

Consumers can file a claim with the LCB if the landscape contracting business is licensed; there is a contract with the business; and the business has done negligent or improper work; breached a contract or otherwise caused damage to the consumer.

The deadline for filing a claim is one (1) year from when the work was substantially completed (date the provisions of the contract were substantially fulfilled or date landscape contracting business left the site without finishing the terms of the contract and did not return). Time spent on warranty work does not extend this deadline.

## HOW TO CONTACT THE LCB

Call (503) 378-5909. If you reach a recording please leave a message. Someone WILL call you back.

To check a license status: search on our website: [www.lcb.state.or.us](http://www.lcb.state.or.us) or call (503)378-5909 or send us an email: [lcb.info@state.or.us](mailto:lcb.info@state.or.us)

To request publications, forms or other information either download from our website: [www.lcb.state.or.us](http://www.lcb.state.or.us) or call (503)378-5909 and make your request.



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# Avoiding Landscaping Problems

*Tips from the  
Landscape Contractors Board*

- ✓ HOW TO CHOOSE A LICENSED LANDSCAPE CONTRACTING BUSINESS
- ✓ HOW TO WORK WITH A LICENSED LANDSCAPE CONTRACTING BUSINESS
- ✓ HOW TO GET HELP IF THERE IS A PROBLEM
- ✓ HOW TO CONTACT THE LCB



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## HOW TO CHOOSE A LICENSED LANDSCAPING BUSINESS

Most landscaping projects are completed without difficulties and people are satisfied with the finished project. Some projects involve minor disputes over workmanship and contract issues which are due, mostly, to communication errors. However, a few projects occur where major problems arise and the Oregon Landscape Contractors Board (LCB) has learned many of these problems can be avoided if the following steps are taken prior to having the work done:

- **Develop a list of potential landscape contracting businesses.**  
Ask friends, neighbors, relatives and co-workers who they have used and would recommend from their experience. Ask the question: Would you use this landscape contracting business again?
- **Make sure the business is licensed with the Landscape Contractors Board.**  
Licensing means the business has a surety bond (min. \$3000), general liability insurance (min. \$100,000) and has at least one (1) licensed landscape construction professional on staff who is to supervise the work that is done on your project. This person has passed a comprehensive examination and has experience in the landscaping industry for at least two years.
- **Call the Landscape Contractors Board:** (503)378-5909 or check on our web site: [www.lcb.state.or.us](http://www.lcb.state.or.us) to see if the business is licensed. If they are, then you can get help in resolving disputes and have access to a “bond” for negligent work or breach of contract.

- **Check the level of license.** Does it correspond to the type of work you are going to have done?
  - **Standard License:** Planning and installing lawns, shrubs, vines, trees and any other nursery stock. The license also allows the building of fences, decks, arbors, driveways, patios, landscape edging, walkways, water-features and retaining walls.
  - **Irrigation Only plus Backflow License\*:** Planning and installing of irrigation systems and the installation of backflow assemblies.  
*\*Note: Backflow license holders will have a “Plus Backflow” on their license card. If it is not there, then Backflow installation is not allowed.*
  - **All Phase plus Backflow License:** All aspects of landscape installation and landscape construction are allowed with this license. This is the “highest” level of licensure with the Landscape Contractors Board.
- **Check Trade Associations the business belongs to.** Membership in a professional association is one sign that a person recognized the importance and responsibilities of being a professional in this industry.

**OLCA:** Oregon Landscape Contractors Association  
(503) 253-9091

**PLANET:** Professional Landcare Network;  
(703) 736-9666 or  
(800) 395-2522





- **Get two or more specific written bids for larger jobs:**

Make sure you understand the differences in the bid elements and the price variations in the bids. Be careful of “low” bids, “special deals” or a “great deal from a friend of a friend”. A higher bid may be worth the price in better materials, workmanship and reliability.

- **Ask Lots of Questions Examples:**

- What experience or expertise do you have?
- Do you have specialty areas?
- Who will be supervising the work from your company? Is this person a licensed landscape construction professional? License number? When can we meet this individual?
- Who will be doing the actual work? Employees of your company or subcontractors, or both?
- Who and when can I call when I have questions or problems during the course of the project?
- How long will the project take? What is the completion date?
- In what condition will the project be left at the end of each work day?
- What inconveniences or potential problems will I encounter during the project?
- How will payment(s) be made and on what schedule?

## HOW TO WORK WITH A LICENSED LANDSCAPE CONTRACTING BUSINESS

- **Plan your project carefully:**

- Make a plan. A “to scale” drawing is important for visualization of the project and for determining and satisfying your expectations
- Always consider your budget when planning.
- Find pictures of landscapes and materials you like and show them to the landscape contracting business.
- Study your plans carefully, walk through the project and approve the plans in writing before work begins.

- **Use a WRITTEN CONTRACT:**

All landscape projects require, by law, a written contract. This protects you and the landscape contracting business in case of dispute. One of the **BIGGEST CAUSES** of problems in the landscaping industry is lack of a contract (no contract), a poor contract or a contract that has not been read. *Put all agreements in writing.*

- **A contract needs to include:**

- Landscape contracting business name, address, phone number and LCB number.
- Consumer’s name and address.
- Address of job site.
- A list of plant materials used, their size, quantity (this can be referenced back to the landscape plan).
- General description of the work to be performed.
- Estimated time for completion and/or completion date.
- Description of guarantee. If there is no guarantee, this needs to be stated.
- Signatures of both parties

- Statement that the business is licensed with the Oregon Landscape Contractors Board and the LCB’s address and phone number.
- Any special requirements that you and the landscape contracting business decide on.

- **Make all changes to the contract IN WRITING:**

If you change your mind or if the landscape contracting business decides there is a better or different way to do something; or you decide to add/subtract portions of the work; do it in writing. Make sure the costs associated with the change are included and that you and the landscape contracting business sign the “change order”.

- **Obtain all needed Construction Permits:**

Some parts of a landscaping project require permits from the building department in your city or living area. Examples are: driveways, some decks, retaining walls in excess of a certain height, backflow installation and low voltage wiring (irrigation wire- in some areas). Usually contractors obtain these permits, but ultimately the owner is responsible for insuring all required permits are obtained.

- **Pay in installments:**

Legitimate contractors are entitled to a downpayment to “cement” the contract. Usually this is from a 25 to 35% of the total contract price. It is important to find the “balance” where the landscape contracting business has enough money to buy the materials necessary to start the project but you retain enough money to ensure satisfactory completion. Do not let your payments get ahead of the work completed. You can request invoices from your landscape contracting business that determine the percentage completion on a job which allows you to determine the progress of the project. Make your final payment when the job is complete, all

suppliers and subcontractors are paid and you are satisfied with the work.

- **Avoid Liens: Read the Right to Lien Notice:**

Homeowners are ultimately responsible for payments to subcontractors and suppliers even if they have paid their licensed landscape contracting business in full.

DO NOT let your landscaping start until you receive an “*Information Notice to Owner about Construction Liens*” This explains liens and how to protect yourself. Read it carefully and follow its advice.

- **Keep good written records:**

Keep a log of conversations, copies of correspondence, cancelled checks, the contract, change orders and receipts. If problems arise you will have them documented.

- **Communicate:**

Do not be afraid to talk to the representative of the landscape contracting business during the project. Most problems arise between clients and landscape contracting businesses because of lack of communication. If the landscape contracting business refuses to return calls, or if you refuse to communicate your questions or problems, the project is sure to result in a dispute.

## HOW TO GET HELP IF THERE IS A PROBLEM

If problems arise, try your best to resolve them with the landscape contracting business doing the work for you. If problems persist and become non-resolvable, either call the LCB for a *claim form* or go to our website: [www.lcb.state.or.us](http://www.lcb.state.or.us) to download the form.

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