR BOARD REVIEW

Finding and Recommendation #1 - Internal Controls Related to Cash and Recording Revenues and Disbursements:

1a. We recommend that LCB continue to make progress toward implementing the recommendations in the prior biennial Financial Reviews. Specifically, the Administrator should ensure all staff position descriptions are signed and dated and the Administrator's position description should be signed by herself and the Board Chair. Additionally, processes should be put in place to review duties documented in position descriptions with staff periodically.

Agency Response: The Administrator position description was signed and dated by the Administrator, but not the Board Chair. Since the time of this finding the Administrator position description has been signed and dated by the Board Chair. Upon further review the Investigator position description provided to the auditor was blank, but upon searching discovered a signed version by Michael Hintz and Shelley Sneed dated February 2014. All other position descriptions for staff are signed and dated. While duties are reviewed with staff during regularly scheduled monthly touch base meetings with the Administrator, a plan for formal reviews of position descriptions and duties is in place to be performed in conjunction with annual performance reviews.

1b. We also recommend that management ensure desk procedures are developed for the remaining key financial processes and all policies and desk procedures are dated and reviewed periodically to ensure they remain current.

Agency Response: Financial policies were not created as anticipated. The Administrator will continue development of draft financial policies for board approval prior by the end of the 2015-17 biennium. One of the policies will include the policy on budgeting.

Finding and Recommendation #2 – Cash Controls

2. We recommend management continue the newly implemented reconciliation process for the investment accounts and also regularly reconcile the savings account to ensure all financial assets are maintained at accurate and fully supported balances in the accounting records. Account balances should be adjusted as necessary in the agency's accounting records.

Agency Response: Continuance of reconciliation on all account types with segregation of duties (Administrator performing entries and Program Manager performing reconciliation) will occur as part of ongoing process.

Finding and Recommendation #3 - Revenue and Expense Verification

3. We recommend management finalize implementation of recommendations from the prior review by ensuring the individual reviewing the payroll report and submitting payroll to the payroll processing company always documents their review and approval of the information, to help ensure payroll is processed accurately.

Agency Response: Each payroll cycle, the Program Manager reviews and initials all time sheets, enters in time, wages and accruals in to a third party electronic payroll system and prints out a summary report for Administrator review. Administrator then reviews both the hard copy time sheets as well as the payroll summary, then goes in to the electronic payroll system and upon review, assurance of data entry integrity and reconciliation of all figures entered, approves payroll electronically. Administrator also writes approved on the payroll summary sheet. Electronically and in practice these duties are segregated, however, in hard copy some months are missing a note showing “Reviewed by”. A stamp will be used ongoing for both “Reviewed by” and “Approved by” to help ensure this process is evident on paper in addition to the electronic.

Finding and Recommendation #4 - Budget to Actual Comparison

4a. We recommend all corrections of transactions occurring during reporting period be recorded using a formal general journal entry. Journal entries should include adequate supporting documentation and approval and be maintained in a manner that allows for easy retrieval.

Agency Response: Duplicate entries were discovered after the close of the biennium. These entries were voided instead of being offset by general journal entries. A report of all voided transactions was made available to support each entry and voided transaction, but agrees and will implement ongoing a general journal entry for best practice.

4b. We recommend management finalize implementation of recommendations from the prior review by creating a budget procedure to help ensure accuracy of the budget through review of calculations and to ensure documentation of budget amounts is accurately included in the Board minutes.

Agency Response: Dollar amounts as they impact the budget will be documented in the minutes consistently ongoing. Calculation errors for the current budget have been discovered, reviewed by secondary staff, discussed as a board and documented. After any line item changes to the budget made by the Administrator, each budget review now undergoes a secondary review by another staff member prior to going to the board to ensure data integrity. The number of the chart of accounts could be decreased in a few areas though current budget calculation errors are not due to this. Also, as we trend in to lean financial seasons these detailed charts help to more easily expose areas where trends are down and bring opportunity to focus and improve them.



OREGON LANDSCAPE CONTRACTORS BOARD

2013-2015 Biennium Agreed Upon Procedures
Financial Review Report

#AUP-2015-02



Issued by: Pamela J. Stroebel Powers, CPA, CIA CRMA, CPM
Powers CPA, LLC

Date: December 11, 2015
To: Elizabeth Boxall, Administrator
Oregon Landscape Contractors Board Members
From: Pamela J. Stroebel Powers, MBA, CPA, CIA, CRMA, CPM

Re: ****DRAFT**** Independent Accountant's Report on Applying Agreed-upon Procedures

Executive Summary

This report summarizes the results of the required Agreed-upon Procedures Financial Review performed to evaluate controls in place over the Oregon Landscape Contractors Board (LCB) cash, accounting and licensing processes. Procedures were agreed to between Powers CPA, LLC and the Administrator in a contract ratified January 27, 2015.

The review was performed to assist the Board in evaluating the financial operations of the agency during the 2013-15 biennium. Generally it appears adequate controls were in place over financial, accounting and licensing processes for the biennium. Procedures performed and a summary of the results are as follows:

1. **Reviewed internal controls related to handling cash, recording revenues and disbursements, and administering licensing activities:** Key controls in financial and licensing processes were identified, observed and after testing, determined to be operating as intended. Additional recommendations were made to periodically review staff position descriptions and policies and procedures to ensure they remain current.
2. **Reviewed and evaluated cash controls:** Cash balances were confirmed directly with the bank as of June 30, 2015 and slight variances were discovered with investment account balances. The new Administrator has recently implemented a reconciliation process for investment accounts and we recommend this process be continued and added for the savings account as well to help ensure accurate balances are reported.
3. **Revenue and expense verification:** Generally, revenue and expense transactions reviewed were supported, approved, and appeared to further the business of the state and licensee payments appeared to be adequately applied to accounts and supported in files.
4. **Budget to actual comparison:** LCB operated within its amended budget for the 2013-2015 biennium and provided reasonable explanations for accounts where overages occurred. A recommendation was made to ensure any adjustments made after the reporting period closes are fully supported with general journal entries.
5. **Follow-up on Prior Audit Findings:** In report #1-14 issued January 13, 2014, ten recommendations were made for improvements to financial procedures and controls at the LCB. During the current review we found corrective action had been taken on five of the recommendations; partial corrective action had been taken on an additional four and no corrective action had been taken on one. Details of the prior findings and action taken to date can be found in Attachment B.

This report as well as minor opportunities for improvements to financial and licensing procedures to strengthen existing controls and potentially provide for improved efficiencies and effectiveness were discussed with the Administrator on December 15, 2015. Management generally agrees with the findings and recommendations included in this report and a full response including planned corrective action will be developed. I appreciated the cooperation of the Administrator and LCB staff by providing information to assist with the review process.

Pamela J. Stroebel Powers, CPA, CIA, CRMA, CPM
Owner/Managing Member -Powers CPA, LLC

Date

cc: LCB Program Manager
Secretary of State, Division of Audits

Background

The Oregon Landscape Contractors Board (LCB) is a semi-independent agency of the State of Oregon that operates under Chapters 671 and 182 of the Oregon Revised Statutes. It was created in 1972 to protect the public's interest relating to landscape construction. To accomplish its mission, the Board licenses landscape contracting businesses and landscape construction professionals, offers a claims process for property owners to enforce professional behavior and standards of licensees.

The Board is composed of seven members appointed by the governor. In addition to the Board the agency currently operates with a staff of one Administrator, three full-time and one part-time employee and is located in Salem, Oregon. The current Administrator was hired just at the end of the biennium under review and started on May 15, 2015. The prior Administrator left in March 2015 but worked part-time through the remainder of the biennium under an Interagency Agreement. The Program Manager has been with the agency 13 years.

Objectives, Scope and Methodology

Oregon Revised Statute 182.464 requires the agency to undergo a financial review according to schedules agreed to with the Secretary of State's Division of Audits. We performed the procedures, as described below, which were agreed to by the Agency and the Secretary of State for the two years ending June 30, 2015. The LCB is responsible for the establishment of and compliance with its financial and licensing processes and internal controls. The procedures agreed to were solely to assist management and the Secretary of State in evaluating the financial and licensing operations of the LCB. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures is the sole responsibility of those individuals specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below.

The following procedures were performed:

1. Internal controls relating to handling cash, recording revenues and disbursements, and administering licensing activities were reviewed and evaluated. Agency policies, procedures, and desk manuals related to (1) receiving, recording, and reporting transactions; (2) handling cash; and (3) licensing processes were obtained and reviewed for adequacy. Interviews with key staff were conducted and process walk-throughs were performed to determine compliance with procedures and perform testing as determined necessary.
2. Additional cash controls were reviewed and evaluated: bank and investment balances were confirmed with financial institutions; and bank reconciliations were reviewed, as well as other related cash controls.
3. Revenue and expense verification: accounting and subsidiary records related to revenues and expenses were obtained and reviewed. A sample of transactions were judgmentally selected and supporting documentation was evaluated to determine if transactions were appropriate and properly approved, classified, and recorded.
4. Budget to actual comparison: budgeted revenues and expenditures were compared to actual revenues and expenditures.
5. Follow-up was performed and analyzed on findings and recommendations from the prior Agreed-Upon Procedures Financial Review Report issued January 13, 2014.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the adequacy of financial operations or compliance with laws, rules, regulations or standards. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might

have come to or attention that would have been reported. This report is intended solely for the information and use of the LCB and the Secretary of State and is not intended to be and should not be used by anyone other than the specified parties.

Results of Procedures

Generally it appears that adequate controls were in place over financial, accounting and licensing processes for the biennium. However, some control weaknesses were identified and additional opportunities were found to strengthen controls which are summarized in the sections that follow.

1. **Internal Controls Related to Cash and Recording Revenues and Disbursements:** Generally, internal controls established within cash handling and processes to record revenues and disbursements appeared to be well designed and most were appropriately implemented. Key controls in the cash receipts and disbursements processes were identified and, after testing, were determined to be operating as intended by management. Processes as described and demonstrated by staff confirmed segregation of duties have been established between the cash receiving, recording and disbursement processes. Processes are in place for the Administrator or Program Manager to approve financial transactions and documentation of approvals was observed for most verified transactions.

In both the 2009-2011 and 2011-2013 Financial Reviews recommendations were made for the Administrator to develop and sign position descriptions for all positions. During fieldwork for the 2013-2015 review, position descriptions were provided for all staff, however the new Administrator's position description had not been signed by the Board Chair and the Investigator's position description had not been signed by either the Administrator or the Investigator. In the absence of signed position descriptions and implemented policies and procedures there is a risk employees will not clearly understand and implement management's and the Board's direction.

Additionally, both of the prior two biennial financial reviews contained recommendations for establishing and updating financial policies and procedures, including adopting an investment policy. Although some policies and procedures have been documented, several appeared outdated or in draft form and not all policies and procedures had documented creation or revision dates. The agency is missing documented procedures over some key financial processes, such as budgeting. Desk procedures have been developed and appear to be used for some of the financial transaction processes. It did not appear policies and procedures were stored consistently in one location for easy access by all staff. Desk procedures help ensure consistency and accuracy for financial processes performed less regularly as well as when staff are absent and therefore should be kept current. Management should ensure processes are in place to ensure policies and procedures are updated periodically and the most current versions are easily accessible by all staff.

We recommend that LCB continue to make progress toward implementing the recommendations in the prior biennial Financial Reviews. Specifically, the Administrator should ensure all staff position descriptions are signed and dated and the Administrator's position description should be signed by herself and the Board Chair. Additionally, processes should be put in place to review duties documented in position descriptions with staff periodically. **We also recommend** that management ensure desk procedures are developed for the remaining key financial processes and all policies and desk procedures are dated and reviewed periodically to ensure they remain current.

In the 2011-2013 review, recommendations had also been made for the Board Chair to approve the Administrator's credit card statements, for a process for third-party review and approval of journal entries to be established, and for petty cash to be stored in a secure area with access limited to only those who need it to perform their job duties. During process walk-throughs and transaction testing evidence was available to show the Board Chair had been reviewing the Administrator's credit card statements, the

Administrator had been reviewing the Program Manager's credit card statements, and general journal entries appeared to be well documented were being independently reviewed and approved. We observed that petty cash is being stored in a drawer that is locked on the weekends when staff are not in the office. The Board has limited public access to the office, and they have accepted the risk that other staff have access to petty cash during working hours. We observed that compensating controls are in place such as regular reconciliations of the petty cash fund.

Internal Controls Related to Licensing: The Board licenses landscape contracting business and landscape construction professionals. Through interviews with staff and process observations we observed that the licensing process appears to be well designed and seems to include adequate internal controls. For example, processes and a checklist have been developed for ensuring all application materials are received and application materials are appropriately reviewed and approved.

The 2011-13 Financial Review included two recommendations for improving controls in licensing processes, for the agency to establish a method for redacting credit card information on renewal forms and applications and for license stock to be stored in a secure area with access limited to only those who need it to perform their job duties. During process walkthroughs and observations of staff we saw evidence that credit card information is being redacted from licensee forms. The Board has limited public access to the office, and they have accepted the risk that other staff have access to license stock during working hours. The full schedule of prior recommendations and the current status of corrective action can be seen in Attachment B.

- Cash Controls:** The LCB held \$31,320.70 in its general checking account, \$53,435.61 in a business savings account, and \$295,639.11 in money market accounts as of June 30, 2015. These balances were confirmed directly with the financial institutions and for the checking and savings accounts matched the agency's accounting records. Good controls over the general checking account were identified and observed including monthly documented and approved reconciliations. One of the money market account balances as reported by the financial institution did not exactly match the agency's records, however differences were immaterial to the financial statements. The Administrator informed us formal reconciliations may not have been consistently performed and documented on these investment accounts prior to her arrival at the agency however she intends to implement them as regular practice. Reconciliation documentation should be maintained to ensure adequate supporting documentation exists for year end balances of accounts. We were able to verify documentation that reconciliations had been performed on the two money market investment accounts in September 2015, after the close of the biennium under review, and adjustments had been made to support current balances in the accounting records.

We recommend management continue the newly implemented reconciliation process for the investment accounts and also regularly reconcile the savings account to ensure all financial assets are maintained at accurate and fully supported balances in the accounting records. Account balances should be adjusted as necessary in the agency's accounting records.

The 2011-2013 Financial Review included a recommendation for the Board Chair to review bank account reconciliations timely and document the review. We found evidence that this process was occurring. The full schedule of prior recommendations and the current status of corrective action can be seen in Attachment B.

The office also maintains a petty cash fund for small purchases. The fund is reconciled monthly and the balance of \$200.00 was verified. The fund was used for small purchases 6 months out of the biennium for a total of \$152.63. Generally, itemized receipts were attached and approvals included to support purchases. The balance appears to be properly recorded in the accounting records dated June 30, 2015.

- 3. Revenue and expense verification:** The review of revenues and expenditures found that transactions tested were generally appropriate, complete and properly classified in the accounting records. Additionally, a sample of license files was reviewed and generally, appropriate documentation was included and supported financial transactions per licensee.

To conclude on revenue transactions, supporting documentation was reviewed directly from seven accounts: LCP Application Fee, Owner Managing Employee Manual, New Business License Fee, Business Renewal Fees, Renewal Individual License, Civil Penalties Collected and Uncategorized Income. Additional transactions occurring within the same deposit may have also been reviewed. Mail opening and deposit procedures were observed and key controls were identified and tested. These controls included segregation of duties between mail opening, deposit preparation and entry duties. Check logs are created and reviewed independently to ensure all payments are deposited and appropriately applied.

To conclude on expenses, supporting documentation was reviewed from six major accounts: Individual License Renewals (refunds), Contract Investigators, Board Members and Meetings Expense, Monthly Lease, Cell Phone and Printing. Additionally, records for the prior Administrator were reviewed including three months of payroll, one payment under the interagency agreement after the Administrator left and four visa statements. All charges reviewed appeared to be appropriate to further the business of the state. Review and approval processes were observed and generally appeared to be followed for the majority of disbursements tested.

Two recommendations around revenue and expense transactions were brought forth from the 2011-2013 Financial Review. One was for the agency to establish a process for the individual reviewing the payroll report and submitting payroll to the payroll processing company, to document their review and approval. Our testing for the current biennium found a process appears to have been established for an independent review and approval of the monthly payroll report however the process may not always be consistently applied. The second was for services to not be paid under expired contracts. During contract testing only payments for current contracts were noted. The full schedule of prior recommendations and the current status of corrective action can be seen in Attachment B.

We recommend management finalize implementation of recommendations from the prior review by ensuring the individual reviewing the payroll report and submitting payroll to the payroll processing company always documents their review and approval of the information, to help ensure payroll is processed accurately.

- 4. Budget to actual comparison:** Budgeted revenues and expenditures were compared to actual amounts as reported for the two years ending June 30, 2015. The LCB operated within its amended budget for the biennium. Management provided explanations for variances (details are provided on Attachment A) and Board meeting minutes reflect regular discussions about variances.

The LCB reported an actual net ordinary income of \$23,471.29 when the agency had adjusted its budget for a loss of \$58,135.40 (which it had reserves to cover). Actual revenues of \$1,214,902.84 were more than adjusted budgeted revenues of \$1,208,050.00 and actual expenditures of \$1,191,431.55 were also less than the adjusted budgeted amount of \$1,266,185.40. Large variances are explained in detail in Attachment A to this report.

While reviewing budget to actual financial statements we noticed discrepancies between the profit and loss statement previously submitted to us and the budget to actual statements. After the close of the biennium duplicate entries in the accounting system were noted by staff and were corrected in the accounting records, however formal journal entries were not prepared to support the adjustments. Good business practices call for retaining a record of changes made to original accounting records which should include identification

of the individual making the change, the date and reason for the change as well as independent approval. In addition to the noted bank account errors, a \$58.40 variance was noted in two revenue accounts. No supporting documentation was available to explain this variance. Although this amount is immaterial to the overall revenues reported in the financial statements for the biennium, it is important that any adjustments to accounting records be supported by adequate documentation. Tracking original and adjusted amounts supplies an important trail for accounting transactions to support financial statement amounts.

We recommend all corrections of transactions occurring during reporting period be recorded using a formal general journal entry. Journal entries should include adequate supporting documentation and approval and be maintained in a manner that allows for easy retrieval.

The 2011-2013 Financial Review included a recommendation that procedures be implemented to ensure detailed budgets are accurate prior to submission to the Board for review and approval such as having a third party review performed of the mathematical accuracy of the budget or reducing the number of sub-accounts and accounts in the Chart of Accounts; these findings had also been included in the review issued in 2011. The Chart of Accounts has not been revised since the prior biennial review and minor math errors were still noted in the budget spreadsheet for the biennium under review. The full schedule of prior recommendations and the current status of corrective action can be seen in Attachment B.

The prior review also included a recommendation for the Board approval of total budgeted revenues and expenditures to be documented in the minutes of the meeting where approval is granted and the total dollar value of the approved budgeted revenues and expenditures be documented in OAR 808-001-0008. It appears OAR 808-001-0008 as amended March 1, 2014 did not include the dollar value of the approved budget revenues and expenditures for the 2013-2015 biennium, but it did reference the Board meeting minutes where the budget approval was obtained. However, an error was made in the minutes reflecting the amount approved so the minutes do not agree with the budget spreadsheet.

We recommend management finalize implementation of recommendations from the prior review by creating a budget procedure to help ensure accuracy of the budget through review of calculations and to ensure documentation of budget amounts is accurately included in the Board minutes.

Other minor best practices the LCB might consider to improve efficiency and effectiveness of its processes and procedures were verbally discussed with the Administrator.

ATTACHMENT A

**Oregon Landscape Contractors Board
Budget to Actual Variance Analysis as of June 30, 2015**

| Account | Actual | Budget | Amount Over (Under) Budget | Management's Explanation |
|------------------------------|-----------------|-----------------|---------------------------------------|--|
| REVENUES: | \$ 1,214,844.44 | \$ 1,144,270.00 | \$ 70,574.44 | |
| LCP Application Fee | \$ 38,835.00 | \$ 27,000.00 | \$ 11,835.00 | The LCB received more applications than had been projected for the biennium. |
| Exam Resource Material Sales | \$ 53,008.01 | \$ 34,325.00 | \$ 18,683.01 | Due to the increase in applications there were more study materials sold for the exam, which in turn also increased the expense for exam materials, see below. |
| Collected Civil Penalties | \$ 143,663.52 | \$ 160,000.00 | \$ (16,336.48) | The ability to collect on civil penalties depends on the registrant and the type of penalty assessed. The majority of their penalties are assessed against unlicensed contractors, who are more difficult to collect from without an enforcement factor. |
| EXPENSES: | \$ 1,194,008.27 | \$ 1,217,833.34 | \$ (23,825.07) | |
| Exam Resource Material | \$ 28,543.64 | \$ 2,000.00 | \$ 26,543.64 | They ran out of manuals and the Board approved a \$20,000 purchase. |
| Hearing Officer Panel | \$ 45,167.85 | \$ 35,000.04 | \$ 10,167.81 | They experienced more, and larger, more complex enforcement cases going to a hearing than usual; typically the Administrator and Program Manager act as the hearings officer. |
| Administrative Expenses | \$ 195,866.38 | \$ 208,270.00 | \$ (12,403.62) | The most likely cause for this difference is the few month gap when there wasn't a full-time Administrator on staff. Some additional administrative expenses also came in below budget. |

**Oregon Landscape Contractors Board Prior Findings
Audit Report Issued January 13, 2014**

| Recommendations | Rec. # | Original Response | Responsible | Current Status 2015 |
|--|--------|--|---------------------------|---|
| 1 – Internal Controls Related to Cash, Recording Revenues and Expenses, and Licensing | | | | |
| <i>Position descriptions, procedures and policies</i> | | | | |
| Position descriptions should be signed and dated by both the employee and supervisor. | 1a | Position descriptions were developed after the last review and now will be signed. | Administrator/Board Chair | PARTIALLY IMPLEMENTED: Most of the employees' position descriptions had been signed but the Investigator's still needed to be signed and the new Administrator's needed to be signed by the Board Chair. <i>To be followed-up on in next biennium's Financial Review.</i> |
| Financial procedures should be developed and financial policies should be updated. <i>(Also reported in 2011 Financial Review)</i> | 1b | Draft financial policies will be developed for board approval prior to the end of 2013-15. | Administrator | PARTIALLY IMPLEMENTED: OLCB has policies and procedures maintained in a hardcopy binder as well as on-line. Upon review it appeared several were old and should be reviewed for necessary revisions and updates. Also, several seemed to still be in draft form, revisions made or as approved in Board meeting minutes but not formalized into their own document. It appeared desk procedures for financial processes had been developed. Some policies did not have dates; dates should be included to ensure policies are regularly reviewed for necessary updates. Some financial topics should still be addressed in formal policy. <i>To be followed-up on in next biennium's Financial Review.</i> |
| Establish a written investment policy which includes the requirement for documentation of Board approval of investment transactions. <i>(Also reported in 2011 Financial Review)</i> | 1c | A formal policy on investment handling will be developed. | Board | NOT IMPLEMENTED: At the time of the review OLCB had not implemented a formal investment policy. <i>To be followed-up on in next biennium's Financial Review.</i> |
| <i>Credit card and invoice approval</i> | | | | |
| The Board Chair should approve the Administrator's credit card statements and the Administrator should approve the Program Manager's purchases, including the Program Manager's credit card statement; the reviews should be documented with the initial and date of the approver. | 2 | The Administrator will approve the Program Manager's credit card prior to payment and the Administrator's credit card statement will be reviewed and approved by the Program Manager and will also be sent to the Board Chair or Vice Chair for review and approval. | Administrator | IMPLEMENTED: During transaction testing approval initials and dates were observed for the Administrator's transactions by the Board Chair and the Program Manager's transactions by the Administrator. <i>Should continue to be tested in each biennial Financial Review.</i> |
| <i>Security of credit card numbers</i> | | | | |
| The agency should adopt a method for redacting the credit card information obtained from applicants that is effective in rendering the information unreadable. | 3 | After the Financial Review the agency purchased redaction stamps and began using them consistently. | Administrator | IMPLEMENTED: During observation of processes for the 2013-15 review use of the redaction stamps was observed; no exceptions were noted. <i>Closed - no further action required.</i> |

Oregon Landscape Contractors Board Prior Findings
 Audit Report Issued January 13, 2014

| | | | | |
|---|----|---|---------------|---|
| Approval of adjusting entries | | | | |
| The agency should establish a process for a third party review and approval of journal entries and the approver should document their review and approval by initialing and dating the related documentation. | 4 | Journal entries made by the Administrator will be reviewed and initialed by the Program Manager. | Administrator | IMPLEMENTED: Evidence of third party review and approval of journal entries was noted during current biennium transaction testing. Approvals should occur prior to entries being made in quickbooks. <i>Should continue to be tested in each biennial Financial Review.</i> |
| Safeguarding petty cash and licensing stock | | | | |
| The agency should secure petty cash by placing it in a locked cabinet or desk until it is needed and access to it should be restricted to those who need it to perform their job duties. | 5a | The agency purchased a new petty cash box with a functioning lock which will be locked in a locking cabinet each weekend. The petty cash fund is reconciled each month by the Licensing Specialist (who is also the primary user) and reviewed by the Administrator. | Administrator | PARTIALLY IMPLEMENTED: The petty cash box is maintained in a locking drawer in the reception/Licensing Specialist's work space. The drawer is locked on Fridays but is accessible by any staff during the week. No discrepancies were noted upon review of petty cash records. <i>Should continue to be tested in each biennial Financial Review.</i> |
| The agency should store license stock in a secure area; access to it should be limited to only those who need it to perform their job duties. <i>(Also reported in 2011 Financial Review)</i> | 5b | DISAGREE: The agency has a low number of walk in visitors so the risk to license stock is minimal. | Administrator | NOT IMPLEMENTED/RISK ACCEPTED: License stock is stored in the same location as petty cash and check stock (and is locked over the weekend when staff are not in the office). License stock is not pre-numbered. |
| 2. Review and Evaluate Cash Controls - Bank reconciliation review | | | | |
| The Board Chair should review bank account reconciliations in a timely manner (within one month after the reconciliation is completed) and document the review with their initials and the date. | 6 | The Program Manager will follow up with the Board Chair or Vice Chair if necessary, to ensure a timely follow up to their review of the bank reconciliation. Savings and investment accounts are reconciled and reviewed by staff due to the low volume of activity that happens in those accounts; the board does receive financial statements including balance sheets at each board meeting for their review which include balances in those accounts as another review mechanism. | Board | IMPLEMENTED: The June 30, 2015 checking account reconciliation was completed and electronically reviewed by the Board Chair within a month. The Petty Cash reconciliation was also performed for June 30, 2015. At the time of the review, formal reconciliations were not currently being performed for savings and investment accounts, however the new Administrator stated she had plans to implement such practices. <i>To be followed-up on in next biennium's Financial Review.</i> |
| | | | | |

**Oregon Landscape Contractors Board Prior Findings
Audit Report Issued January 13, 2014**

| 3. Revenue and Expense Verification | | | | |
|--|----|--|-------------------------|--|
| Payroll review | | | | |
| The agency should establish a process for the individual reviewing the payroll report and submitting payroll to the payroll processing company to document their review and approval. | 7 | A two step payroll process was developed after the 2009-11 financial review; agency staff will consistently initial and date that they have reviewed and submitted the payroll data. | Administrator | PARTIALLY IMPLEMENTED: It appears a process was established for an independent review and approval of the monthly payroll report, however evidence was found that the process wasn't consistently applied. <i>To be followed-up on in next biennium Financial Review.</i> |
| Payment made under expired contract | | | | |
| Investigative services should only be provided when a valid contract is in place. | 8 | The agency will make every effort in the future to ensure that any contractors providing service will be under contract prior to providing services and being paid. | Administrator | IMPLEMENTED: No exceptions were noted during testing conducted. <i>Should continue to be tested in each biennial Financial Review.</i> |
| 4. Budget to Actual Analysis - Budget approval and errors | | | | |
| Board approval of total budgeted revenues and expenditures should be documented in the minutes of the meeting where approval is granted and the total dollar value of the approved budgeted revenues and expenditures in OAR 808-001-0008. | 9 | In future documented budget approvals, the rule language will include the dollar amount of total budgeted revenues and the total amount of expenditures. | Administrator | PARTIALLY IMPLEMENTED: OAR 808-001-0008 as amended March 1, 2014 did not include the dollar value of the approved budget revenues and expenditures for the 2013-15 biennium, however it did reference the Board meeting minutes where budget approval was obtained. <i>Should continue to be tested in each biennial Financial Review.</i> |
| Procedures should be implemented to ensure detailed budgets are accurate prior to submission to the Board for review and approval such as having a third party review performed of the mathematical accuracy of the budget or reducing the number of sub-accounts and accounts in the Chart of Accounts. <i>(Also reported in the 2011 Financial Review)</i> | 10 | After the 2009-11 financial review, the board opted to continue using the detailed line item budget for the asis of its rule making approval. The current board agreed to approve a less detailed budget for information purposes at board meetings; staff will thoroughly review the budget prior to board review and approval. | Administrator/ Board | NOT IMPLEMENTED: One minor mathematic error was noted in the Board approved budget which did not affect the ending amount. However, it appears the Board adopted budget was not the budget entered into the Accounting system (more than one version of the budget was originally proposed to the Board for consideration and one was selected.) Additionally, for several items tested it was difficult to determine if the amount had been allocated to the correct account. The number of accounts and sub-accounts in the Chart of accounts could be contributing to confusion and errors. Some accounts were found to have been used minimally for the biennium. The Board and new Administrator should reconsider the original recommendation. <i>To be followed-up on in next biennium Financial Review.</i> |



LCB REPOSES TO POWERS CPA, LLC

Change of Director Review 2015

****DRAFT FOR BOARD REVIEW****

Finding and Recommendation #2 - Access to Assets:

2. We recommend the current Administrator and the Board re-visit the delegated authority language in the Administrator's position description and financial policy to ensure clarity around purchase limits and when Board approval must be obtained. Additionally, the delegated administrative authority listing could be improved by including dollar limits for day-to-day expenses (outside contracts) and including an emergency clause. All documentation around delegated authority should be clear as to whether the delegation is to the position or the person, and if necessary, documentation should be updated upon turnover in key positions.

Agency Response: The delegated authority list is specific to the Administrator and other positions as noted in the list. It also reflects dollar amounts where they apply (e.g.; contract amounts). This delegated authority list is a compilation derived from historical board minutes which serve as the formal decision record. The Administrator position description only notes signing authority for contracts up to \$5,000 which aligns to the delegated authority list. The only inconsistency noted regarding person vs. position was for issuance of final orders. May 2015 minutes and the delegated authority list state this is to be done by position, however, the letter issued was to 'persons as to positions' (e.g.; Elizabeth Boxall, as the Administrator and Kim Gladwill-Rowley, the Program Manager). Change of either of these staff would require an updated letter be issued. As included in the 2015 Financial Review findings and response, financial policies were not created as anticipated. The Administrator will continue development of the draft financial policies for board approval prior to the end of the 2015-17 biennium which should also add to continuity.

Finding and Recommendation #3 – Access to Information Systems

3. We recommend the Board ensure adequate documentation is maintained around access to its information systems including dates of terminations of access. Management should implement a policy and/or procedures for granting access to information systems and assets to employees and access to systems could be added to the asset checklist maintained in the personnel file to assist with documentation.

Agency Response: An employee separation checklist will be drafted by the Administrator as a part of the separation process to document all system access termination as well as other separation activities.

Finding and Recommendation #4 – Travel and Reimbursement

4a. We recommend management address the previous Review’s recommendation and implement a policy that addresses procuring food for meetings.

Agency Response: As included in response to the 2011 finding and response; ORS 671.681(2) Advisory and technical committees says, “Members of the committees are not entitled to compensation, but the board may fix and pay to the committee members from the funds available to the board per diem and actual and necessary travel and other expenses incurred by the committee members in the performance of their official duties. [2007 c.399 §1]. The agency’s interpretation is that this piece of legislation allows the agency to compensate our volunteer committee members with lunch and incidental during meeting days.

4b. We recommend management consider implementing processes to ensure:

- The purchaser’s signature and date appears on all supporting documentation for credit card purchases;
- Adequate supporting documentation is attached to provide a description of the purchase and/or travel, that also includes place of purchase, date, and dollar amount;
- Account coding is included on the travel reimbursement form and review of these accounts should be part of the approval process to help ensure expenses are coded to the most appropriate account;
- An independent party from who ordered items is receiving and verifying purchases that arrive at the office;
- The employee who is processing payments should initial and date supporting forms to help document segregation of duties; and
- Processing of credit card bills should be expedited to minimize the necessity for LCB to pay interest.

The agency may consider adopting a credit card ‘log’ that would provide a ‘checklist’ to help ensure some of this documentation is captured for each credit card statement processed.

Agency Response: Since the time of audit, each month a separate log showing the name of the charge, amount, account number and reason for purchase is attached to each statement for the approver, Board Chair, to review and approve the Administrator’s credit card. This has expedited the approval process. Each statement also contains supporting documentation as well as any relevant notes (e.g.; receipt for hotel or meals will have the receipt itself as well as a note and agenda if possible stating to which business purpose/event to which it was related). Staffs’ travel reimbursement requests have attached agendas for business events attended as well as mileage as determined by a reliable internet map source. A third party has and continues to account for all office supplies or other orders that arrive in the office which the Administrator has ordered. This is done by staff initialing the packing slip prior to approval to pay invoice. We will continue with these processes to help ensure adequate controls.

Finding and Recommendation #6 – Contracts

6a. We recommend all contracts be reviewed periodically to ensure the agency still needs the services and is receiving the best value for the state's dollar. The current Administrator should review all electronic contract files to ensure ALL contracts are on the list, and whether electronic or hardcopy, signed versions of all contracts should be maintained in an easily-retrievable manner. The current Administrator should also consider adding the effective date of the contract to the list to assist with the review process.

Agency Response: All contracts were reviewed in June 2015 to review terms, any upcoming expirations and accounting for all known contracts. During this process a spreadsheet was created to manage these ongoing. A reconciliation of hard copy to electronic was started, but has not been completed to date. All contracts are in a hard copy binder with the master spreadsheet kept up to date, but not all are available in electronic form. The Administrator will complete this as time allows as well as ensure copies contain all signatures and add effective dates to ensure periodic reviews of potentially dated contracts. Currently, as contracts come up for renewal or contact is made with a contractor, updates to the Administrator name and other details as needed are being made. Finishing the remaining of these is on the Administrator's task list and targeted to be completed by end of May 2016.



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*****DRAFT*****DRAFT*****DRAFT*****DRAFT*****

Date: December 31, 2015

To: Molly McDowell Dunston, Board Chair
Landscape Contractors Board Members
Elizabeth Boxall, Administrator

From: Pamela J. Stroebel Powers, CPA, MBA, CIA, CRMA, CPM

Re: Landscape Contractors Board Change of Director Review #LCB-COA-15-01

Executive Summary

This report summarizes the results of a review performed to evaluate whether the Landscape Contractor’s Board (LCB) took appropriate actions to protect the state’s assets upon resignation of the previous Administrator. The Board requested this review in 2015, to cover the two months prior to departure, interim period served, and month after the Administrator departed. Procedures were agreed to between Powers CPA, LLC and the Board in an amendment to Contract #1501, ratified by the current Administrator on August 5, 2015. The last Change of Director review performed at the Landscape Contractors Board was issued July 27, 2011.

Procedures were performed to review the following related to the former Administrator:

1. **Employment History**
2. **Access to Assets and Information Systems**
3. **Travel and Reimbursements**
4. **Payroll Records**
5. **Contracts**
6. **Follow-up on Recommendations from the Prior Change of Administrator Review**

Generally, we found adequate controls appear to be in place to protect the state’s assets as related to the prior Administrator. It appears the former Administrator was not reimbursed for time or expenses beyond the interim date of service; and reimbursements made just prior and after to her departure appeared appropriate and well documented. However, some opportunities for improving related process controls were identified and recommendations have been provided for consideration by the new Administrator and the Board.

A draft of this report was shared with Management on December 31, 2015, who generally agree with its contents and will provide a response as an attachment. I appreciated the cooperation of the Board Chair, Current Administrator, and other staff of the Landscape Contractors Board while performing this review.

Pamela J. Stroebel Powers, Owner/Managing Member
Powers CPA, LLC

Date

Background

The Oregon Landscape Contractors Board (LCB) regulates the landscape construction industry in Oregon for the protection of the public interest and to promote a fair and competitive business environment through education, licensing, dispute resolution and enforcement. The former LCB Administrator led the agency for four years, resigning on March 23, 2015 but staying on part-time under a Memorandum of Understanding through the end of the Fiscal Year to assist with the agency with transition to a new Administrator.

The procedures as described below were agreed to by the LCB and were performed to determine if appropriate actions were taken to protect LCB assets when the former Administrator resigned from her position. The sufficiency of the procedures is the sole responsibility of those individuals specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below.

Objectives, Scope and Methodology

During the course of this review, the following procedures were performed:

- Reviewed the dates of the prior Administrator's service;
- Interviewed the current Administrator, staff and Board Chair;
- Reviewed the agency's web site and Board minutes;
- Reviewed policies and procedures around contracting, travel reimbursements and payroll;
- Walked through current procedures with the current Administrator and staff; and
- Reviewed available supporting documentation for a small sample of financial transactions.

This engagement was conducted in accordance with consulting services standards established by the American Institute of Certified Public Accountants applicable to this consulting engagement and with the International Standards for the Professional Practice of Internal Auditing, promulgated by the Institute of Internal Auditors. The procedures performed did not constitute an audit or review made in accordance with Standards of the American Institute of Certified Public Accountants and, consequently, no assurance is expressed. This report is intended solely for the information and use of the LCB and should not be used for any other purpose by any other parties.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the adequacy of controls or compliance with laws, rules, regulations or standards. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

Results

Overall it appears the LCB has established adequate controls over its travel, payroll, and contracting processes as they relate to supporting the work of the Administrator and protecting the agency's assets and information. However, some opportunities for improvement were identified and are addressed in the following sections:

1. **Former Administrator Employment History:** The former Administrator served the LCB from May 1, 2011 through March 15, 2015 as the Administrator and stayed on part-time through May 31, 2015 to assist the agency through the transition period under a Memorandum of Understanding (the MOU expired June 30, 2015). She left to pursue an Administrator opportunity with another Semi-Independent State Agency. It appears she left the LCB in good-standing with the state and the Board.
2. **Access to Assets:** The former Administrator's personnel file included a list of assigned assets: office keys, alarm remote and credit card. All items were signed off as checked out in July 2011 and turned in on May 15, 2015. Processes appeared to be in place to annually review and sign the form and we saw evidence of

this occurring in October 2013 and November 2014. No additional items that should have been included on this list came to our attention during the review. **We commend** LCB for implementing the list and annual review process, which was a recommendation from the prior Change of Administrator Review in 2011.

The Board had delegated purchasing authority to the prior Administrator which was appropriately absolved as of June 30, 2015. The Board's minutes from May, 2015 state the desire to address future delegation to the positions rather than the individuals. Subsequently, the Board issued a letter to the current Administrator granting delegated authority to her and the Program Manager. We found statements regarding delegated authority contained within the prior Administrator's position description and the financial policy did not exactly align. The Board also has a Delegated Administrative Authority listing last revised on March 21, 2014 that does not address specific dollar amounts. There could be confusion over roles and compliance without clearly establishing delegated authority amounts and assigned individuals across all documents.

We recommend the current Administrator and the Board re-visit the delegated authority language in the Administrator's position description and financial policy to ensure clarity around purchase limits and when Board approval must be obtained. Additionally, the delegated administrative authority listing could be improved by including dollar limits for day-to-day expenses (outside contracts) and including an emergency clause. All documentation around delegated authority should be clear as to whether the delegation is to the position or the person, and if necessary, documentation should be updated upon turnover in key positions.

- 3. Access to Information Systems:** Documentation was available from the agency's information technology contractor to verify the former Administrator's access to LCB's information systems had been terminated; although we were unable to determine the exact date the access was terminated, it was terminated by June 2, 2015. We did not find a policy for controlling access to information systems and access by employees. Without adequate processes in place to protect the agency's systems, the agency's information could be put in jeopardy.

We recommend the Board ensure adequate documentation is maintained around access to its information systems including dates of terminations of access. Management should implement a policy and/or procedures for granting access to information systems and assets to employees and access to systems could be added to the asset checklist maintained in the personnel file to assist with documentation.

- 4. Travel and Reimbursements:** Although the agency does not have an agency-specific policy for in-state travel and reimbursements, there is one for out-of-state travel and the agency has adopted all other travel policies from the Oregon Department of Administrative Services as well as the state's travel form. Although the travel form maintained with the out-of-state policy was outdated, the travel transactions reviewed appeared to be on the most current form.

The prior Change of Administrator Review issued to LCB in 2011 included recommendations for the Administrator to develop a policy for procuring food for meetings and we did not find evidence of either of these documents during our review. **We recommend** management address the previous Review's recommendation and implement a policy that addresses procuring food for meetings.

Documentation of travel reimbursements for the prior Administrator for December 2014, March and April 2015 (she had no travel in January or February) was reviewed. We verified there were no additional travel expenses reimbursed to the prior Administrator for the remainder of the fiscal year. The prior Administrator had an LCB credit card assigned to her with an \$11,000 limit. We reviewed statements for February through June, 2015. The Administrator's visa appears to primarily be used to pay the Investigator's cell

phone bill, some on-line research for investigations and teleconferencing services for Board meetings in addition to other small business purchases such as stamps, board member gifts, items for trade shows, postage, etc.

Our review determined that overall, adequate controls appeared to be in place over the Administrator's travel and credit card payments to help ensure only appropriate expenses were reimbursed. The Administrator's travel reimbursements are emailed to the Board Chair for review and documentation of approval is maintained. However, to help improve controls and supporting documentation for credit card and travel reimbursement transactions for all employees, **we recommend** management consider implementing processes to ensure:

- The purchaser's signature and date appears on all supporting documentation for credit card purchases;
- Adequate supporting documentation is attached to provide a description of the purchase and/or travel, that also includes place of purchase, date, and dollar amount;
- Account coding is included on the travel reimbursement form and review of these accounts should be part of the approval process to help ensure expenses are coded to the most appropriate account;
- An independent party from who ordered items is receiving and verifying purchases that arrive at the office;
- The employee who is processing payments should initial and date supporting forms to help document segregation of duties; and
- Processing of credit card bills should be expedited to minimize the necessity for LCB to pay interest.

The agency may consider adopting a credit card 'log' that would provide a 'checklist' to help ensure some of this documentation is captured for each credit card statement processed.

5. **Payroll:** Evidence was available within the former Administrator's personnel file of good performance management controls such as a signed position description, a signed affidavit that she had received an employee handbook when she started her position, evidence she had become a certified inspector in July of 2012, documentation around pay increases and signed performance appraisals including input from both the Board and staff members. Payroll records were reviewed for January through April, 2015. It appears the prior Administrator's final paycheck was for March, 2015 as there were no payroll records available for her in April. We also reviewed payments under the Memorandum of Understanding through the end of the fiscal year. No exceptions to amounts paid were noted, however no documentation was available to verify the transfer of leave accrual hours for the transfer of the Administrator's employment from one agency to another.
6. **Contracts:** Current contracts were reviewed for anything unusual signed prior to the Administrator leaving the agency, and nothing was noted. It appears the last contract signed by the prior Administrator was in January, 2015. Contracts in place appeared reasonable to support the business of the LCB. **We commend** the new Administrator for organizing contract information. However, some contracts, such as the contract for payroll services, were not readily available as a hardcopy record and a couple copies of the contracts were copies that were not signed or were only signed by the Administrator. We noticed a few contracts that have not been updated since the prior Administrator's predecessor, which has been over 13 years.

We recommend all contracts be reviewed periodically to ensure the agency still needs the services and is receiving the best value for the state's dollar. The current Administrator should review all electronic contract files to ensure ALL contracts are on the list, and whether electronic or hardcopy, signed versions of all contracts should be maintained in an easily-retrievable manner. The current Administrator should also consider adding the effective date of the contract to the list to assist with the review process.



MEMORANDUM

To: LCB Board Members

From: Elizabeth Boxall, Administrator *eb*

Cc: LCB Staff; Catriona McCracken and Katharine Lozano, AAGs

Date: January 7, 2016

Re: Practical Skills/Hands-On Testing (HB 3304) Update

In early December 2015 we received confirmation that the proposed modifications will be introduced in to the February 2016 legislative session (modifications are listed below as a reminder). We provided Legislative Counsel with proposed draft language changes and have been working with counsel to clarify questions related to the draft. As of the date of this memo we have not received the final draft bill language, but anticipate it by the end of January 2016.

Proposed Modifications:

1. Amend the numbers of times the practical skills exam is required to be provided from three (3) times per year for two (2) consecutive days to one (1) time per year for one (1) day;
2. Amend the law to allow a combination of written sections and practical skills sections for licensure;
3. Amend the law to allow candidates to attend the business course at any time through the exam process;
4. Amend the law to only license for a partial phase license through the practical skills exam; specifically Planting only or Irrigation only.
5. Amend the law to allow a small review-type quiz at the end of the business course; and
6. Amend the law to add the allowance of written multiple choice in some sections.

In order to maintain traction on what is now a smaller scope, but accelerated timeline, the Practical Skills Implementation Committee met again on December 16, 2016. The purpose of the meeting was to continue development of the exam concept. This meeting was again an executive session where we reviewed portions of the LCB exam again.

The committee worked to finalize the mapping of the CLT sections to the LCB topics for planting, design, grading and drainage and irrigation. The committee also discussed options regarding the gap areas requiring multiple choice questions. One idea was to use the CLT written portions and creating additional questions to be administered by LCB, however, this made the test quite lengthy. In the end, the committee decided the best option would be to utilize the relevant CLT hands-on portion of the exam in conjunction with a shortened version of the related LCB exam sections (see attached). Advantages to this option are that we can utilize a portion of the LCB exam which we know has already been reviewed and approved, and it keeps the administering, scoring and statistics with PSI. The only exception to this is the possibility of having LCB or Clackamas Community College staff administer the written portion on the CLT site on the day of the exam.

There are still several details that will need to be flushed out, requiring board feedback, approval and legal counsel. Because of the rule making timeline, Kim has started on those now based on an assumption that the modification will pass.

Next steps:

- Continue to work with PSI regarding their ability, willingness and cost to administer a smaller sub-section of the exam.
- Meet with CLT coordinator to find out other considerations that need to be made and help determine if will be viable to applicants to obtain both their planting only and irrigation only license in one day.
- Elizabeth will attend OLCA meeting on January 21, 2016 to talk about pricing and fee structure with OLCA.
- Kim will continue to draft rules for board discussion based on current proposed modifications.

LCB to CLT Matrix

PSIC Committee Work Session Dec 16, 2015 (Minor Updates Jan 13, 2016)

| LCB Section | LCB Topic List | CLT Section (these map right to LCB Topics -->) | LCB Topic Mapping | Hands -on (Hrs) | Mult Choice (Hrs) |
|---|-------------------------------|--|---|-----------------------|-------------------------|
| PLANTS & TURF | Estimating/Plan Reading | Plant ID (5.21) (9.21) | Plant ID | 0.58 | |
| | Plant Exposure | Tree Planting and Staking (5.24) (9.24) | Planting/Staking | 0.58 | |
| | Plant ID | Sod Installation (5.51) | Turfgrass (sod only) | 0.58 | |
| | Plant Type | Plant Layout (5.52) | Plan Reading | 0.58 | |
| | Plant Use and Size | LCB Section 25 Questions | All Topics | | 0.5 |
| | Planting/Staking | | | | |
| | Turfgrass | | | | |
| | Water & Soil Requirements | | | | |
| | | | | | |
| DESIGN, GRADING AND DRAINAGE | Planting on Structures | Grading & Drainage (6.61) | Cut and Fill, Grading/Drainage Calculations, Surveying, Design | 0.58 | |
| | Cut and Fill | Instruments (6.62) | Grading/Drainage Calculations, Surveying | 0.58 | |
| | Drainage Materials | LCB Section 25 Questions | All Topics | | 0.5 |
| | Effects of Grading | | | | |
| | Erosion Control | | | | |
| | Grading/Drainage Calculations | | | | |
| | Plan Reading – Drainage | | | | |
| | Soil Types | | | | |
| | Surface/Subsurface Drainage | | | | |
| | Surveying | | | | |
| | Soil Science | | | | |
| | Safety | | | | |
| | Design | | | | |
| | | | | | |
| | | | Planting Total | 3.48 | 1 4.48 |
| IRRIGATION | Design | Lateral Repair & Head Adjustment (7.23) | Heads/Nozzles, Repair/Troubleshooting | 0.58 | |
| | Drip Irrigation | Lateral Installation (7.72) | Install/Practical Applications, Drip Irrigation | 0.58 | |
| | Electrical | Mainline Installation (7.73) | Install/Practical Applications, Drip Irrigation | 0.58 | |
| | Heads/Nozzles | Valve Repair (7.74) | Valves | 0.58 | |

LCB to CLT Matrix

PSIC Committee Work Session Dec 16, 2015 (Minor Updates Jan 13, 2016)

| LCB Section | LCB Topic List | CLT Section (these map right to LCB Topics -->) | LCB Topic Mapping | Hands-on (Hrs) | Mult Choice (Hrs) |
|-------------------------|--------------------------------|---|-------------------|----------------|-------------------|
| | Hydraulics | Valve Wiring (7.75) | Valves | 0.58 | |
| | Install/Practical Applications | LCB Section 50 Questions | All Topics | | 1 |
| | Pipe/Fittings | | | | |
| | Plan Questions – Irrigation | | | | |
| | Plant Culture – Irrigation | | | | |
| | Repair/Troubleshooting | | | | |
| | Valves | | | | |
| | Winterizing | | | | |
| | Scheduling | | | | |
| Irrigation Total | | | | 2.9 | 1 |
| | | | | 3.9 | |

Hands-on hours estimated are from current CLT exam

Grand Total Hrs 8.38

May be able to do both in one day if can be coordinated w/OLCA
Backflow has to be taken thru PSI

Landscape Industry Certified Technician Test 2015 Registration Form (Continued)
Both Sides Must Be Completed and Returned

1 FULL TEST REGISTRATION

Please select the test designation you will be taking and indicate member or non-member rate.

To become a Landscape Industry Certified Technician an applicant must pass at least one module. Additional modules can be taken at future test dates.

| | OLCA Member Rate | | Non-Member Rate | | OLCA Member Rate | | Non-Member Rate |
|---|--------------------------------|--|--------------------------------|---|--------------------------------|--|--------------------------------|
| | 1st Person from a Company | Add'l Person from a Company [†] | | | 1st Person from a Company | Add'l Person from a Company [†] | |
| <input type="checkbox"/> Softscape Installation | <input type="checkbox"/> \$285 | <input type="checkbox"/> \$225 | <input type="checkbox"/> \$430 | <input type="checkbox"/> Turf Maintenance | <input type="checkbox"/> \$285 | <input type="checkbox"/> \$225 | <input type="checkbox"/> \$430 |
| <input type="checkbox"/> Hardscape Installation | <input type="checkbox"/> \$285 | <input type="checkbox"/> \$225 | <input type="checkbox"/> \$430 | <input type="checkbox"/> Ornamental Maintenance | <input type="checkbox"/> \$285 | <input type="checkbox"/> \$225 | <input type="checkbox"/> \$430 |
| <input type="checkbox"/> Irrigation | <input type="checkbox"/> \$285 | <input type="checkbox"/> \$225 | <input type="checkbox"/> \$430 | | | | |

[†]If additional person from a company, please list 1st registrant: _____

Register prior to June 17, 2015 and be eligible for a drawing for a Certification Study Guide.

1 Full Test Fees \$ _____

2 INDIVIDUAL SECTION FEES

For new candidates or retake candidates who choose to take individual sections and not register for an entire module: Check which individual section(s) you are testing in:

Softscape Installation

- 1.01 Common Core*
- 5.02 Softscape Plan Reading
- 5.03 Softscape Horticultural Principles
- 5.04 Irrigation Components
- 5.21 Plant ID*
- 5.22 Basic Program Controller*
- 5.23 Lateral Repair & Head Adjustment*
- 5.24 Tree Planting & Staking*
- 5.51 Sod Installation
- 5.52 Plant Layout
- 5.53 Rototiller

Hardscape Installation

- 1.01 Common Core*
- 6.05 Hardscape Plan Reading
- 6.06 Hardscape Principles & Calculations
- 6.25 Chainsaw*
- 6.61 Grading & Drainage
- 6.62 Instrument
- 6.63 Paver Installation
- 6.64 Skid-steer Operation

Turf Maintenance

- 1.01 Common Core*
- 8.07 Irrigation Components & Principles*
- 8.08 Turfgrass Maintenance Principles
- 8.09 Turfgrass Maintenance Calculations
- 8.22 Basic Program Controller*
- 8.23 Lateral Repair & Head Adjustment*
- 8.26 Power Blower*
- 8.81 21" Mower
- 8.82 Intermediate Walk-Behind Mower
- 8.83 Riding Mower
- 8.84 Edger & Trimmer
- 8.85 Aerator
- 8.86 Turf Fertilizer

Ornamental Maintenance

- 1.01 Common Core*
- 9.07 Irrigation Components & Principles*
- 9.12 Ornamental Maintenance Horticultural Principles
- 9.14 Ornamental Maintenance Calculations
- 9.21 Plant ID*
- 9.22 Basic Program Controller*

- 9.23 Lateral Repair & Head Adjustment*
- 9.24 Tree Planting & Staking*
- 9.25 Chainsaw*
- 9.26 Power Blower*
- 9.91 Pruning

Irrigation

- 1.01 Common Core*
- 7.15 Advanced Irrigation Components & Principles
- 7.16 Irrigation Plan Reading
- 7.17 Basic Horticultural Principles
- 7.23 Lateral Repair & Head Adjustment*
- 7.71 Advanced Program Controller
- 7.72 Lateral Installation
- 7.73 Mainline Installation
- 7.74 Valve Repair
- 7.75 Valve Wiring
- 7.76 Pipe Installation Equipment

**Indicates the section is included in more than one module. Applicants only need to pass this section once in order to be credited in all of the modules that section is a requirement.*

To learn more about specific sections, visit PLANET's website at www.landcarenetwork.org/certification

Section Registration Fee: Member - \$60 Non-member - \$120 \$ _____
_____ Sections (marked above) x \$30 = \$ _____

2 Section Fees \$ _____

3 STUDY GUIDES (Optional)

Please indicate the quantity desired. Pricing includes shipping and handling.

- | | | | | |
|--------------|--------------------|--------------------|--|--|
| Installation | # _____ In English | # _____ In Spanish | <input type="checkbox"/> \$75 OLCA Members | <input type="checkbox"/> \$105 Non-Members |
| Maintenance | # _____ In English | # _____ In Spanish | <input type="checkbox"/> \$75 OLCA Members | <input type="checkbox"/> \$105 Non-Members |
| Irrigation | # _____ In English | # _____ In Spanish | <input type="checkbox"/> \$75 OLCA Members | <input type="checkbox"/> \$105 Non-Members |

3 Study Guides \$ _____

METHOD OF PAYMENT

1 + 2 + 3 Total Fees \$ _____

Payment MUST be received with application. Please make checks payable to: OLCA

Please charge my credit card: Visa MasterCard American Express Discover

Credit Card# _____ Expiration Date _____ Amount Authorized _____

Name on Card _____ Signature _____

Credit Card Billing Address _____

City _____ State _____ Zip _____

Email: _____ Phone: _____

SCORE REPORTING

The following summary describes the score reporting process:

- **On screen** - your score will appear immediately on the computer screen. This will happen automatically at the end of the time allowed for the examination; if you are using review features, you will be able to obtain your score immediately when you indicate that you have finished and would like to see your results.
 - If you **pass**, you will immediately receive a successful notification and performance summary on the screen.
 - If you **do not pass**, you will immediately receive an unsuccessful notification on the screen along with a diagnostic report indicating your strengths and weaknesses by examination portion.
- **On paper** - an official score report will be printed at the examination site.

LENGTH PASSING SCORES ARE VALID

Once you have received a passing score on a section of the exam the score remains valid for a period of 12 months. If you do not obtain a license prior to the exam score expiring you will have to retake and pass that section of the exam again.

If you have applied for the Probationary License, you must pass all 6 exam sections within 12 months of the first sitting in order to obtain this license. If you do not, you will not receive this license and must reapply.

EXPERIMENTAL ITEMS

In addition to the number of examination items specified, a small number of five to ten "experimental" questions may be administered to candidates during the examinations. **These questions will not be scored and the time taken to answer them will not count against examination time.** The administration of such non-scored experimental questions is an essential step in developing future licensing examinations.

WHAT TO BRING TO THE EXAMINATION

You should bring a calculator. Only non-programmable calculators that are silent, battery operated, do not have paper tape printing capabilities, and do not have a keyboard containing the alphabet will be allowed in the examination site.

You are also allowed to bring in one language translation dictionary or electronic translating device if English is not your first language. No notes or writing on or in these translation aides is allowed.

EXAMINATION SECTIONS

LAWS, RULES, AND BUSINESS PRACTICE

Time limit: 1.5 hours

Passing score: 75%

This section is open book (to be provided at the exam site)

| Topic | # of Questions |
|-----------------------------|----------------|
| License Requirements | 6 |
| Insurance/Bonding | 4 |
| Employment Law | 6 |
| Contracts | 4 |
| Supervision | 4 |
| Claims/Dispute Resolution | 4 |
| Lien Law | 4 |
| Building Codes/Permits | 4 |
| Safety/Hazard Communication | 6 |
| Communications | 4 |
| Estimating | 4 |
| Total Questions | 50 |

REFERENCE LIST

The Oregon Revised Statutes packet can be found on the web at: <http://www.lcb.state.or.us/exammaterials>

- *ORS 656 - Workers' Compensation*
- *ORS 279C - Public Contracting, Public Improvements and Related Contracts*
- *ORS 447 - Plumbing; Architectural Barriers*
- *ORS 479 - Protection of Buildings from Fire; Electrical Safety Law*
- *ORS 571 - Nurseries, Growers, Dealers, Christmas Tree Growers*
- *ORS 671.520 - 671.760 - Architect, Landscape Professions and Business*
- *ORS 87 - Statutory Liens*
- *ORS, Title 52, Chapter 670, Section 600 - Independent Contractors*
- *OAR 808 - Landscape Contractors Board*
- *OR OSHA*
- *Oregon Owner/Managing Employee Manual*

PLANTS & TURF

Time limit: 1 hour

Passing score: 75%

This section is open book (to be provided at the exam site)

| Topic | # of Questions |
|-------------------------|----------------|
| Estimating/Plan Reading | 6 |
| Plant Exposure | 5 |
| Plant ID | 3 |
| Plant Type | 8 |

| | |
|-----------------------------|-----------|
| Plant Use and Size | 10 |
| Planting/Staking | 4 |
| Turfgrass | 6 |
| Water and Soil Requirements | 8 |
| Total Questions | 50 |

Questions in this section address:

1. Seed mixtures for various Oregon localities & seeding rates
2. Installation of sod
3. Cultural requirements of specific grass mixtures and plants
4. Plant identification (Latin and common names)
5. Plant installation, including planting, fertilization, staking, watering, amending soils
6. Balled and burlapped vs. bare root installation
7. Soil structure as related to plant cultivation

REFERENCE LIST

Plant:

- *Oregon Plant Study Guide*, 2006
- *Western Garden Book*, Sunset Publishing Company, 2007
- *Landscape Construction, Custom 3rd Edition—Oregon Landscape Contractors Board Special Edition*, 2011, Cengage Learning

HARDSCAPING

Time limit: 1 hour

Passing score: 75%

This section is open book (to be provided at the exam site)

| Topic | # of Questions |
|-------------------------|----------------|
| Estimating/Plan Reading | 4 |
| Concrete/Masonry | 7 |
| Decks/Arbors | 6 |
| Fences/Gates | 4 |
| Low Voltage Lighting | 5 |
| Lumber/Fasteners | 3 |
| Paving | 4 |
| Project Layout | 3 |
| Retaining Walls | 7 |
| Steps/Stairs | 2 |
| Water Features | 5 |
| Total Questions | 50 |

Questions in this section address:

1. Decks:
 - Identification of the parts of a deck
 - Choice of materials and installation
 - Joists
 - Guardrails
 - Blocking
 - Flashing
2. Low Voltage Wiring:
 - Choice of materials and installation
 - Cables and transformers
3. Concrete and Masonry:
 - Choice of materials and installation
 - Joints
 - Reinforcement
 - Expansion strips

- Mortar
 - Brick paving
 - Tooling and curing
4. Retaining Walls (both dry stack and mortared):
 - Choice of materials and installation
 - Footings
 - Joints
 - Weep holes and drains
 5. Fences:
 - Choice of materials and installation
 - Postholes and joints
 - Gates
 - Painting or staining
 6. Water-features:
 - Choice of materials and installation
 - Pumps
 - Water clarity and quality
 7. Steps, Walks, Paths:
 - Choice of materials and installation
 8. Materials:
 - Terminology, including board size, lumber grades, nails
 9. Project Layout
 - Use of right triangles
 - Staking

REFERENCE LIST

Hardscaping:

- *Landscape Construction, Custom 3rd Edition—Oregon Landscape Contractors Board Special Edition*, 2011, Cengage Learning

DESIGN, GRADING AND DRAINAGE

Time limit: 1 hour

Passing score: 75%

This section is open book (to be provided at the exam site)

For this section, a calculator is required. All calculations should be to the 100th decimal (2 places). A grading plan will be provided with a scale of 1" : 20' (one inch to 20 feet).

| Topic | # of Questions |
|-------------------------------|----------------|
| Planting on Structures | 3 |
| Cut and Fill | 3 |
| Drainage Materials | 2 |
| Effects of Grading | 3 |
| Erosion Control | 4 |
| Grading/Drainage Calculations | 4 |
| Plan Reading - Drainage | 3 |
| Soil Types | 3 |
| Surface/Subsurface Drainage | 3 |
| Surveying | 3 |
| Soil Science | 5 |
| Safety | 7 |
| Design | 7 |
| Total Questions | 50 |

Questions in this section address:

1. Surface and Subsurface:
 - Removing and adding soil



- Area drains, French drains
 - Grading for pathways
 - Defining terms which relate to grade
2. Surveying:
 - Specific calculations of grade (given elevation points)
 - Using the surveying instrument
 - Topographical surveys
 3. Erosion Control:
 - Methods for slowing erosion
 - Soil types as they relate to erosion
 - Techniques for erosion control on slopes
 4. Soil Types:
 - Percolation rates and water retention rates of various soils
 - Erosion rates and angle of repose of various soil types
 5. Effects of Grading:
 - Effects of grading a site
 - What happens when grading is too flat or too steep
 - Swales
 6. Slope Calculations:
 - Specific mathematical questions
 7. Reading Plans (questions refer to a grading plan provided during examination):
 - Identification of terms and symbols on the plan such as directional arrows, contour lines, swales, berms, cuts, and elevations
 - Calculation of contours and slopes
 - Choice of subsurface for pavers (stone & concrete), walks, pathways
 - Choice of soil amendments
 - Choice of erosion control materials (top-dressings, nettings, etc.)
 8. Cutting and Filling:
 - Calculating amounts for excavation and fill (rock, bark, soil, etc.)

REFERENCE LIST

Design, Grading and Drainage:

- *Landscape Construction, Custom 3rd Edition—Oregon Landscape Contractors Board Special Edition, 2011, Cengage Learning*

IRRIGATION

Time Limit: 2 hours
 Passing score: 75%
 This section is open book (to be provided at the exam site)

| Topics | # of Questions |
|--------------------------------|----------------|
| Design | 25 |
| Drip Irrigation | 9 |
| Electrical | 6 |
| Heads/Nozzles | 8 |
| Hydraulics | 12 |
| Install/Practical Applications | 4 |
| Pipe/Fittings | 11 |
| Plan Questions - Irrigation | 6 |
| Plant Culture - Irrigation | 7 |
| Repair/Troubleshooting | 4 |

| | |
|------------------------|------------|
| Valves | 2 |
| Winterizing | 2 |
| Scheduling | 4 |
| Total Questions | 100 |

REFERENCE LIST

Irrigation:

- *Landscape Construction, Custom 3rd Edition—Oregon Landscape Contractors Board Special Edition, 2011, Cengage Learning*
- *Oregon Plant Study Guide*
- *ORS 671.520 - 671.760 - Architect, Landscape Professions and Business*
- *OAR 808 - Landscape Contractors Board*

BACKFLOW

Time limit: 1 hour
 Passing score: 75%
 This section is closed book.

| Topics | # of Questions |
|------------------------|----------------|
| Definitions | 11 |
| Devices | 21 |
| Piping | 8 |
| Installation Code | 10 |
| Total Questions | 50 |

Abbreviations used in the Plumbing Code refer to standards or specifications issued by the organizations listed below:

- ASHRAE American Society of Heating, Refrigeration and Air Conditioning Engineers
- AWWA American Water Works Association
- ANSI American National Standards Institute
- AHAM American Home Appliance Manufacturers
- ASTM American Society for Testing Materials
- ASME American Society of Mechanical Engineers
- CS Commercial Standards
- PS Product Standards
- FS Federal Specifications
- IAPMO International Association of Plumbing and Mechanical Officials
- UPC Uniform Plumbing Code
- UL Underwriters Laboratory
- WQA Water Quality Association
- ICBO International Conference of Building Officials
- ASSE American Society of Sanitary Engineers
- CABO Council of American Building Officials
- UMC Uniform Mechanical Code
- UBC Uniform Building Code
- SMACNA Sheet Metal and Air Conditioning Contractors of North America

LANDSCAPE CONTRACTORS BOARD

MEMO

TO: Board Members

FROM: Kim Gladwill-Rowley
Program Manager

DATE: January 11, 2016

SUBJECT: Proposed Rule Amendments for HB3304 & the expected Modifications in the 2016 Legislative Session

There are several rule amendments needed prior to the first practical skills examination and deadlines for that exam. I am currently working on these rules, but wanted to discuss the concepts of the rules with the board based on the Practical Skills Implementation Committee's recommendations. These rule amendments need to be filed for notice by March 15, 2016 to be reviewed at the May 20, 2016 Board meeting and be effective June 1, 2016. Below are the concepts to be discussed.

1. An applicant completing the practical skills examinations must complete the written backflow section to obtain an irrigation license or an all phase license. This is because the law states the backflow examination is to remain written.
2. If an applicant wants to take the practical skills examination, they must apply with the Landscape Industry Certified Technical Exterior (LICTE) test provider (in Oregon that is OLCA; however, the sections may also be taken in other states throughout the year, if the Oregon LCB can obtain the scores). The deadline for the LICTE in Oregon is July 1 of each year and is given every 4th Friday of July at Clackamas Community College.
STAFF RECOMMENDATION: Follow the LICTE provider requirements for deadlines, payment, and for review and/or appeal of practical skills exam scores and cheating policies and accept scores from other states, if the Oregon LCB can obtain those scores.
3. Specific sections from LICTE exam convert to specific sections of LCB written exam – will list those out in the rule (see LCB to CLT Matrix). This is to show which CLT sections need to be passed to obtain the Planting and/or Irrigation license. It is also to show which sections need to be taken if the applicant combines both the practical skills and pieces of the LCB written exam to obtain a license. (must pass all LICTE modules listed as meeting an LCB section listed on the matrix in order to be considered equivalent to have passed that section of the LCB written exam, e.g. must pass Instruments (6.62) and the LCB Module 25 Questions to have passed the Design, Grading and Drainage section.)

4. If an applicant wants to take the LCB Module Questions (see LCB to CLT Matrix) by paper and pencil on the same day as the LICTE test offered in Oregon, they must apply with the LCB office within a set amount of time prior to the date of the LICTE test scheduled in Oregon.
STAFF RECOMMENDATION: Deadline should be July 1 of each year to be in alignment with OLCA (See #2).
5. Length of time scores are valid: Current written LCB test is one year from the date the first section is passed to obtain a license. Current LICTE scores are valid are two years.
STAFF RECOMMENDATION: LICTE scores should be valid for two (2) years; change the current LCB requirement for the written exam from one year to two years to be consistent.
6. LICTE scores prior to July 2016, how far back to accept? (see #5)
STAFF RECOMMENDATION: Two (2) years.
7. The LICTE is one way to qualify for the LCP license.
STAFF RECOMMENDATION: Leave qualification as is for LCB (see #3 for clarification of the acceptance of the specific sections of the LICTE exam that must be passed, the LCB Module Questions that must be taken and either the business class or the Laws, Rules & Business Practices section of the written LCB exam. Also see #5 for length of time scores are valid).
8. Probationary licenses – current requirements: obtain an all phase license and must pass all sections of the exam within one year from the first time taking the exam.
STAFF RECOMMENDATION: Keep this requirement as is (one year). If an applicant takes the practical skills exam and does not pass, they must pass the LCB written exam given by PSI within one year from that LICTE testing date and obtain a license or pass the LICTE in another state that will provide scores to the LCB.

New Business Class

9. If an applicant takes the new business class, but has not passed all or any sections of the practical skills exam, what is the length of time the class completion is valid?
STAFF RECOMMENDATION: Two (2) years (same time frame as the length of time scores of the practical skills are valid and the managing owner/employer class is valid).
10. Can an applicant take the business class instead of the Laws, Rules & Business Practices section of the LCB written exam given by PSI and complete all other sections of the LCB written exam to obtain a license? In other words can the business class take the place of Laws, Rules, & Business Practices section if the applicant is not taking the practical skills exam?
The intention of HB3304 was the business class goes hand in hand with the practical skills exam. If an applicant obtained a planting license through the practical skills exam and the business course, to add the standard phase to the license, they would only need to complete the Hardscaping section of the LCB written exam; they would not also need to complete the Laws, Rules & Business Practices section of the LCB written exam.

STAFF RECOMMENDATION: Yes, allow the business class in lieu of the Laws, Rules & Business Practices section and this section in lieu of the business class.

Managing Owner or Employee

ORS 671.595 requires a managing owner or employee who seeks to qualify the business for a license, but who is not licensed as the LCP must “complete required courses and pass an examination on the subject of those courses”.

There is currently only one course and it is a 16 hour course.

11. The Laws, Rules & Business Practices Section of the written LCB exam has been changed to 50 questions with several topics removed to be more in alignment with the business class requirement for the practical skills exam.

STAFF RECOMMENDATION: Reduce the current course to 8 hours and remove the specific topic requirements that have also been removed from the Laws, Rules & Business Practices section of the LCB written exam.

12. OAR 808-030-0070 states the course and testing requirement for a managing owner or employee (OME) are valid for 24 months from the date the course was completed. This means an applicant does not have to be an OME for 24 months from taking the required class.

STAFF RECOMMENDATION: The business course taken in lieu of the Laws, Rules & Business Practices Section to obtain a license cannot be taken in lieu of being an OME (An OME must take the Laws, Rules & Business Practices written section of the LCB exam).

This recommendation is being made because ORS 671.595 states the OME must “pass an examination” and the new business class does NOT have an examination requirement.

Examination/License/ Education



LANDSCAPE CONTRACTORS BOARD
EXAMINATION STATISTICS BY MONTH

| Month | Taken | Passed | % | Failed | % | Other | % |
|-----------------------|-------------|------------|------------|-------------|------------|-----------|-----------|
| Total for 2003 | 2379 | 784 | 33% | 1577 | 66% | 18 | 1% |
| Total for 2004 | 2354 | 689 | 29% | 1652 | 70% | 13 | 1% |
| Total for 2005 | 2158 | 603 | 28% | 1547 | 72% | 8 | 0% |
| Total for 2006 | 2409 | 680 | 28% | 1711 | 71% | 18 | 1% |
| Total for 2007 | 2404 | 700 | 29% | 1668 | 69% | 36 | 1% |
| Total for 2008 | 2510 | 765 | 30% | 1727 | 69% | 18 | 1% |
| Total for 2009 | 1113 | 393 | 35% | 720 | 65% | | |
| Total for 2010 | 1177 | 485 | 41% | 692 | 59% | | |
| Total for 2011 | 806 | 337 | 42% | 469 | 58% | | |
| Total for 2012 | 864 | 309 | 36% | 555 | 64% | | |
| Total for 2013 | 880 | 400 | 45% | 480 | 55% | | |
| | | | | | | | |
| Jan-14 | 106 | 56 | 31% | 50 | 47% | | |
| Feb-14 | 151 | 56 | 37% | 95 | 63% | | |
| Mar-14 | 145 | 56 | 39% | 89 | 61% | | |
| Apr-14 | 97 | 37 | 38% | 60 | 62% | | |
| May-14 | 88 | 47 | 53% | 41 | 47% | | |
| Jun-14 | 68 | 24 | 35% | 44 | 65% | | |
| Jul-14 | 59 | 23 | 39% | 36 | 61% | | |
| Aug-14 | 65 | 20 | 31% | 45 | 69% | | |
| Sep-14 | 40 | 14 | 35% | 26 | 65% | | |
| Oct-14 | 50 | 20 | 40% | 30 | 60% | | |
| Nov-14 | 52 | 17 | 33% | 35 | 67% | | |
| Dec-14 | 67 | 31 | 46% | 36 | 54% | | |
| Total for 2014 | 988 | 401 | 41% | 587 | 59% | | |
| | | | | | | | |
| Jan-15 | 114 | 35 | 31% | 79 | 69% | | |
| Feb-15 | 122 | 54 | 44% | 68 | 56% | | |
| Mar-15 | 111 | 43 | 39% | 68 | 61% | | |
| Apr-15 | 116 | 46 | 40% | 70 | 60% | | |
| May-15 | 60 | 18 | 30% | 42 | 70% | | |
| Jun-15 | 48 | 17 | 35% | 31 | 65% | | |
| Jul-15 | 66 | 20 | 30% | 48 | 73% | | |
| Aug-15 | 69 | 23 | 33% | 46 | 67% | | |
| Sep-15 | 73 | 23 | 32% | 50 | 68% | | |
| Oct-15 | 80 | 27 | 34% | 53 | 66% | | |
| Nov-15 | 74 | 41 | 55% | 33 | 45% | | |
| Dec-15 | 74 | 30 | 41% | 44 | 59% | | |
| Total for 2015 | 1007 | 377 | 37% | 632 | 63% | | |

November 2008 - PSI began to administer exams
 April 2013 - Updated references to Sauter book; open book
 Mar 14 - planting license

LAWS & RULES

| | Taken | Passed | % | Failed | % | Total by Month | |
|-----------|-----------------------|------------|-----------|------------|------------|----------------|-----|
| | Jan-13 | 14 | 10 | 71% | 4 | 29% | 14 |
| | Feb-13 | 17 | 10 | 59% | 7 | 41% | 31 |
| | Mar-13 | 17 | 8 | 47% | 9 | 53% | 48 |
| | Apr-13 | 11 | 5 | 45% | 6 | 55% | 59 |
| *Changes | Apr-13 | 3 | 2 | 67% | 1 | 33% | 62 |
| | May-13 | 8 | 4 | 50% | 4 | 50% | 70 |
| | Jun-13 | 10 | 4 | 40% | 6 | 60% | 80 |
| | Jul-13 | 13 | 8 | 62% | 5 | 38% | 93 |
| | Aug-13 | 15 | 8 | 53% | 7 | 47% | 108 |
| | Sep-13 | 13 | 2 | 15% | 11 | 85% | 121 |
| | Oct-13 | 8 | 4 | 50% | 4 | 50% | 129 |
| | Nov-13 | 9 | 5 | 56% | 4 | 44% | 138 |
| | Dec-13 | 12 | 8 | 67% | 4 | 33% | 150 |
| | Total for 2013 | 150 | 78 | 52% | 72 | 48% | |
| | Jan-14 | 17 | 11 | 65% | 6 | 35% | 17 |
| | Feb-14 | 26 | 10 | 38% | 16 | 62% | 43 |
| | Mar-14 | 2 | 1 | 50% | 1 | 50% | 45 |
| **Changes | Mar-14 | 25 | 9 | 36% | 16 | 64% | 70 |
| | Apr-14 | 24 | 10 | 42% | 14 | 58% | 94 |
| | May-14 | 16 | 10 | 63% | 6 | 38% | 110 |
| | Jun-14 | 12 | 4 | 33% | 8 | 67% | 122 |
| | Jul-14 | 12 | 4 | 33% | 8 | 67% | 134 |
| | Aug-14 | 9 | 4 | 44% | 5 | 56% | 143 |
| | Sep-14 | 8 | 3 | 38% | 5 | 63% | 151 |
| | Oct-14 | 11 | 5 | 45% | 6 | 55% | 162 |
| | Nov-14 | 8 | 3 | 38% | 5 | 63% | 170 |
| | Dec-14 | 17 | 11 | 65% | 6 | 35% | 187 |
| | Total for 2014 | 187 | 85 | 45% | 102 | 55% | |
| | Jan-15 | 14 | 5 | 36% | 9 | 64% | 14 |
| | Feb-15 | 27 | 13 | 48% | 14 | 52% | 41 |
| | Mar-15 | 20 | 8 | 40% | 12 | 60% | 61 |
| | Apr-15 | 24 | 9 | 38% | 15 | 63% | 85 |
| | May-15 | 19 | 7 | 37% | 12 | 63% | 104 |
| | Jun-15 | 10 | 2 | 20% | 8 | 80% | 114 |
| | Jul-15 | 16 | 2 | 13% | 14 | 88% | 130 |
| | Aug-15 | 12 | 6 | 50% | 6 | 50% | 142 |
| | Sep-15 | 13 | 3 | 23% | 10 | 77% | 155 |
| | Oct-15 | 18 | 7 | 39% | 11 | 61% | 173 |
| ***Change | Nov-15 | 17 | 9 | 53% | 8 | 47% | 190 |
| | Dec-15 | 12 | 7 | 58% | 5 | 42% | 202 |
| | Total for 2015 | 202 | 78 | 39% | 124 | 61% | |

*Changes = Open book, referenced questions to Sauter book

**Changes = from 7 sections to 6 sections; planting license

***Changes = changes to Laws, Rules and Business Practices section

PLANTS & TURF

| | Taken | Passed | % | Failed | % | Total by Month |
|-----------------------|------------|-----------|------------|-----------|------------|----------------|
| Jan-13 | 14 | 6 | 43% | 8 | 57% | 14 |
| Feb-13 | 20 | 6 | 30% | 14 | 70% | 34 |
| Mar-13 | 20 | 8 | 40% | 12 | 60% | 54 |
| *Changes Apr-13 | 11 | 4 | 36% | 7 | 64% | 65 |
| May-13 | 12 | 4 | 33% | 8 | 67% | 77 |
| Jun-13 | 7 | 6 | 86% | 1 | 14% | 84 |
| Jul-13 | 10 | 5 | 50% | 5 | 50% | 94 |
| Aug-13 | 10 | 3 | 30% | 7 | 70% | 104 |
| Sep-13 | 6 | 4 | 67% | 2 | 33% | 110 |
| Oct-13 | 6 | 3 | 50% | 3 | 50% | 116 |
| Nov-13 | 7 | 4 | 57% | 3 | 43% | 123 |
| Dec-13 | 7 | 3 | 43% | 4 | 57% | 130 |
| Total for 2013 | 130 | 56 | 43% | 74 | 57% | |

| | | | | | | |
|-----------------------|------------|-----------|------------|------------|------------|-----|
| Jan-14 | 13 | 5 | 38% | 8 | 62% | 13 |
| Feb-14 | 30 | 8 | 27% | 22 | 73% | 43 |
| Mar-14 | 3 | 0 | 0% | 3 | 100% | 46 |
| **Changes Mar-14 | 32 | 16 | 50% | 16 | 50% | 78 |
| Apr-14 | 12 | 5 | 42% | 7 | 58% | 90 |
| May-14 | 18 | 10 | 56% | 8 | 44% | 108 |
| Jun-14 | 15 | 7 | 47% | 8 | 53% | 123 |
| Jul-14 | 15 | 5 | 33% | 10 | 67% | 138 |
| Aug-14 | 18 | 6 | 33% | 12 | 67% | 156 |
| Sep-14 | 6 | 2 | 33% | 4 | 67% | 162 |
| Oct-14 | 6 | 4 | 67% | 2 | 33% | 168 |
| Nov-14 | 9 | 2 | 22% | 7 | 78% | 177 |
| Dec-14 | 11 | 4 | 36% | 7 | 64% | 188 |
| Total for 2014 | 188 | 74 | 39% | 114 | 61% | |

| | | | | | | |
|-----------------------|------------|-----------|------------|------------|------------|-----|
| Jan-15 | 25 | 9 | 36% | 16 | 64% | 25 |
| Feb-15 | 22 | 11 | 50% | 11 | 50% | 47 |
| Mar-15 | 20 | 9 | 45% | 11 | 55% | 67 |
| Apr-15 | 19 | 12 | 63% | 7 | 37% | 86 |
| May-15 | 6 | 2 | 33% | 4 | 67% | 92 |
| Jun-15 | 8 | 5 | 63% | 3 | 38% | 100 |
| Jul-15 | 9 | 4 | 44% | 5 | 56% | 109 |
| Aug-15 | 11 | 4 | 36% | 7 | 64% | 120 |
| Sep-15 | 11 | 5 | 45% | 6 | 55% | 131 |
| Oct-15 | 15 | 3 | 20% | 12 | 80% | 146 |
| Nov-15 | 20 | 9 | 45% | 11 | 55% | 166 |
| Dec-15 | 18 | 7 | 39% | 11 | 61% | 184 |
| Total for 2015 | 184 | 80 | 43% | 104 | 57% | |

*Changes = Open book, referenced questions to Sauter book

**Changes = from 7 sections to 6 sections; planting license

***Changes = changes to Laws, Rules and Business Practices section

CONSTRUCTION

| | Taken | Passed | % | Failed | % | Total by Month |
|-----------------------|------------|-----------|------------|-----------|------------|----------------|
| Jan-13 | 15 | 8 | 53% | 7 | 47% | 15 |
| Feb-13 | 16 | 7 | 44% | 9 | 56% | 31 |
| Mar-13 | 16 | 7 | 44% | 9 | 56% | 47 |
| Apr-13 | 6 | 4 | 67% | 2 | 33% | 53 |
| *Changes Apr-13 | 2 | 0 | 0% | 2 | 100% | 55 |
| May-13 | 8 | 2 | 25% | 6 | 75% | 63 |
| Jun-13 | 8 | 6 | 75% | 2 | 25% | 71 |
| Jul-13 | 7 | 4 | 57% | 3 | 43% | 78 |
| Aug-13 | 9 | 3 | 33% | 6 | 67% | 87 |
| Sep-13 | 9 | 3 | 33% | 6 | 67% | 96 |
| Oct-13 | 7 | 3 | 43% | 4 | 57% | 103 |
| Nov-13 | 13 | 7 | 54% | 6 | 46% | 116 |
| Dec-13 | 6 | 4 | 67% | 2 | 33% | 122 |
| Total for 2013 | 122 | 58 | 48% | 64 | 52% | |
| Jan-14 | 15 | 6 | 40% | 9 | 60% | 15 |
| Feb-14 | 18 | 9 | 50% | 9 | 50% | 33 |
| Mar-14 | 2 | 1 | 50% | 1 | 50% | 35 |
| **Changes Mar-14 | 13 | 6 | 46% | 7 | 54% | 48 |
| Apr-14 | 12 | 5 | 42% | 7 | 58% | 60 |
| May-14 | 13 | 7 | 54% | 6 | 46% | 73 |
| Jun-14 | 8 | 4 | 50% | 4 | 50% | 81 |
| Jul-14 | 11 | 6 | 55% | 5 | 45% | 92 |
| Aug-14 | 7 | 2 | 29% | 5 | 71% | 99 |
| Sep-14 | 5 | 1 | 20% | 4 | 80% | 104 |
| Oct-14 | 7 | 4 | 57% | 3 | 43% | 111 |
| Nov-14 | 8 | 3 | 38% | 5 | 63% | 119 |
| Dec-14 | 5 | 2 | 40% | 3 | 60% | 124 |
| Total for 2014 | 124 | 56 | 45% | 68 | 55% | |
| Jan-15 | 18 | 5 | 28% | 13 | 72% | 18 |
| Feb-15 | 15 | 5 | 33% | 10 | 67% | 33 |
| Mar-15 | 11 | 6 | 55% | 5 | 45% | 44 |
| Apr-15 | 15 | 9 | 60% | 6 | 40% | 59 |
| May-15 | 7 | 3 | 43% | 4 | 57% | 66 |
| Jun-15 | 5 | 1 | 20% | 4 | 80% | 71 |
| Jul-15 | 10 | 6 | 60% | 4 | 40% | 81 |
| Aug-15 | 8 | 3 | 38% | 5 | 63% | 89 |
| Sep-15 | 7 | 2 | 29% | 5 | 71% | 96 |
| Oct-15 | 11 | 5 | 45% | 6 | 55% | 107 |
| Nov-15 | 6 | 4 | 67% | 2 | 33% | 113 |
| Dec-15 | 13 | 5 | 38% | 8 | 62% | 126 |
| Total for 2015 | 126 | 54 | 43% | 72 | 57% | |

*Changes = Open book, referenced questions to Sauter book

**Changes = from 7 sections to 6 sections; planting license

***Changes = changes to Laws, Rules and Business Practices section

DESIGN, GRADING & DRAINAGE

| | Taken | Passed | % | Failed | % | Total by Month |
|-----------------------|------------|-----------|------------|------------|------------|----------------|
| Jan-13 | 8 | 6 | 75% | 2 | 25% | 8 |
| Feb-13 | 13 | 9 | 69% | 4 | 31% | 21 |
| Mar-13 | 14 | 9 | 64% | 5 | 36% | 35 |
| Apr-13 | 5 | 2 | 40% | 3 | 60% | 40 |
| *Changes Apr-13 | 1 | 1 | 100% | 0 | 0% | 41 |
| May-13 | 3 | 2 | 67% | 1 | 33% | 44 |
| Jun-13 | 5 | 4 | 80% | 1 | 20% | 49 |
| Jul-13 | 7 | 3 | 43% | 4 | 57% | 56 |
| Aug-13 | 9 | 5 | 56% | 4 | 44% | 65 |
| Sep-13 | 7 | 3 | 43% | 4 | 57% | 72 |
| Oct-13 | 7 | 4 | 57% | 3 | 43% | 79 |
| Nov-13 | 9 | 6 | 67% | 3 | 33% | 88 |
| Dec-13 | 4 | 3 | 75% | 1 | 25% | 92 |
| Total for 2013 | 92 | 57 | 62% | 35 | 38% | |
| Jan-14 | 15 | 11 | 73% | 4 | 27% | 15 |
| Feb-14 | 20 | 11 | 55% | 9 | 45% | 35 |
| Mar-14 | 3 | 2 | 67% | 1 | 33% | 38 |
| **Changes Mar-14 | 23 | 3 | 13% | 20 | 87% | 61 |
| Apr-14 | 20 | 6 | 30% | 14 | 70% | 81 |
| May-14 | 25 | 12 | 48% | 13 | 52% | 106 |
| Jun-14 | 14 | 5 | 36% | 9 | 64% | 120 |
| Jul-14 | 11 | 4 | 36% | 7 | 64% | 131 |
| Aug-14 | 18 | 4 | 22% | 14 | 78% | 149 |
| Sep-14 | 10 | 4 | 40% | 6 | 60% | 159 |
| Oct-14 | 9 | 2 | 22% | 7 | 78% | 168 |
| Nov-14 | 11 | 5 | 45% | 6 | 55% | 179 |
| Dec-14 | 11 | 3 | 27% | 8 | 73% | 190 |
| Total for 2014 | 190 | 72 | 38% | 118 | 62% | |
| Jan-15 | 25 | 6 | 24% | 19 | 76% | 25 |
| Feb-15 | 29 | 12 | 41% | 17 | 59% | 54 |
| Mar-15 | 26 | 9 | 35% | 17 | 65% | 80 |
| Apr-15 | 20 | 6 | 30% | 14 | 70% | 100 |
| May-15 | 5 | 1 | 20% | 4 | 80% | 105 |
| Jun-15 | 10 | 7 | 70% | 3 | 30% | 115 |
| Jul-15 | 11 | 4 | 36% | 7 | 64% | 126 |
| Aug-15 | 12 | 3 | 25% | 9 | 75% | 138 |
| Sep-15 | 13 | 5 | 38% | 8 | 62% | 151 |
| Oct-15 | 14 | 4 | 29% | 10 | 71% | 165 |
| Nov-15 | 10 | 6 | 60% | 4 | 40% | 175 |
| Dec-15 | 15 | 6 | 40% | 9 | 60% | 190 |
| Total for 2015 | 190 | 69 | 36% | 121 | 64% | |

*Changes = Open book, referenced questions to Sauter book

**Changes = from 7 sections to 6 sections; planting license

***Changes = changes to Laws, Rules and Business Practices section

IRRIGATION

| | Taken | Passed | % | Failed | % | Total by Month | |
|-----------|-----------------------|------------|-----------|------------|------------|----------------|-----|
| Changes | Jan-13 | 7 | 2 | 29% | 5 | 71% | 7 |
| | Feb-13 | 18 | 7 | 39% | 11 | 61% | 25 |
| | Mar-13 | 19 | 14 | 74% | 5 | 26% | 44 |
| | Apr-13 | 7 | 4 | 57% | 3 | 43% | 51 |
| | Apr-13 | 1 | 1 | 100% | 0 | 0% | 52 |
| | May-13 | 9 | 4 | 44% | 5 | 56% | 61 |
| | Jun-13 | 5 | 3 | 60% | 2 | 40% | 66 |
| | Jul-13 | 6 | 2 | 33% | 4 | 67% | 72 |
| | Aug-13 | 8 | 4 | 50% | 4 | 50% | 80 |
| | Sep-13 | 11 | 1 | 9% | 10 | 91% | 91 |
| | Oct-13 | 13 | 3 | 23% | 10 | 77% | 104 |
| | Nov-13 | 5 | 3 | 60% | 2 | 40% | 109 |
| | Dec-13 | 15 | 6 | 40% | 9 | 60% | 124 |
| | Total for 2013 | 124 | 54 | 44% | 70 | 56% | |
| **Changes | Jan-14 | 12 | 7 | 58% | 5 | 42% | 12 |
| | Feb-14 | 16 | 5 | 31% | 11 | 69% | 28 |
| | Mar-14 | 2 | 0 | 0% | 2 | 100% | 30 |
| | Mar-14 | 18 | 10 | 56% | 8 | 44% | 48 |
| | Apr-14 | 16 | 5 | 31% | 11 | 69% | 46 |
| | May-14 | 8 | 4 | 50% | 4 | 50% | 54 |
| | Jun-14 | 11 | 3 | 27% | 8 | 73% | 65 |
| | Jul-14 | 4 | 2 | 50% | 2 | 50% | 69 |
| | Aug-14 | 6 | 1 | 17% | 5 | 83% | 75 |
| | Sep-14 | 7 | 3 | 43% | 4 | 57% | 82 |
| | Oct-14 | 8 | 2 | 25% | 6 | 75% | 90 |
| | Nov-14 | 10 | 3 | 30% | 7 | 70% | 100 |
| | Dec-14 | 11 | 5 | 45% | 6 | 55% | 111 |
| | Total for 2014 | 129 | 50 | 39% | 79 | 61% | |
| | Jan-15 | 16 | 6 | 38% | 10 | 63% | 16 |
| | Feb-15 | 15 | 7 | 47% | 8 | 53% | 31 |
| | Mar-15 | 14 | 5 | 36% | 9 | 64% | 45 |
| | Apr-15 | 19 | 4 | 21% | 15 | 79% | 64 |
| | May-15 | 13 | 3 | 23% | 10 | 77% | 77 |
| | Jun-15 | 10 | 0 | 0% | 10 | 100% | 87 |
| | Jul-15 | 13 | 3 | 23% | 10 | 77% | 100 |
| | Aug-15 | 13 | 2 | 15% | 11 | 85% | 113 |
| | Sep-15 | 18 | 5 | 28% | 13 | 72% | 131 |
| | Oct-15 | 12 | 5 | 42% | 7 | 58% | 143 |
| | Nov-15 | 10 | 6 | 60% | 4 | 40% | 153 |
| | Dec-15 | 6 | 2 | 33% | 4 | 67% | 159 |
| | Total for 2015 | 159 | 48 | 30% | 111 | 70% | |

*Changes = Open book, referenced questions to Sauter book

**Changes = from 7 sections to 6 sections; planting license

***Changes = changes to Laws, Rules and Business Practices section

BACKFLOW

| | Taken | Passed | % | Failed | % | Total by Month | |
|-----------|-----------------------|------------|-----------|------------|------------|----------------|-----|
| | Jan-13 | 5 | 2 | 40% | 3 | 60% | 5 |
| | Feb-13 | 18 | 8 | 44% | 10 | 56% | 23 |
| | Mar-13 | 18 | 10 | 56% | 8 | 44% | 41 |
| *Changes | Apr-13 | 10 | 4 | 40% | 6 | 60% | 51 |
| | May-13 | 10 | 3 | 30% | 7 | 70% | 61 |
| | Jun-13 | 6 | 2 | 33% | 4 | 67% | 67 |
| | Jul-13 | 11 | 4 | 36% | 7 | 64% | 78 |
| | Aug-13 | 8 | 3 | 38% | 5 | 63% | 86 |
| | Sep-13 | 10 | 2 | 20% | 8 | 80% | 96 |
| | Oct-13 | 9 | 2 | 22% | 7 | 78% | 105 |
| | Nov-13 | 8 | 2 | 25% | 6 | 75% | 113 |
| | Dec-13 | 14 | 4 | 29% | 10 | 71% | 127 |
| | Total for 2013 | 127 | 46 | 36% | 81 | 64% | |
| | Jan-14 | 14 | 9 | 64% | 5 | 36% | 14 |
| | Feb-14 | 19 | 7 | 37% | 12 | 63% | 33 |
| **Changes | Mar-14 | 22 | 8 | 36% | 14 | 64% | 55 |
| | Apr-14 | 13 | 6 | 46% | 7 | 54% | 68 |
| | May-14 | 8 | 4 | 50% | 4 | 50% | 76 |
| | Jun-14 | 8 | 1 | 13% | 7 | 88% | 84 |
| | Jul-14 | 6 | 2 | 33% | 4 | 67% | 90 |
| | Aug-14 | 7 | 3 | 43% | 4 | 57% | 97 |
| | Sep-14 | 4 | 1 | 25% | 3 | 75% | 101 |
| | Oct-14 | 9 | 3 | 33% | 6 | 67% | 110 |
| | Nov-14 | 6 | 1 | 17% | 5 | 83% | 116 |
| | Dec-14 | 12 | 6 | 50% | 6 | 50% | 128 |
| | Total for 2014 | 128 | 51 | 40% | 77 | 60% | |
| | Jan-15 | 16 | 4 | 25% | 12 | 75% | 16 |
| | Feb-15 | 14 | 6 | 43% | 8 | 57% | 30 |
| | Mar-15 | 20 | 6 | 30% | 14 | 70% | 50 |
| | Apr-15 | 19 | 6 | 32% | 13 | 68% | 69 |
| | May-15 | 10 | 2 | 20% | 8 | 80% | 79 |
| | Jun-15 | 5 | 2 | 40% | 3 | 60% | 84 |
| | Jul-15 | 9 | 1 | 11% | 8 | 89% | 93 |
| | Aug-15 | 13 | 5 | 38% | 8 | 62% | 106 |
| | Sep-15 | 11 | 3 | 27% | 8 | 73% | 117 |
| | Oct-15 | 10 | 3 | 30% | 7 | 70% | 127 |
| | Nov-15 | 11 | 7 | 64% | 4 | 36% | 138 |
| | Dec-15 | 10 | 3 | 30% | 7 | 70% | 148 |
| | Total for 2015 | 148 | 48 | 32% | 100 | 68% | |

*Changes = Open book, referenced questions to Sauter book

**Changes = from 7 sections to 6 sections; planting license

***Changes = changes to Laws, Rules and Business Practices section

****Changes to Exam 3/1/2014****

Changes to Exam 9/24/2015*

Laws and Rules changes 10-24-2015

*Changes = Open book, referenced questions to Sauter book

**Changes = from 7 sections to 6 sections; planting license

***Changes = changes to Laws, Rules and Business Practices section

LANDSCAPE CONTRACTORS BOARD
CONTINUING EDUCATION AUDIT STATISTICS

| 2011 | Jan | Feb | Mar | April | May | June | July | Aug | Sept | Oct | Nov | Dec | Total |
|--|------|------|------|-------|------|------|------|------|------|------|------|------|---------|
| Timely Responses | | | | | | | | | | | | | |
| Responses to Audit | 100% | 75% | 100% | 67% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 95.17% |
| Non-Response to Audit | 0% | 25% | 0% | 33% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 4.83% |
| Outcome for those that Responded: | | | | | | | | | | | | | |
| Completed CEH by Deadline | 100% | 100% | 78% | 100% | 100% | 100% | 100% | 100% | 80% | 100% | 100% | 100% | 96.50% |
| Failed to Complete CEH by Deadline | 0% | 0% | 22% | 0% | 0% | 0% | 0% | 0% | 20% | 0% | 0% | 0% | 3.50% |
| 2012 | | | | | | | | | | | | | |
| 2012 | Jan | Feb | Mar | April | May | June | July | Aug | Sept | Oct | Nov | Dec | Total |
| Timely Responses | | | | | | | | | | | | | |
| Responses to Audit | 100% | 80% | 100% | 75% | 75% | 100% | 100% | 100% | 100% | 100% | 75% | 75% | 90.00% |
| Non-Response to Audit | 0% | 20% | 0% | 25% | 25% | 0% | 0% | 0% | 0% | 0% | 25% | 25% | 10.00% |
| Outcome for those that Responded: | | | | | | | | | | | | | |
| Completed CEH by Deadline | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 75% | 100% | 100% | 97.92% |
| Failed to Complete CEH by Deadline | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 25% | 0% | 0% | 2.08% |
| 2013 | | | | | | | | | | | | | |
| 2013 | Jan | Feb | Mar | April | May | June | July | Aug | Sept | Oct | Nov | Dec | Total |
| Timely Responses | | | | | | | | | | | | | |
| Responses to Audit | 100% | 100% | 100% | 86% | 83% | 80% | 83% | 100% | 100% | 100% | 100% | 75% | 92.25% |
| Non-Response to Audit | 0% | 0% | 0% | 14% | 17% | 20% | 17% | 0% | 0% | 0% | 0% | 25% | 7.75% |
| Outcome for those that Responded: | | | | | | | | | | | | | |
| Completed CEH by Deadline | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 80% | 100% | 100% | 100% | 98.33% |
| Failed to Complete CEH by Deadline | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 20% | 0% | 0% | 0% | 1.67% |
| 2014 | | | | | | | | | | | | | |
| 2014 | Jan | Feb | Mar | April | May | June | July | Aug | Sept | Oct | Nov | Dec | Total |
| Timely Responses | | | | | | | | | | | | | |
| Responses to Audit | 75% | 100% | 100% | 75% | 75% | 83% | 83% | 60% | 100% | 25% | 75% | 75% | 77.17% |
| Non-Response to Audit | 25% | 0% | 0% | 25% | 25% | 17% | 17% | 40% | 0% | 75% | 25% | 25% | 22.83% |
| Outcome for those that Responded: | | | | | | | | | | | | | |
| Completed CEH by Deadline | 100% | 100% | 100% | 83% | 83% | 100% | 100% | 66% | 100% | 100% | 100% | 100% | 94.33% |
| Failed to Complete CEH by Deadline | 0% | 0% | 0% | 17% | 17% | 0% | 0% | 34% | 0% | 0% | 0% | 0% | 5.67% |
| 2015 | | | | | | | | | | | | | |
| 2015 | Jan | Feb | Mar | April | May | June | July | Aug | Sept | Oct | Nov | Dec | Total |
| Timely Responses | | | | | | | | | | | | | |
| Responses to Audit | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | | | 100.00% |
| Non-Response to Audit | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | | | 0.00% |
| Outcome for those that Responded: | | | | | | | | | | | | | |
| Completed CEH by Deadline | 100% | 100% | 80% | 100% | 100% | 100% | 100% | 80% | 100% | 100% | | | 96.00% |
| Failed to Complete CEH by Deadline | 0% | 0% | 20% | 0% | 0% | 0% | 0% | 20% | 0% | 0% | | | 4.00% |

Enforcement



Final Actions

November 1, 2015 To December 31, 2015

| <i>City</i> | <i>File No</i> | <i>Name</i> | <i>Violation Type</i> | <i>Final Action</i> | <i>Date Opened</i> | <i>Date Closed</i> | <i>Civil Penalty Amount</i> |
|--------------------|----------------|---|--|--------------------------------|--------------------|--------------------|-----------------------------|
| <i>ASHLAND</i> | | | | | | | |
| | 15-06-217 | JARED GRANDSTAFF | Advertising w/o License | Close; Cannot Locate | 6/30/2015 | 11/25/2015 | |
| | 15-11-355 | CHRISTOPHER T JACKSON dba: ON THE SPOT LANDSCAPE CONSTRUCTION | Failure to Maintain Bond | Suspended License | 11/5/2015 | 11/5/2015 | |
| <i>BEND</i> | | | | | | | |
| | 15-05-168 | VEEKS LANDSCAPING CO | Failure to Employ Landscape Construction Prof. Failure to Complete Application | Dismissed | 5/27/2015 | 11/3/2015 | |
| | 15-10-345 | CENTRAL OREGON CONSTRUCTION & MAINTENANCE LLC | Advertising w/o License | Civil Penalty/Stipulated Order | 10/15/2015 | 11/25/2015 | \$500 |
| | 15-12-397 | WILLIAM PERKINS dba: SUMMIT LANDSCAPE AND IRRIGATION | Failure to Employ Landscape Construction Prof. | Suspended License | 12/22/2015 | 12/22/2015 | |
| <i>CANBY</i> | | | | | | | |
| | 15-11-359 | A A LANDSCAPE & GARDEN MAINTENANCE LLC | Failure to Employ Landscape Construction Prof. | Suspended License | 11/12/2015 | 11/12/2015 | |
| <i>CORNELIUS</i> | | | | | | | |
| | 15-11-366 | ARACELI GAITAN dba: JOEL'S LANDSCAPING | Operating w/o License | Civil Penalty/Stipulated Order | 11/17/2015 | 12/8/2015 | \$1,000 |
| | 15-12-398 | FOREST LANDSCAPE INC | Failure to Maintain Bond | Suspended License | 12/22/2015 | 12/22/2015 | |
| <i>EAGLE CREEK</i> | | | | | | | |
| | 15-10-351 | TIMOTHY A WHITING | Failure to Complete CEH by the Deadline Failure to submit appropriate CEH documentation | Civil Penalty/Stipulated Order | 10/26/2015 | 11/30/2015 | \$400 |
| <i>EUGENE</i> | | | | | | | |
| | 15-10-333 | THOMAS WALTER CUSTOMER HOMES INC & THOMAS WALTER dba: WALTER CUSTOM HOMES | Operating w/o License | Civil Penalty/Stipulated Order | 10/9/2015 | 12/7/2015 | \$1,000 |
| | 15-10-334 | DAN REESE dba: REESE LANDSCAPES | Advertising w/o License | Civil Penalty/Stipulated Order | 10/12/2015 | 11/23/2015 | \$500 |

Monday, January 4, 2016

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| <i>City</i> | <i>File No</i> | <i>Name</i> | <i>Violation Type</i> | <i>Final Action</i> | <i>Date Opened</i> | <i>Date Closed</i> | <i>Civil Penalty Amount</i> |
|----------------------|----------------|---|---|--------------------------------|--------------------|--------------------|-----------------------------|
| <i>EUGENE</i> | | | | | | | |
| | 15-10-353 | MYLES PREVOST | Advertising w/o License | Civil Penalty/Stipulated Order | 10/29/2015 | 11/23/2015 | \$500 |
| <i>FOREST GROVE</i> | | | | | | | |
| | 15-11-356 | RAMOS INC | Failure to Maintain Workers Compensation - Suspend | Suspended License | 11/10/2015 | 11/10/2015 | |
| <i>GOLD HILL</i> | | | | | | | |
| | 15-08-283 | WESTWIND LANDSCAPING SERVICES, LLC dba: WESTWIND LANDSCAPING SERVICES | Advertising w/o License | Civil Penalty | 8/25/2015 | 12/4/2015 | \$500 |
| <i>HAPPY VALLEY</i> | | | | | | | |
| | 15-09-314 | ARBOR NOW LLC | Operating w/o License | Civil Penalty | 9/29/2015 | 11/3/2015 | \$1,000 |
| <i>HILLSBORO</i> | | | | | | | |
| | 15-12-372 | SANDERS LANDSCAPING SERVICE LLC | Failure to Maintain Workers Compensation - Suspend | Dismissed | 12/4/2015 | 12/4/2015 | |
| <i>HUBBARD</i> | | | | | | | |
| | 15-09-291 | BULMARO HERREJON CALDERON | Advertising w/o License | Civil Penalty/Stipulated Order | 9/3/2015 | 11/19/2015 | \$500 |
| <i>JACKSONVILLE</i> | | | | | | | |
| | 14-11-397 | ADVANCED LANDSCAPE GROUP LLC dba: ADVANCED TREE SERVICE & LANDSCAPING | Conduct that was Dishonest or Fraudulent Hiring Employees While Licensed as Exempt Failure to comply with Workers' Compensation Laws Failure to submit workers compensation certificate Makes Misleading Statements - Advertising | Civil Penalty | 11/28/2014 | 11/3/2015 | \$900 |
| <i>KLAMATH FALLS</i> | | | | | | | |
| | 15-10-344 | CHROME WORKS AUTO WRENCH CORPORATION | Advertising w/o License | Civil Penalty/Stipulated Order | 10/15/2015 | 12/29/2015 | \$500 |

| <i>City</i> | <i>File No</i> | <i>Name</i> | <i>Violation Type</i> | <i>Final Action</i> | <i>Date Opened</i> | <i>Date Closed</i> | <i>Civil Penalty Amount</i> |
|--------------------|----------------|---|--|--------------------------------|--------------------|--------------------|-----------------------------|
| <i>MEDFORD</i> | | | | | | | |
| | 15-07-239 | SHANE CARSON | Advertising w/o License - 2nd offense | Civil Penalty | 7/9/2015 | 12/3/2015 | \$1,000 |
| | 15-10-346 | GREEN DREAM LANDSCAPING & MAINTENANCE | Advertising w/o License | Civil Penalty / Settlement | 10/15/2015 | 12/11/2015 | \$500 |
| | 15-12-396 | EUGENE J HAAG dba: PRECISION LANDSCAPING | Failure to Employ Landscape Construction Prof. | Suspended License | 12/17/2015 | 12/17/2015 | |
| <i>OREGON CITY</i> | | | | | | | |
| | 15-10-323 | AJ EARTHSCAPES LLC | Failure to Maintain Business Registration | Dismissed | 10/6/2015 | 11/3/2015 | |
| | 15-10-354 | QUALITY TREE SERVICE & LANDSCAPE MAINTENANCE | Advertising w/o License | Dismissed | 10/29/2015 | 11/23/2015 | |
| | 15-12-373 | GROWCO LANDSCAPING INC | Failure to Maintain Workers Compensation - Suspend | Suspended License | 12/4/2015 | 12/4/2015 | |
| | 15-12-392 | AJ EARTHSCAPES LLC | Failure to Employ Landscape Construction Prof. | Suspended License | 12/15/2015 | 12/15/2015 | |
| <i>PORTLAND</i> | | | | | | | |
| | 15-11-358 | GREEN CENTERED LANDSCAPING | Failure to Employ Landscape Construction Prof. | Suspended License | 11/12/2015 | 11/12/2015 | |
| | 15-11-362 | ALBERT E ESTERLY dba: GARDENCRAFT | Failure to Maintain Workers Compensation - Suspend | Dismissed | 11/12/2015 | 11/12/2015 | |
| | 15-12-381 | PRECISION LANDSCAPE SERVICES INC | Failure to Use Business License No in Advertising | Civil Penalty/Stipulated Order | 12/14/2015 | 12/22/2015 | \$500 |
| | 15-12-390 | ROBERT E DRENDEL dba: PREFERRED LANDSCAPE | Failure to Employ Landscape Construction Prof. | Suspended License | 12/15/2015 | 12/15/2015 | |
| <i>REEDSPORT</i> | | | | | | | |
| | 15-10-319 | LEONEL VELAZQUEZ MARTINEZ dba: LEOS LANDSCAPE MAINTENANCE | Operating w/o License Operating w/o License & Claim Filed | Civil Penalty/Stipulated Order | 10/2/2015 | 12/7/2015 | \$4,000 |
| <i>SALEM</i> | | | | | | | |
| | 15-10-347 | PASTOR PERALTA dba: 5 BROTHERS YARD MAINTENANCE | Advertising w/o License | Civil Penalty | 10/16/2015 | 11/3/2015 | \$500 |
| | 15-12-375 | DAVIDSONS LANDSCAPE SERVICE INC | Failure to Employ Landscape Construction Prof. | Suspended License | 12/11/2015 | 12/11/2015 | |

Monday, January 4, 2016

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| <i>City</i> | <i>File No</i> | <i>Name</i> | <i>Violation Type</i> | <i>Final Action</i> | <i>Date Opened</i> | <i>Date Closed</i> | <i>Civil Penalty Amount</i> |
|--------------------|----------------|---|--|--------------------------------|--------------------|--------------------|-----------------------------|
| <i>SCOTTSDALE</i> | | | | | | | |
| | 15-11-357 | TROON GOLF LLC dba: PRONGHORN LANDSCAPE | Failure to Employ Landscape Construction Prof. | Suspended License | 11/10/2015 | 11/10/2015 | |
| <i>SHERWOOD</i> | | | | | | | |
| | 15-11-360 | SCHOLLS LANDSCAPE, INC | Failure to Employ Landscape Construction Prof. | Suspended License | 11/12/2015 | 11/12/2015 | |
| <i>SISTERS</i> | | | | | | | |
| | 15-03-100 | GREEN RIDGE LAWN MAINTENANCE LLC & MCKIBBEN MARTIN WOMACK | Advertising w/o License Operating w/o License | Civil Penalty/Stipulated Order | 3/26/2015 | 11/18/2015 | \$1,500 |
| <i>SPRINGFIELD</i> | | | | | | | |
| | 15-10-321 | LISA ANDERSON dba: ENDLESS ENTERPRISES | Operating w/o License | Civil Penalty/Stipulated Order | 10/2/2015 | 12/7/2015 | \$1,000 |
| | 15-10-343 | BIRD TRUST LANDSCAPING, LLC | Advertising w/o License | Civil Penalty/Stipulated Order | 10/15/2015 | 11/23/2015 | \$500 |
| <i>STAYTON</i> | | | | | | | |
| | 15-06-211 | GABRIEL GASPAR dba: GABRIELS LANDSCAPING AND GENERAL YARD MAINTENANCE | Advertising w/o License - 2nd offense | Civil Penalty/Stipulated Order | 6/25/2015 | 12/29/2015 | \$1,000 |
| <i>THE DALLES</i> | | | | | | | |
| | 15-11-361 | ANTHONY L MORELLI | Failure to Employ Landscape Construction Prof. | Suspended License | 11/12/2015 | 11/12/2015 | |
| <i>TILLAMOOK</i> | | | | | | | |
| | 15-09-311 | TERRY L PHILLIPS dba: NORTH COAST LAWN | Working w/o a Written Contract - 1st Offense | Civil Penalty/Stipulated Order | 9/28/2015 | 11/16/2015 | \$500 |
| <i>TUALATIN</i> | | | | | | | |
| | 15-02-042 | HUMBERTO RAYA dba: RAYA LANDSCAPING MAINTENANCE | Advertising w/o License - 2nd offense | Civil Penalty/Stipulated Order | 2/5/2015 | 12/4/2015 | \$1,000 |
| | 15-12-391 | DEMOLITION CONTRACTORS INC dba: LANDSCAPE CONTRACTORS INC | Failure to Employ Landscape Construction Prof. | Suspended License | 12/15/2015 | 12/15/2015 | |
| <i>VANCOUVER</i> | | | | | | | |
| | 15-07-223 | TIMBER HOME IMPROVEMENTS LLC dba: TIMBER HOME IMPROVEMENTS | Advertising w/o License | Civil Penalty/Stipulated Order | 7/2/2015 | 11/9/2015 | \$500 |
| | 15-11-367 | MICHAEL J SHAW | Failure to Pay Civil Penalty | Dismissed | 11/17/2015 | 12/8/2015 | |

Monday, January 4, 2016

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| <i>City</i> | <i>File No</i> | <i>Name</i> | <i>Violation Type</i> | <i>Final Action</i> | <i>Date Opened</i> | <i>Date Closed</i> | <i>Civil Penalty Amount</i> |
|-------------------|----------------|--|--|--------------------------------|--------------------|--------------------|-----------------------------|
| <i>WHITE CITY</i> | | | | | | | |
| | 15-09-307 | MOUNTAIN TREE CARE LLC | Advertising w/o License - 2nd offense | Dismissed | 9/22/2015 | 11/23/2015 | |
| | 15-10-324 | DAVID MERRICK HERMAN dba: DAVID HERMAN CONSTRUCTION | Operating w/o License | Civil Penalty/Stipulated Order | 10/6/2015 | 12/7/2015 | \$1,000 |

Enforcements Opened by Month
On a Yearly Basis

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|--------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| January | 11 | 17 | 15 | 17 | 29 | 26 | 41 | 31 | 20 | 27 | 26 | 23 | 26 |
| February | 10 | 21 | 19 | 28 | 24 | 28 | 37 | 28 | 47 | 45 | 26 | 26 | 47 |
| March | 16 | 27 | 17 | 46 | 27 | 44 | 45 | 90 | 78 | 46 | 27 | 45 | 34 |
| April | 12 | 27 | 29 | 56 | 39 | 52 | 70 | 57 | 59 | 67 | 47 | 54 | 38 |
| May | 23 | 23 | 25 | 27 | 37 | 63 | 50 | 80 | 50 | 47 | 58 | 25 | 29 |
| June | 28 | 34 | 33 | 49 | 38 | 41 | 48 | 87 | 40 | 60 | 27 | 52 | 43 |
| July | 27 | 22 | 39 | 32 | 30 | 56 | 47 | 52 | 44 | 49 | 34 | 34 | 36 |
| August | 27 | 24 | 49 | 63 | 49 | 36 | 60 | 48 | 35 | 49 | 42 | 42 | 32 |
| September | 20 | 28 | 22 | 40 | 35 | 44 | 40 | 51 | 30 | 36 | 35 | 18 | 30 |
| October | 27 | 35 | 22 | 47 | 54 | 60 | 52 | 51 | 32 | 44 | 27 | 41 | 39 |
| November | 30 | 24 | 42 | 20 | 34 | 38 | 46 | 47 | 42 | 41 | 32 | 36 | 17 |
| December | 5 | 29 | 26 | 24 | 42 | 44 | 39 | 51 | 49 | 27 | 29 | 29 | 60 |
| Total | 236 | 311 | 338 | 449 | 438 | 532 | 575 | 673 | 526 | 538 | 410 | 425 | 431 |

Cascade Collections
Total Collected
(includes collection fee)

| | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|-----------|----------|------------|------------|------------|------------|------------|------------|
| January | | \$1,525.00 | \$310.00 | \$250.00 | \$629.33 | \$2,220.65 | \$640.00 |
| February | | \$250.00 | \$350.00 | \$1,137.67 | \$765.42 | \$1,150.00 | \$3,533.73 |
| March | | \$447.98 | \$825.00 | \$100.00 | \$400.00 | \$200.00 | \$835.79 |
| April | | \$270.00 | \$920.11 | \$405.00 | \$405.73 | \$1,731.83 | \$700.00 |
| May | | \$567.60 | \$917.00 | \$1,060.59 | \$1,314.34 | \$292.55 | \$679.38 |
| June | | \$600.00 | \$1,371.92 | \$200.00 | \$767.29 | \$325.00 | \$750.00 |
| July | \$100.00 | \$0.00 | \$1,601.58 | \$418.00 | \$2,666.67 | \$1,095.44 | \$1,292.24 |
| August | \$0.00 | \$5,236.00 | \$2,546.78 | \$500.05 | \$515.55 | \$770.00 | \$500.00 |
| September | \$325.20 | \$1,183.34 | \$2,628.11 | \$950.00 | \$4,144.91 | \$1,118.33 | \$306.67 |
| October | \$791.67 | \$420.00 | \$740.94 | \$750.00 | \$1,375.00 | \$605.05 | \$498.57 |
| November | \$287.60 | \$675.00 | \$150.00 | \$884.78 | \$2,020.22 | \$800.00 | \$541.67 |
| December | \$62.20 | \$691.67 | \$250.00 | \$641.67 | \$1,214.84 | \$900.00 | |

Calendar Totals \$1,566.67 \$11,866.59 \$12,611.44 \$7,297.76 \$ 16,219.30 \$ 11,208.85 \$10,278.05

Biennium Totals

| | |
|-----------|-------------|
| 2009-2011 | \$18,127.29 |
| 2011-2013 | \$19,497.28 |
| 2013-2015 | \$30,284.94 |

IMMEDIATE ACTIONS
November 1, 2015 - Decembe 31, 2015

| Case No | Respondent | Allegations | Staff Recommendation |
|----------------|--|--|-----------------------------|
| 15-11-356 | RAMOS INC | failure to maintain workers compensation | Suspended License |
| 15-11-357 | TROON GOLF LLC | failure to employ landscape construction professional | Suspended License |
| 15-11-358 | GREEN CENTERED LANDSCAPING | failure to employ landscape construction professional | Suspended License |
| 15-11-359 | A A LANDSCAPE & GARDEN MAINTENANCE LLC | failure to employ landscape construction professional | Suspended License |
| 15-11-360 | SCHOLLS LANDSCAPE, INC | failure to employ landscape construction professional | Suspended License |
| 15-11-361 | ANTHONY L MORELLI | failure to employ landscape construction professional | Suspended License |
| 15-12-373 | GROWCO LANDSCAPING INC | failure to maintain workers compensation | Suspended License |
| 15-12-375 | DAVIDSONS LANDSCAPE SERVICE INC | failure to employ landscape construction professional | Suspended License |
| 15-12-390 | ROBERT E DRENDEL | failure to employ landscape construction professional | Suspended License |
| 15-12-391 | DEMOLITION CONTRACTORS INC | failure to employ landscape construction professional | Suspended License |
| 15-12-392 | AJ EARTHSCAPES LLC | failure to employ landscape construction professional | Suspended License |
| 15-12-396 | EUGENE J HAAG | failure to employ landscape construction professional | Suspended License |
| 15-12-397 | WILLIAM PERKINS | failure to employ landscape construction professional | Suspended License |
| 15-12-398 | FOREST LANDSCAPE INC | failure to maintain bond | Suspended License |
| 15-12-430 | LANDSCAPE SOLUTIONS LLC | failure to have a certificate of liability insurance on file | Suspended License |

SITE CHECKS
NOVEMBER 1, 2015 - DECEMBER 31, 2015

| Date | Job Site City | Business on Site | Description of Work | License Needed? | LCB/CCB # | Investigator |
|------------|---------------|-----------------------------|---|-----------------|-----------|---------------|
| 11/3/2015 | | MILLER IRRIGATION | IRRIGATION BLOW OUT | YES | 8234 | RON PUGH |
| 11/3/2015 | LINCOLN | KLEINS IRRIGATION | NEW CONSTRUCTION, IRRIGATION, SOD, PLANTS | YES | 8844 | RON PUGH |
| 11/3/2015 | | MILLSITE LANDSCAPE SERVICES | IRRIGATION BLOW OUT | YES | 8364 | RON PUGH |
| 11/3/2015 | ODELL LAKE | GRAND DESIGN | IRRIGATION BLOW OUT | YES | 9158 | RON PUGH |
| 11/3/2015 | BEND | LAND EFFECTS | IRRIGATION, PLANTS, SOD | YES | 8573 | RON PUGH |
| 11/3/2015 | | THE SOURCE LANDSCAPING | IRRIGATION, PLANTS | YES | 9086 | RON PUGH |
| 11/9/2015 | WEST LINN | GENERAL CONTRACTOR SERVICES | ROCK WALL, BARK DUST AT REMODEL | YES | 201978 | TRACIE MONDOR |
| 11/6/2015 | BEND | SPRINGTIME | IRRIGATION BLOW OUT | YES | 6044 | RON PUGH |
| 11/5/2015 | BEND | SUMMIT LANDSCAPING | IRRIGATION BLOW OUT | YES | 9082 | RON PUGH |
| 11/5/2015 | | BOTANICAL DEVELOPMENT | NEW CONSTRUCTION, IRRIGATION, PLANTS, TREES | YES | 9268 | RON PUGH |
| 11/5/2015 | BEND | GREEN LIFE OURDOOR LIVING | NEW CONSTRUCTION IRRIGATION, PLANTS | YES | 9206 | RON PUGH |
| 11/5/2015 | BEND | NEWPORT AVE | PLANTS, IRRIGATION | YES | 9153 | RON PUGH |
| 11/5/2015 | BEND | ASPEN LANDSCAPING | IRRIGATION BLOW OUT | YES | 7072 | RON PUGH |
| 11/5/2015 | | MATESKI | IRRIGATION BLOW OUT | YES | 9131 | RON PUGH |
| 11/4/2015 | BEND | STREAMLINE IRRIGATION | IRRIGATION BLOW OUT | YES | 8279 | RON PUGH |
| 11/4/2015 | MEHAMA | OBSIDIAN | NEW CONSTRUCTION, IRRIGATION, PLANTS SOD | YES | 8265 | RON PUGH |
| 11/4/2015 | | BLUESTONE | IRRIGATION BLOW OUT | YES | 8630 | RON PUGH |
| 11/4/2015 | BEND | GREEN THUMB | SOD, TREES, SHRUBS | YES | 8644 | RON PUGH |
| 11/4/2015 | | TWIN PINES | NEW CONSTRUCTION, IRRIGATION, PLANTS, OAK TREES | YES | 8215 | RON PUGH |
| 11/10/2015 | | NELSON IRRIGATION | IRRIGATION BLOW OUT | YES | 8759 | RON PUGH |
| 11/10/2015 | | QUALITY | REPLACEING EXISTING LANDSCAPING | YES | 8226 | RON PUGH |
| 11/10/2015 | BEND | EARTH DESIGNS | WATER FEATURE | YES | 5654 | RON PUGH |
| 11/10/2015 | BEND | MOUNTAIN SKY | IRRIGATION, BARK, PLANTS | YES | 8447 | RON PUGH |
| 11/10/2015 | BEND | BELLA VISTA | IRRIGATION BLOW OUT | YES | 9084 | RON PUGH |
| 11/10/2015 | BEND | DESCHUTES ENVIROMENTAL | IRRIGATION BLOW OUT | YES | 5144 | RON PUGH |
| 12/22/2015 | LAKE OSWEGO | WEST LAKE LANDSCAPING | DRAINAGE SYSTEMS, SPRINKLER SYSTEM | YES | YES | TRACIE MONDOR |



OREGON LANDSCAPE CONTRACTORS BOARD

2111 FRONT ST NE STE 2-101
SALEM, OREGON 97301
PH: (503) 967-6291 FAX: (503) 967-6298
WEB: www.lcb.state.or.us

INVESTIGATION REPORT

XX INDIVIDUAL/SOLE PROPRIETOR

 CORPORATION

 PARTNERHSIP

 LLC

JULIO GUARDADO

NO LICENSE

RESPONDENT

Db:

UNKNOWN

Location: 1036 SE Banker Drive, Hermiston, OR 97838

Property Owner: Larry Usher – Ph: 541-571-3586

NARRATIVE:

On 5/20/15, I received information from a caller who wished to remain anonymous regarding possible unlicensed landscaping work that was going on at the above listed site of 1036 SE Banker Dr, Hermiston, Oregon. The information provided was that the listed subject Julio Guardado was seen working at the above location and doing landscaping work for a subject named Larry Usher who is a teacher in the Hermiston School District.

I made several attempts to get in touch with Mr. Usher and eventually received an email from him in which he said that he did all his own sprinklers, grass, drip and planting. I later was able to have contact with Mr. Usher by phone and told him that it was reported that he had hired someone to do some of this work. Mr. Usher said that he has a Hispanic friend of his, who helped him with the work, but that he didn't pay the subject anything and it was just a case of his friend helping him out. Mr. Usher had nothing more to share in regard to this.

It is recommended this investigation be suspended as unfounded.

Report submitted by:

Michael Harty

11/24/2015

Investigator

Date

Attachments: email from Larry Usher



OREGON LANDSCAPE CONTRACTORS BOARD

2111 FRONT ST NE STE 2-101
SALEM, OREGON 97301
PH: (503) 967-6291 FAX: (503) 967-6298
WEB: www.lcb.state.or.us

INVESTIGATION REPORT

INDIVIDUAL/SOLE PROPRIETOR CORPORATION PARTNERHSIP LLC

UNKNOWN WORKER

RESPONDENT

CCB

Location: 5436 Tullimoor SE, Salem OR, 97306

Homeowner: Brian Sartor – Ph:503-789-0843

NARRATIVE:

On May 7th, 2015, I received information from a source that wished to remain anonymous regarding possible unlicensed landscaping work going on at the listed location. It was reported that someone was putting in a new lawn. I responded to the location and took photos of a new sod install and left my card for the resident. I received no response and went by the location several more times at later dates but was unable to make contact with the homeowner. On September 24th, 2015, I went by the residence and a young woman answered the door and said that she was house-sitting. I gave her my card and requested that she ask the homeowner to contact me. I later received a voicemail from Brian Sartor who left a message attempting contact. I called Mr. Sartor back on 9/29/15 and explained the purpose of my visits to his residence and attempt at contact, and that someone had reported possible unlicensed work going on at his residence. Mr. Sartor told me that he was the one who purchased and installed new sod at his residence last May. I asked him if he had hired anyone to work on it. Mr. Sartor said that he had a friend who was out of work at the time and that he paid the man to help him with the sod install. Mr. Sartor asked if there was a problem with that. I explained the law to Mr. Sartor and advised that if a person gets paid for doing landscaping work as defined in the Oregon Statute, that there could possibly be a violation. I asked Mr. Sartor for the information on his friend who had assisted him. He refused to give me the information. Mr. Sartor said that he didn't believe it was right for his friend to get in trouble when he was out of work and Mr. Sartor was only trying to help him and hired him to help with the sod installation.

Conclusions:

It is possible that there was a subject working for Brian Sartor who was paid for landscaping work at the listed location who was not licensed, however his identity is unknown.

Report submitted by:

Michael Harty

10/6/2015

Investigator

Date

Attachments:

INVESTIGATION SUMMARY

BRAVO LANDSCAPE IRRIGATION SYSTEMS

8002

Respondent

LCB/CCB #

NONE

DBA INDIVIDUAL/SOLE PROPRIETOR CORPORATION PARTNERHSIP LLC

NONE

License History

Job site address: Vehicle

ALLEGED VIOLATION

Failing to use the 4 digit business license number in advertisements on a vehicle advertisement as required by OAR 808-003-0010(1).

SUMMARY

OAR 808-003-0010(1) states all written advertising shall include the landscape contracting business license number.

On October 16, 2015, an LCB Contract Investigator submitted a photo of one side of a vehicle with respondent's name and phone number listed. There is no license number within this advertisement. However, there is no evidence to show this number was not somewhere else on the truck.

At the November 20, 2015 meeting the LCB determined no action because the full vehicles were not photographed.

ATTACHMENTS

None

EVIDENCE

Photos of one part of the vehicle.

CONCERNS/ISSUES

None

STAFF RECOMMENDATION

Close; no action; not enough evidence.

INVESTIGATION SUMMARY

AR SINGH CONTRACGTOR LLC

167076/CCB

Respondent

LCB/CCB #

NONE

DBA INDIVIDUAL/SOLE PROPRIETOR CORPORATION PARTNERHSIP LLC

NONE WITH LCB

License History

Job site address: 3678 SE Knapp Street, Portland, Oregon

ALLEGED VIOLATION

Respondent allegedly violated ORS 671.530(3) – operating as a landscape contracting business without a valid license.

SUMMARY

Installation of a driveway

On October 14, 2015, an LCB Contract Investigator observed concrete cut and removed and replaced in the driveway of the above job site location. Upon further investigation, he determined the respondent had performed the concrete work. Respondent is licensed with the CCB.

ATTACHMENTS

None

EVIDENCE

None

CONCERNS/ISSUES

None

STAFF RECOMMENDATION

Close; no action; driveway work performed by a CCB licensees.

INVESTIGATION SUMMARY

DANIEL DOROSH

NONE

Respondent

LCB/CCB #

EARTHBORNE LANDCARE

DBA INDIVIDUAL/SOLE PROPRIETOR CORPORATION PARTNERSHIP LLC

NONE WITH LCB

License History

Job site address: 2315 Ostman Road, Westlinn, Oregon

ALLEGED VIOLATION

Respondent allegedly violated ORS 671.530(3) – operating as a landscape contracting business without a valid license.

SUMMARY

Installation of sod lawn

On June 22, 2015, an LCB Contract Investigator spoke with respondent who stated he had installed the grass. Upon further subpoenaed documentation it appears this job was for an customer that receive primarily landscape maintenance services from the respondent, the work was replacement of so – which is casual work and the cost was \$450 (\$230 for the sod and \$75 delivery fee). Respondent only charged the homeowner \$450 for the replacement of the sod.

ATTACHMENTS

None

EVIDENCE

None

CONCERNS/ISSUES

None

STAFF RECOMMENDATION

Close; no action; falls within the landscape maintenance casual exemption of ORS 671.540(1)(C).

INVESTIGATION SUMMARY

CRS WORKS LAWN CARE PLUS

No LCB OR CCB #

Respondent

LCB/CCB #

DBA **INDIVIDUAL/SOLE PROPRIETOR** **CORPORATION** **PARTNERHSIP** **LLC**

NONE

License History

Job site address: Websites

ALLEGED VIOLATION

Respondent allegedly violation ORS 671.530(2) and (4) by advertising as a landscape contracting business without a valid license.

SUMMARY

Two website advertisements were received on November 2, 2015: www.porch.com and www.angieslist.com. The advertisement on www.porch.com offered flower planting.

ATTACHMENTS

Advertisements

EVIDENCE

Advertisements

CONCERNS/ISSUES

Both web sites show "Is this your business? Claim your (free) profile". Many web sites create free profile templates based on information located elsewhere on the internet and are not necessarily placed by the advertiser. Staff searched for any other postings by Respondent and none were located. Unable to determine that respondent placed an advertisement.

STAFF RECOMMENDATION

No action.



RECEIVED

NOV 02 2015

Landscape Contractors Board

CRS Works Lawn Care Plus

Hillsboro, OR (<https://porch.com/hillsboro-or/lawn-and-garden-services/cp>)

Lawn & Garden Service, Landscaping Company

(503) 343-9992 (tel:(503) 343-9992)

795 NE 6th Ave
Hillsboro, OR 97124

SAVE

★★★★★ (0)



No BBB info



No neighbor data for this pro



3 years in business




Typical home value is unknown



Average project cost is unknown

Staff recommendation:
 No action
 Violation

 Is this your business?
Claim your free profile. (<https://pro.porch.com>)

pg 1 of 4

RECEIVED

NOV 02 2015

About

Landscape Contractors Board

CRS Works Lawn Care Plus, based in Hillsboro, is a lawn and garden company. Since 2012, they have been providing leaf removal and flower planting as well as other services. CRS Works Lawn Care Plus provides eme... Read more

Projects

Projects loading...

Reviews

This pro has not yet been reviewed.

↓ TURNED IN BY CITIZEN

SEE ATTACHED ANGIE'S

LIST PRINT OUT

FOR CONTACT INFO

WRITE A REVIEW

MICHAEL

Featured projects in your area

pg 2 of 4

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[How It Works](#)

[Sign In](#)

1-877-928-4372

[Quick Tour](#) | [FAQ](#) | [In the Press](#) | [Solution Center](#) | [The Big Deal](#) | [Business Owners](#)

Angie's List : Local Reviews : Hillsboro : CRS Works Lawn Care Plus

GUARANTEED
BY
Angie's list

Introducing Our New Member Exclusive Guarantees*

ANGIE'S

FAIR PRICE GUARANTEE

ANGIE'S

SERVICE QUALITY GUARANTEE

*Available for Eligible Members on Qualified Purchases, some exclusions apply.

CRS Works Lawn Care Plus

Is this your business? [Claim your profile](#)

795 NE 6th Ave
Hillsboro, OR 97124
(503) 343-9992

Contact: Strain, Corey

Business Description: We Specialize in Lawncare and all Exterior Home Maintenance. Gutter Cleaning, Pressure Washing, Streakless Window Cleaning, Soil Testing, Many other Services

Services: [Deck Cleaning](#), [Gutter Cleaning](#), [Handyman Service](#), [Outdoor Lighting](#), [Lawn Service](#), [Lawn Treatment](#), [Home & Garage Organization](#), [House Painters](#), [Interior Painters](#), [Pressure Washing](#), [Window Cleaning](#)

In Business Since: 2012

Service Area: Servicing Sw Portland & All Washington County Oregon

On Angie's List Since: 4/16/2012

NOT A VIOLATION

Do your research.

Join now to read ratings and reviews from real customers

Service Providers are rated by the following:

[Join Now](#)

- Total Reviews
- Overall Grade
- Price
- Quality
- Professionalism
- Punctuality
- Responsiveness
- Super Service Award
- Winner

Why check Angie's List?

- Reviews come from real people like you, not anonymous users
- Exclusive discounts from top-rated businesses
- Ratings and reviews in more than 500 home repair and health care

We've Done the Research

pg 3 of 4 107

Warranties: ASK FOR DETAILS

Free Estimates: Quotes are always Free

Office Hours: Mon 07.00 AM - 07.00 PM, Tue 07.00 AM - 07.00 PM, Wed 07.00 AM - 07.00 PM, Thu 07.00 AM - 07.00 PM, Fri 07.00 AM - 07.00 PM, Sat 08.00 AM - 08.00 PM, Sun 09.00 AM - 07.00 PM, By Appointment

Excluded Services: Season Ends The Same week as Thanks Giving until the 1st week of February..However we are always available if need be.

Features: Emergency Service

Licensed: Yes, I am appropriately licensed for my trade. (All statements concerning insurance, licenses, and bonds are informational only, and are self-reported. Since insurance, licenses and bonds can expire and can be cancelled, homeowners should always check such information for themselves.)

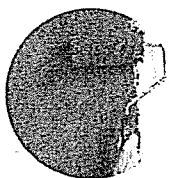
Senior Discount: \$10

Cities Served: Aloha | Banks | Beaverton | Cedar Mill | Cornelius | Forest Grove | Hillsboro | King City | Raleigh Hills | Sherwood | Tigard | Tualatin | Washington County

This company doesn't have any Angie's List reviews yet.

Join now or Sign In to add a review

Featured Deals



\$570 for 2 Interior

Painters for a Day

Mark Powers Painting Inc.



\$198 for 4 Hours of Lawn

or Landscape Work

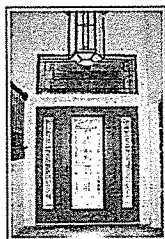
Preferred Landscape Services Inc

Handyman Articles



Angie's List SnapFix saves homeowner time when scheduling maintenance

The Angie's List SnapFix app allows members to easily use their smartphone to schedule work. Read how this customer used the app to free up time on weekends.



You can fix it! 8 simple DIY projects that YOU can do

If you stopped attempting DIY projects because you realized you're not very handy, there may be hope for you with these small, easy-to-do projects.

Angie's List In The Press

pg 4 of 4

INVESTIGATION SUMMARY

ROYAL PAVING AND MASONRY LLC

No LCB / CCB #205159

Respondent

LCB/CCB #

DBA INDIVIDUAL/SOLE PROPRIETOR CORPORATION PARTNERHSIP LLC

NONE

License History

Job site address: [Craigslist](#)

ALLEGED VIOLATION

Respondent allegedly violation ORS 671.530(2) and (4) by advertising as a landscape contracting business without a valid license.

SUMMARY

A Craigslist advertisement for hardscaping services such as; “driveways, patios, walkways, fire pits, business entry ways shop fronts”, etc. are included in the posting. The company is licensed with the Construction Contractors Board (CCB).

ATTACHMENTS

Advertisement

EVIDENCE

Advertisement

CONCERNS/ISSUES

Respondent is CCB licensed and therefore allowed to perform hardscape work.

STAFF RECOMMENDATION

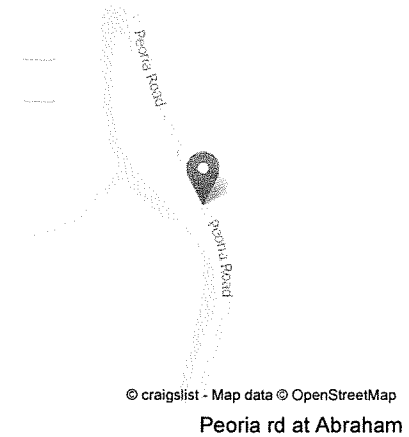
No action. Refer to CCB for potential violation of no CCB number in advertisement.

CL corvallis > services > farm & garden services

Posted: 12 days ago

FREE CUSTOM DESIGN & ESTIMATE~DRIVEWAYS~PATIO'S~WALKWAYS

(Corvallis,Albany,Halsey)



"PAVING THE WAY"

ROYAL PAVING & MASONRY IS A LOCALLY OWNED COMPANY SPECIALISING IN INTERLOCKING PAVING & MASONRY INSTALLATION

~ BENEFITS~

- .STUNNING VISUAL IMPACT
- .ADDS INSTANT EQUITY AND APPEAL TO YOUR HOME OR BUSINESS INVESTMENT.
- .LASTS A LIFETIME!!...EASY TO CHANGE OR ADD.
- .INFINITE DESIGNS,PATTERNS,STYLES,TEXTURES & COLORS.
- .ENVIRONMENTAL IMPACTING PERFECT FOR DRAINING,SOAK AWAY & PERMEABLE APPLICATIONS
- .AFFORDABLE,DURABLE,PRACTICAL.
- .DOES NOT NEED PLANNING/PERMIT AS WITH PERMANENT CONCRETE SLABS
- .ANY WEATHER INSTALLATION.
- .REDUCES & ELIMINATES MUDDY & WET OR WATER SOAKED AREAS
- .NEVER EVER CRACKS LIKE STAMPED CONCRETE/ASPHALT WILL.

BRICK,BLOCK,CONCRETE PAVERS,CULTURED STONE,INTERLOCKING PAVING & MASONRY

INSTALLATION,MAINTENANCE & REPAIR SPECIALISTS FOR:

DRIVEWAYS,PATIOS,WALKWAYS,FIRE PITS,BUSINESS ENTRY WAYS,SHOP FRONTS,

SWIMMING POOLS,COURTYARD,PARKING LOTS,RETAINING WALLS,VENEER

BULK & DETAILED EXCAVATION,GRADING & LEVELLING,SITE PREP

CONCRETE CUTTING,DEMOLITION AND REMOVAL

REFERENCES AVAILABLE ON REQUEST!

WE STRIVE TO EXCEED OUR CLIENTS EXPECTATIONS ON ALL LEVELS WITH

EXCELLENT SERVICE & UNBEATABLE AFFORDABILITY.

LICENSED,BONDED & INSURED,EXCELLENT REFERENCES AVAILABLE

PLEASE CALL/TEXT FOR A FREE DESIGN & ESTIMATE

RECEIVED

DEC 07 2015

Landscape Contractors Board

THANKS & HAVE A GREAT DAY! 12/7/15 craigslist help safety privacy feedback cl jobs terms about mobile

CL portland >

clark/cowlitz >

services >

farm & garden services

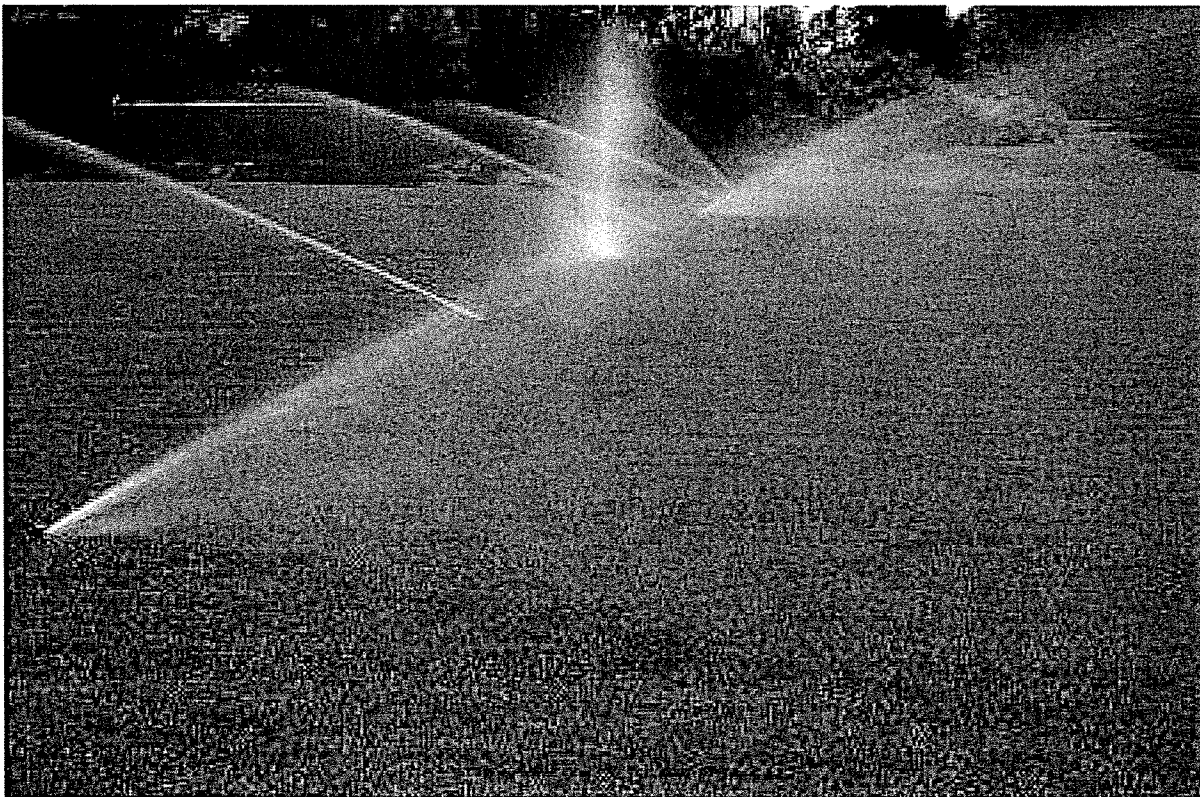
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DEC 16 2015

Landscape Contractors Board

Posted: 10 days ago

Sprinklers/irrigation expert/ /french drains/winterize. (All areas)



Professional landscaping , over 20 years of experience I am irrigation expert no job to big or smal.

many years of experience.I

offer quality work.

Sprinklers system and systems upgrades,smart wifi irrigation,

drip system,

Sprinkle repair

Retaining walls

Pathways

Water features

Sod installation

Yard renewal

French Drains

| | |
|-------------------------------------|-----------|
| Staff recommendation: | |
| <input checked="" type="checkbox"/> | No action |
| <input type="checkbox"/> | Violation |

© 2015 craigslist help safety privacy feedback cl jobs terms about mobile

CL medford > services > farm & garden services

Posted: 2015-09-14 2:45pm

Mikes quality yardscaping!!!20 years exp (Meford/surrounding)

Mikes quality yardscaping
 High quality low rates!
 Specializing in all your yardscaping needs
 Big or small we do it all
 Over 20 years exp
 Call Mike at 541-280-0858

- do NOT contact me with unsolicited services or offers

contact name:
 Mike
 call:
 ☎ 541_280_0858



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SEP 15 2015

Landscape Contractors Board

| | |
|-------------------------------------|-----------|
| Staff recommendation: | |
| <input checked="" type="checkbox"/> | No action |
| <input type="checkbox"/> | Violation |

CL portland > washington co > services > farm & garden services

Posted: 6 days ago

AFFORDABLE LANDSCAPING AND IRRIGATION (Clark & Cowlitz County)



GRACIANO'S CONSTRUCTION LLC
Licensed and Bonded

We offer many services for your home and yard needs such as the following:

> LAWN CARE<

- Lawn Maintenance: First-Time Clean-up, Weekly, Bi-Weekly,
- New Sod Installation or Reseed
- Irrigation System: Installation and Repair
- Bark Dust & Compost Soil
- retaining walls and concrete
- pavers & step stone

> HARDSCAPES<

- Pond Installation
- Retaining Walls
- Paver Patios & Walkways
- Fire Pits

> OTHER SERVICES<

- Fences
- Pressure Washing & Gutters
- Painting

AND MUCH MORE!!!

Call, Text or Email Today for a FREE ESTIMATE!!

Cesar Graciano (360) 932-5858

Susana Graciano (360) 990-1622

- do NOT contact me with unsolicited services or offers

RECEIVED

DEC 08 2015


Landscape Contractors Board

| | |
|-------------------------------------|-----------|
| Staff recommendation: | |
| <input checked="" type="checkbox"/> | No action |
| <input type="checkbox"/> | Violation |



ABOUT US **SERVICES** TESTIMONIALS GALLERIES CONTACT

855-878-8733

CHECK US OUT ON FACEBOOK! 

 **24/7 EMERGENCY SERVICE**



Mountain View Tree Service - SERVICES

- Services to the Portland metro and Salem metro areas.
- Certified arborists on every job site.
- Affordable services of an experienced 10+ years tree climber.
- High Quality Stump grinding in any location.
- Stump grinding estimates over the phone.
- We guarantee if the job is not done right the first time, we will come back and do it right for free.

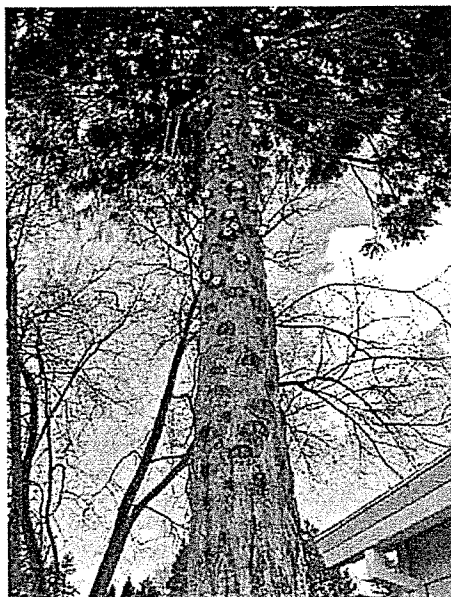
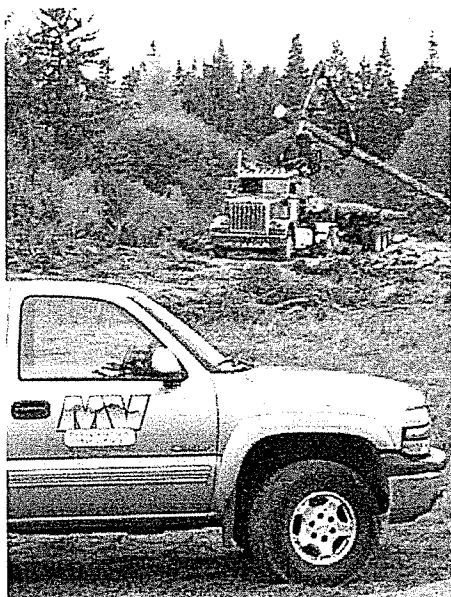
- Tree & Shrub Removal
- Tree Trimming
- Hedge & Shrub Trimming
- Fruit Tree Pruning
- Land Clearing
- Lot Clearing
- View Clearing
- Stump Grinding

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NOV 03 2015

Landscape Contractors Board _____
 Staff recommendation:
 ✓ No action
 Violation

- Complete Yard Clean Up
- Ornamental Pruning
- Licensed, Bonded and Insured
- Senior Citizen Discounts



STUMP GRINDING

MTV can grind virtually any stump! Having successfully completed projects containing only one stump to grinding out over 300, our large self-propelled grinders can access nearly any stubbornly placed stump. Small grinders are also available to suit your respective needs. When all grinding is complete, customers have the option of keeping the stump chips or having us remove them and level off and/or replant the 14

pg 1 of 3

surrounding yard. As stump grinding is a hazardous task, we place a custom-fabricated shield around all of our grinders to ensure the safety of MTV crewmembers and your property.

STUMP POISONING

Common deciduous trees often regenerate their stumps, however MTV uses a safe herbicide to treat re-growth areas, killing the stimulus enzymes that allow the stump to surface. Our crew will soon return to grind out the deadened stump to ensure that it will never grow back.

TRIMMING, THINNING, SHAPING, PRUNING

As MTV prides itself on excellent trimming knowledge, customers need to be aware of the high qualifications involved when selecting a tree service vendor as improperly pruned trees will never return to their original shape. Our arborists are highly trained individuals who take tree health, aesthetics, and your personal preferences very seriously. Skilled in wind sail reduction, this is just one MTV trimming specialty that acts as preventative maintenance before wet and windy weather, lessening your chances of fallen trees. MTV also strives to present unsurpassed quality in the areas of weight reduction, removal of compromised limbs, and general trimming to provide space for buildings, power lines, streets, and other trees.

Note: We never recommend tree topping. Topping requires constant maintenance and is very hard on the trees due to excessive amounts of decay.

LAND CLEARING

MTV land clearing services range from blackberry and scotch broom removal to complete grounds clearing. Our crews have the knowledge and experience to remove acres of mature trees, aide in reducing potential fire-damage areas, and have a critical eye while completing selective thinning. From clearing residential sites for increased property use or view enhancement to commercial lot development sites, MTV provides simple clearing solutions to suit your personal preferences.

BI-YEARLY & ANNUAL MAINTENANCE PLANS

Our new maintenance plans allows you to put your tree care responsibilities into MTV hands. Plans include a property assessment every 6 months, followed by any touch-up trimming, pruning, or removal services.

ORNAMENTAL TREE CARE

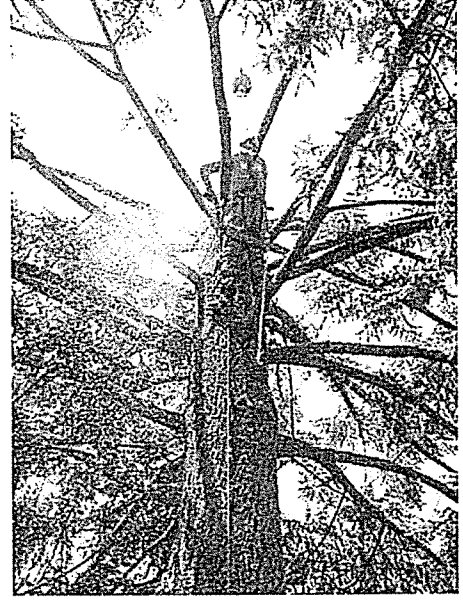
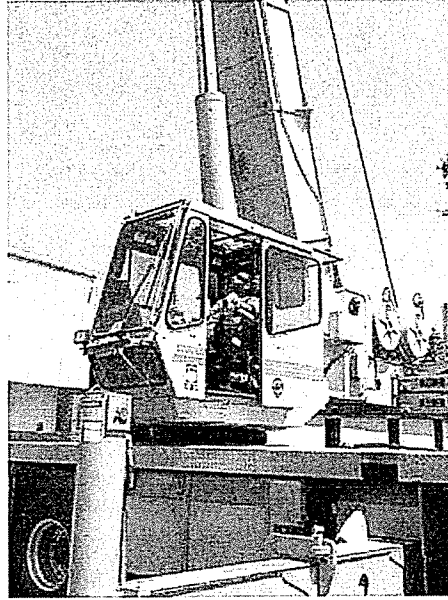
Our arborists know that ornamental trees require a more personal touch and must be handled more carefully. Remember that improper pruning will result in a perpetually damaged tree.

RECEIVED

NOV 03 2015

Landscape Contractors Board

pg 2 of 3



[Home](#) | [About Us](#) | [Services](#) | [Testimonials](#) | [Galleries](#) | [Contact Us](#) | [Site Map](#)

[Salem, OR Tree Service](#) 2485 Silverton Rd NE, Salem, OR 503-363-0991

[Portland, OR Tree Service](#) 10250 SW Tigard St, Tigard, OR 855-878-8733

[Silverton, OR Tree Service](#) Silverton, OR 503-874-8733

Licensed · Bonded · Insured - #179875

Copyright © 2015 Mountain View Tree Service. All Rights Reserved.

← CCB license active.

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NOV 03 2015

Landscape Contractors Board

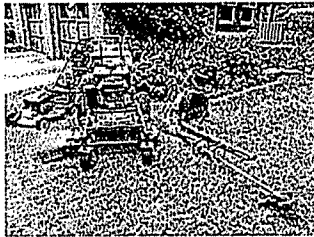
pg 3 of 3

ADMINISTRATIVE ACTIONS
NOVEMBER 1, 2015 - DECEMBER 31, 2015

| Case No | Respondent | Allegations | Staff Recommendation |
|-----------|---|---|----------------------|
| 15-11-368 | ANDREW TRAWEEK | advertising without a license | Civil Penalty |
| 15-12-393 | ERIK GONZALES | advertising without a license | Civil Penalty |
| 15-12-394 | HARTMAN KEVIN | advertising without a license | Civil Penalty |
| 15-12-395 | HLD LANDSCAPE & DESIGN LLC | advertising without a license | Civil Penalty |
| 15-12-412 | RANULFO RIOS-RIVAS & RIOS LAWNCARE LLC | advertising without a license | Civil Penalty |
| 15-12-413 | K.P.C. LLC | advertising without a license | Civil Penalty |
| 15-12-415 | BENITO GUTIERREZ | advertising without a license | Civil Penalty |
| 15-12-417 | SAMUEL PUENTE | advertising without a license | Civil Penalty |
| 15-12-432 | BREEMAN PETER | advertising without a license | Civil Penalty |
| | DALE - CRAIGSLIST | advertising without a license | Civil Penalty |
| 15-11-371 | MICHAEL DEVIN CARPENTER DEVIN | advertising without a license - 2nd offense | Civil Penalty |
| 15-12-414 | TJ LANDSCAPE MAINTENANCE, LLC | advertising without a license - 2nd offense | Civil Penalty |
| 15-12-406 | JOE REITER & JOE REITER LAWN CARE AND SERVICE | advertising without a license, operating as a landscape contracting | Civil Penalty |
| 15-12-407 | NICANOR CISNEROS | advertising without a license, operating as a landscape contracting | Civil Penalty |
| 15-12-409 | SOUTHERN OREGON NURSERY INC | advertising without a license, operating as a landscape contracting | Civil Penalty |
| 15-12-410 | GABRIEL HORTA | advertising without a license, operating as a landscape contracting | Civil Penalty |
| 15-12-374 | MONTERREY IRRIGATION SERVICES LLC | failure to maintain business registration | Refused to Renew |
| 15-12-401 | RITCHIE HOMES INC | operating as a landscape contracting business without a license | Civil Penalty |
| 15-12-402 | MOISES URBINA-LADINO | operating as a landscape contracting business without a license | Civil Penalty |
| 15-12-403 | RODRIGUEZ SERGIO | operating as a landscape contracting business without a license | Civil Penalty |
| 15-12-404 | CHRISTOPHER CUTTS & AARON PETERSON | operating as a landscape contracting business without a license | Civil Penalty |
| 15-12-405 | LUIS ALBERTO SANCHEZ GONZALEZ | operating as a landscape contracting business without a license | Civil Penalty |
| 15-12-411 | GREGORY J ORD | operating as a landscape contracting business without a license | Civil Penalty |
| 15-12-416 | LOZANO-ZAVALA IGNACIO | operating as a landscape contracting business without a license | Civil Penalty |
| 15-12-424 | TREVOR MCCLUNG CONSTRUCTION LLC | operating as a landscape contracting business without a license | Civil Penalty |
| 15-12-425 | ELN SPRINKLERS AND YARD MAINTENANCE LLC | working outside scope of license | Civil Penalty |
| 15-12-426 | SAMUEL EDWIN ARTOFF | operating as a landscape contracting business without a license | Civil Penalty |
| 15-12-427 | CORREA LOPEZ JUAN C | operating as a landscape contracting business without a license | Civil Penalty |
| 15-12-428 | JMCM CONSTRUCTION INC | operating as a landscape contracting business without a license | Civil Penalty |
| 15-12-399 | ALEX CARPENTER & PDX HOME CARE COMPANY | operating as a landscape contracting business without a license a | Civil Penalty |
| 15-12-400 | SAMANIEGA CURIEL FEDERICO | operating as a landscape contracting business without a license a | Civil Penalty |
| 15-12-408 | RYAN ALLISON | operating as a landscape contracting business without a license a | Civil Penalty |

Gold Hill, OR

Mini URL: ydbk.co/100690



REQUEST A QUOTE

Contact Landscaper
Make a Payment

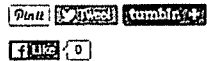


Contact Info

1246 2nd Ave unit 17
Gold Hill, OR 97525

@ Website n/a

Social Media



Reviews

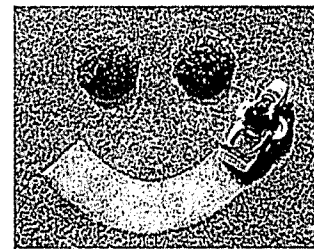
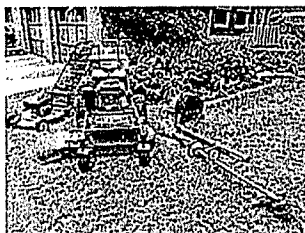
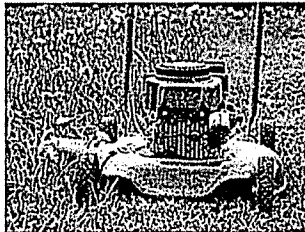
Becca's Landscape Service

Your Yard is our business. We are family owned and operated and we take pride in our work. Licensed General contractor 203885

Services

- We do everything from mowing, to weeding, to hedging, to edging, leaf blowing, and more. irrigation repair and additions

Photos



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Landscape Contractors Board

Staff recommendation:
No action
Violation

15-12-413

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