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NEW JERSEY ADMINISTRATIVE CODE

TITLE 13

LAW AND PUBLIC SAFETY

CHAPTER 27

NEW JERSEY STATE BOARD OF ARCHITECTS

SUBCHAPTER 8

LICENSED LANDSCAPE ARCHITECTS

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LICENSED LANDSCAPE ARCHITECTS

13:27-8.1 DUTIES OF THE EXECUTIVE DIRECTOR

The Executive Director shall keep a record of all applicants for licensure as a landscape architect, showing for each the date of application, name, age, education and other qualifications, place of practice and address of record, whether or not an examination was required, and whether the applicant was rejected or a license granted, and the date of that action.

13:27-8.2 EXCEPTIONS; LIMITATIONS

- a) The practice of landscape architecture shall not prohibit the preparation of landscaping plans for sites where government review or approvals are not required or do not require the signature and seal of a landscape architect.
- b) Nothing in N.J.S.A. 45:3A-1 et seq., or this subchapter shall be construed to prevent or limit the practice of architecture, engineering, land surveying or professional planning by one licensed to practice that profession in this State, but no architect, engineer, surveyor or professional planner shall use the designation "landscape architect" unless licensed as a landscape architect in this State.
- c) In accordance with N.J.S.A. 45:3A-3, no municipal or county ordinance, policy or action purporting to define, or having the effect of defining, the scope of professional activity of architects, engineers, land surveyors, planners or licensed landscape architects in the preparation of landscape design plans shall reduce or expand the scope of professional practice recognized by the respective boards that regulate these professions.

13:27-8.3 USE OF TITLE; NOMENCLATURE FOR NON-LICENSED PERSONS

- a) A person who is not a licensed landscape architect as defined in N.J.S.A. 45:3A-2 shall not use or advertise or offer services to the public utilizing the following titles or description of services:

TITLES

Landscape Architect

Licensed Landscape Architect
Registered Landscape Architect
Professional Landscape Architect
DESCRIPTIONS OF SERVICES
Landscape Architecture
Landscape Architectural Design
Landscape Architectural Construction
Landscape Architectural Planting Design
Landscape Architectural Service

b) The titles and descriptions listed in (a) above are not meant to be all-inclusive.

13:27-8.4 CURRICULA APPROVED BY THE BOARD

- a) Any educational program accredited by the Landscape Architectural Accreditation Board shall be deemed an approved program.
- b) For any academic program not accredited by the Landscape Architectural Accreditation Board, an applicant shall provide to the Board:
 - 1) A certified transcript of his or her courses; and
 - 2) A true and accurate course description for each of the landscape architecture courses for which the candidate is seeking credit toward licensure.
- c) The Board shall, in its consideration of the academic program, compare the degree to the standards promulgated by the Landscape Architecture Accreditation Board. Thereafter, the Board may, in its discretion, require the candidate to appear before the Board for a personal interview and to present representative samples of his or her landscape architecture work.

13:27-8.5 APPLICATION FOR INITIAL LICENSURE; APPLICANTS SEEKING CREDIT FOR MILITARY EDUCATION, TRAINING, OR EXPERIENCE

- a) An applicant for initial licensure as a landscape architect shall:

- 1) Hold a bachelor's degree or higher in landscape architecture from a college or university having a landscape architecture curriculum accredited by the Landscape Architectural Accreditation Board or other academic program approved by the Board pursuant to N.J.A.C. 13:27-8.4. The applicant shall arrange for the college or university to send an official transcript directly to the Board;
- 2) Have engaged in practical landscape architectural work for four years after completion of the educational requirement set forth in (a)1 above, at least two of which the applicant having worked on a full-time basis under the supervision of a certified or licensed landscape architect, architect, professional planner or professional engineer;
- 3) Be of good moral character demonstrated by furnishing five references, two from individuals who have known the applicant for at least five years and three from professionally trained design professionals, such as licensed landscape architects, architects, professional engineers or professional planners, who have first hand experience of the applicant's work. No individual providing a reference shall be related to the applicant;
- 4) Successfully complete, within five years of application for licensure, the Landscape Architect Registration Examination (LARE); and
- 5) Complete and return to the Board an application for initial licensure with payment of the initial licensure fee as set forth in N.J.A.C. 13:27-8.21.

b) If the applicant is seeking credit for military education, training, or experience, the applicant shall follow the procedure set forth in N.J.A.C. 13:27-8.5A.

13:27-8.5A CREDIT TOWARDS LICENSURE FOR EDUCATION, TRAINING, AND EXPERIENCE RECEIVED WHILE SERVING AS A MEMBER OF THE ARMED FORCES

- a) An applicant who has served in the Armed Forces of the United States (Armed Forces) may apply to the Board for recognition of the applicant's training, education, or experience received while serving as a member of the Armed Forces, which the Board shall consider, together with any training, education, and experience obtained outside of the Armed Forces, for determining substantial equivalence to the training, education, and experience required for licensure.

b) The Board shall issue a license to the applicant if the applicant presents evidence to the Board that:

1) The applicant has been honorably discharged from active military service;

2) The relevant training, experience, and education the applicant received in the military, together with any training, education, and experience obtained outside of the Armed Forces is substantially equivalent in scope and character to the training, experience, and education required for licensure under this subchapter.

i) An applicant seeking credit for military training and experience shall submit to the Board the applicant's Verification of Military Experience and Training (VMET) Document, DD Form 2586 or a successor form, as amended and supplemented. If the applicant has opened a Council of Landscape Architectural Registration Boards (CLARB) record, the applicant may submit his or her DD Form 2586 or a successor form, as amended and supplemented, to CLARB instead of the Board for an evaluation of his or her military experience and training.

ii) An applicant seeking credit for education or training courses completed while in the military shall submit to Education Credential Evaluators, Inc., or other evaluation services recognized by the Board, a Joint Military Transcript of the education and training completed by the applicant while in the military, for certification that this education or training is substantially equivalent in level, scope, and intent to courses that are part of a Landscape Architectural Accreditation Board accredited program. For the purpose of determining substantial equivalence of the applicant's military education or training, the Board shall consider only those education or training courses relevant to the practice of landscape architecture that have been evaluated by the American Council on Education for substantial equivalence to civilian postsecondary curricula; and

3) The applicant complies with all other requirements for licensure under this subchapter, including but not limited to, successful completion of the Landscape Architect Registration Examination as set forth in N.J.A.C. 13:27-8.5.

- c) It is the applicant's responsibility to provide complete evidence of the education, training, and experience gained in the military for review and consideration in accordance with the requirements of this subchapter.
- d) If the applicant's military training, education, or experience, or a portion thereof, is deemed not to be substantially equivalent to that required for licensure, the Board shall credit whatever portion of the military training, education, or experience that is substantially equivalent towards meeting the requirements under this subchapter for the issuance of the license.
- e) Satisfactory evidence of such education, training, or experience shall be assessed on a case-by-case basis.

13:27-8.6 APPLICATION FOR LICENSURE AS A LANDSCAPE ARCHITECT WITHOUT LARE EXAMINATION

- a) An individual may apply for licensure as a landscape architect in New Jersey if he or she meets the requirements of N.J.S.A. 45:3A-1 et seq., and
 - 1) Holds a license or certificate to practice landscape architecture in good standing issued upon examination by any state, district, territory or possession in the United States, provided the applicant's qualifications meet the requirements enforced in this State at the time the license or certificate was issued;
 - 2) Has passed the Council of Landscape Architectural Registration Boards (CLARB) Uniform National Examination (UNE) or LARE or holds a current CLARB certification. Applicants holding CLARB certification shall arrange for CLARB to send the certificate to the Board;
 - 3) Submits a completed application form; and
 - 4) Meets the requirements for initial licensure pursuant to N.J.A.C. 13:27-8.5(a)1 through 3 and 5.

13:27-8.7 BIENNIAL LICENSE RENEWAL; LICENSE SUSPENSION; REINSTATEMENT OF SUSPENDED LICENSE; INACTIVE STATUS

- a) All licenses issued by the Board shall be issued for a biennial license period. A licensee who seeks renewal of the license shall submit a completed renewal application, a

statement that the licensee has successfully completed the continuing education requirement pursuant to N.J.A.C. 13:27-8.14 and the renewal fee as set forth in N.J.A.C. 13:27-8.21 prior to the expiration date of the license.

- b) The Board shall send a notice of renewal to each licensee at the address registered with the Board at least 60 days prior to the expiration date of the license. If the notice to renew is not sent at least 60 days prior to the expiration date, no monetary penalties or fines shall apply to the licensee for any unlicensed practice during the period following the license expiration, not to exceed the number of days short of 60 before the notice of renewal was issued.
- c) If a licensee does not renew the license prior to its expiration date, the licensee may renew the license within 30 days of its expiration by submitting a renewal application, a statement that the licensee has successfully completed the continuing education requirement pursuant to N.J.A.C. 13:27-8.14, a renewal fee and a late fee, as set forth in N.J.A.C. 13:27-8.21. During this 30-day period, the license shall be valid, and the licensee shall not be deemed to be engaged in unauthorized practice.
- d) A license that is not renewed within 30 days of its expiration shall be automatically suspended. An individual who holds himself or herself out as a landscape architect with a suspended license shall be in violation of N.J.A.C. 13:27-8.3.
- e) A licensee whose license has been automatically suspended for five years or less for failure to renew pursuant to (d) above may be reinstated by the Board upon completion of the following:
 - 1) Payment of the reinstatement fee and all past delinquent biennial renewal fees pursuant to N.J.A.C. 13:27-8.21;
 - 2) Submission of proof of completion of the continuing education credits required for each biennial registration period for which the license was suspended; and
 - 3) Submission of an affidavit of employment listing each job held during the period of suspended licensure, which includes the name, address and telephone number of each employer.

- f) In addition to fulfilling the requirements set forth in (e) above, a licensee whose license has been automatically suspended for more than five years who wishes to return to practice shall reapply for licensure and shall demonstrate that he or she has maintained proficiency. An applicant who fails to demonstrate to the satisfaction of the Board that he or she has maintained proficiency while suspended may be subject to an examination or other requirements as determined by the Board prior to reinstatement of his or her license.

- g) Renewal applications shall provide the license holder with the option of either active or inactive status. A licensee electing inactive status shall pay the inactive license fee set forth in N.J.A.C. 13:27-8.21 and shall not hold himself or herself out as a landscape architect.

- h) A licensee who elected inactive status and has been on inactive status for five years or less may be reinstated by the Board upon completion of the following:
 - 1) Payment of the biennial license fee and reinstatement fee pursuant to N.J.A.C. 13:27-8.21;

 - 2) Submission of proof of completion of the continuing education credits required for each biennial license period for which the license was on inactive status; and

 - 3) Submission of an affidavit of employment listing each job held during the period the license was on inactive status, which includes the name, address and telephone number of each employer.

- i) In addition to fulfilling the requirements set forth in (h) above, a licensee whose license has been on inactive status for more than five years who wishes to return to active status shall reapply for licensure and shall demonstrate that he or she has maintained proficiency. An applicant who fails to demonstrate to the satisfaction of the Board that he or she has maintained proficiency while on inactive status may be subject to an examination or other requirements as determined by the Board prior to reinstatement of his or her license.

13:27-8.8 DISPLAY OF LICENSE; REPLACEMENT AND DUPLICATE LICENSES

- a) A licensed landscape architect shall conspicuously display at each place of business or employment the original license or a duplicate license issued by the Board showing the current biennial licensure period.
- b) Each license number and license containing such license number issued by the Board to a licensed landscape architect shall remain the property of the State of New Jersey. If the Board suspends, fails to renew or revokes a license, the licensee shall immediately return all licenses to the Board and shall remove the license number from all advertising and anything else on which the license number is displayed or otherwise communicated.
- c) The Board shall issue a replacement license to a licensed landscape architect upon payment of the replacement license fee as set forth in N.J.A.C. 13:27-8.21 and receipt by the Board of an affidavit or certified statement attesting that the original was either lost, destroyed, mutilated or is otherwise no longer in the custody of and cannot be recovered by the licensee.
- d) The Board shall issue a duplicate license to a licensed landscape architect upon payment of the duplicate license fee as set forth in N.J.A.C. 13:27-8.21 and receipt by the Board of an affidavit or certified statement that the licensed landscape architect has multiple places of business in which the licensee must display a license. A licensed landscape architect may not possess more licenses than the number of places of business utilized by the licensed landscape architect.

13:27-8.9 SEAL AND SIGNATURE

- a) Every licensed landscape architect shall have a seal established and issued by the Board, which shall contain the name of the landscape architect, his or her license number and the legend "Licensed Landscape Architect." If the Board suspends, fails to renew or revokes a license, the licensee shall immediately return the seal press containing such seal to the Board.
- b) All working drawings and specifications prepared by the licensed landscape architect or under his or her supervision shall be signed on the original with the personal signature of the licensed landscape architect. Thereafter, all copies of such drawings and

specifications shall be sealed prior to submission to the client or filing with a public agency.

- c) A licensed landscape architect shall provide the following information in a title block, which shall be placed on all construction contract drawings prepared under his or her direction. The information shall appear legibly on the construction contract drawings and shall be clearly reproducible.
- 1) The full name of the licensed landscape architect as it appears on the license issued by the Board;
 - 2) The signature of the licensed landscape architect;
 - 3) The license number and title: New Jersey Licensed Landscape Architect;
 - 4) The date when signed; and
 - 5) If applicable, the certificate of authorization number as required under N.J.S.A. 45:3A-16 and N.J.A.C. 13:27-8.11.
- d) Other information may appear with or within the title block provided that the required information is distinct and the name of the licensed landscape architect is readily discernible from the other information on the document.

13:27-8.10 (RESERVED)

13:27-8.11 ISSUANCE OF CERTIFICATES OF AUTHORIZATION

- a) Upon review and approval by the Board of a completed application, the Board shall issue a certificate of authorization to an LLC or a corporation, other than a professional service

corporation established pursuant to the "Professional Service Corporation Act," P.L. 1969, c. 232 (N.J.S.A. 14A:17-1 et seq.), if the LLC or corporation meets the following requirements:

- 1) At least one of the LLC's or corporation's officers or full-time employees is a licensed landscape architect in this State who shall be in responsible charge of the professional services rendered by the LLC or corporation; or
 - 2) The LLC or corporation has entered into a written contract with a New Jersey licensed landscape architect pursuant to N.J.A.C. 13:27-8.13.
- b) In applying for a certificate of authorization, an applicant shall submit to the Board:
- 1) A completed application form approved by the Board, which shall include, at a minimum, the following:
 - i) The name and address of the LLC or corporation and its satellite offices;
 - ii) The names, addresses, license numbers and signatures of all officers, board members, directors, principals and any licensees who shall be in responsible charge of the practice of landscape architecture through the LLC or corporation;
 - iii) The names, addresses, license numbers and amount and percentage of ownership interest of the LLC or corporation of persons who are licensees of the Board or who are closely allied professionals;
 - iv) The names, addresses and amount and percentage of ownership interest of the LLC or corporation of persons who are not licensees of the Board nor closely allied professionals; and
 - v) The name and address of the LLC's or corporation's registered agent for service of process in New Jersey;
 - 2) A certified copy of the Certificate of Formation or Incorporation for an LLC or corporation created in this State or, for an LLC or corporation created outside New Jersey, a certified copy of a Certificate of Authorization issued by the Division of Revenue in the New Jersey Department of the Treasury and a certified copy of the Certificate of Formation or Incorporation, or its equivalent, issued by the home state;

- 3) A copy of the most current annual report filed with the Division of Revenue in the New Jersey Department of the Treasury;
 - 4) If appropriate, a copy of the signed contract entered into pursuant to N.J.A.C. 13:27-8.13; and
 - 5) The application fee and certificate fee as set forth in N.J.A.C. 13:27-8.21.
- c) The certificate of authorization shall designate all New Jersey licensees who are in responsible charge of the landscape architectural activities and decisions of the LLC or corporation. All final drawings, papers and documents involving the practice of landscape architecture, when issued by the LLC or corporation or filed for public record, shall be signed and sealed by the New Jersey licensee who is in responsible charge of the work.
- d) The LLC or corporation that has been issued a certificate of authorization and its licensees who are in responsible charge of the landscape architectural activities and decisions of the LLC or corporation have a continuing duty to inform the Board within 30 days of any change in the information that was provided to the Board as required pursuant to (b) above, including a copy of each annual report filed with the Division of Revenue.
- e) Misrepresentation of any information provided to the Board or failure to provide updated information as required under (d) above shall result in the suspension of the certificate of authorization and/or shall be deemed to be professional misconduct of the licensees found to be in responsible charge of the landscape architectural activities and decisions of the LLC or corporation.

13:27-8.12 BIENNIAL RENEWAL OF CERTIFICATES OF AUTHORIZATION

- a) All certificates of authorization issued by the Board shall be issued for a biennial period. An LLC or corporation seeking renewal of the certificate shall submit a completed renewal application, a copy of the current annual report filed with the Division of Revenue in the New Jersey Department of the Treasury and the renewal fee as set forth in N.J.A.C. 13:27-8.21 prior to the expiration date of the certificate.

- b) The Board shall send a notice of renewal to each certificate holder at the address registered with the Board at least 60 days prior to the expiration of the certificate. If the notice to renew is not sent at least 60 days prior to the expiration date, no monetary penalties or fines shall apply to the certificate holder for failure to renew.
- c) If a certificate holder does not renew the certificate prior to its expiration date, the certificate holder may renew the certificate within 30 days of its expiration by submitting a completed renewal application, a copy of the current annual report filed with the Division of Revenue in the New Jersey Department of the Treasury, and the renewal fee and late fee as set forth in N.J.A.C. 13:27-8.21. During this 30-day period, the certificate shall be valid, and the certificate holder shall not be deemed to be engaged in unauthorized practice.
- d) A certificate of authorization that is not renewed within 30 days of its expiration shall be automatically suspended. An LLC or corporation, other than a professional service corporation established pursuant to the "Professional Service Corporation Act," P.L. 1969, c. 232 (N.J.S.A. 14A:17-1 et seq.), that provides or advertises landscape architectural services while its certificate of authorization is suspended shall be in violation of N.J.S.A. 45:3A-16.
- e) A certificate of authorization that has been automatically suspended for non-renewal may be reinstated upon the LLC or corporation submitting a completed reinstatement application, a copy of the current annual report filed with the Division of Revenue in the New Jersey Department of the Treasury, and the renewal fee and reinstatement fee as set forth in N.J.A.C. 13:27-8.21.

13:27-8.13 CONTRACT REQUIREMENT

- a) Any business corporation or LLC that offers or renders landscape architectural services but does not have an officer or employee licensed as a landscape architect in this State who is in responsible charge shall have a written contract with a New Jersey licensed landscape architect, prior to the offering or rendering of any such service, and shall have obtained a certificate of authorization pursuant to N.J.S.A. 45:3A-16 and N.J.A.C. 13:27-8.11. Such written contract shall clearly indicate the licensee to be in responsible charge of the landscape architectural services.

- b) A licensed landscape architect rendering landscape architectural services for a business corporation or LLC that is required to obtain a certificate of authorization pursuant to N.J.S.A. 45:3A-16 and N.J.A.C. 13:27-8.11 shall not perform such services unless he or she is an officer or an employee of the corporation or LLC or has a written contract with the corporation or LLC prior to rendering professional services and is listed as being in responsible charge on the corporation's or LLC's certificate of authorization.
- c) A licensed landscape architect rendering landscape architectural services who is listed on a corporation's or LLC's certificate of authorization as being in responsible charge of the landscape architecture work, shall notify the Board in writing within 30 days of any change of status regarding the individual(s) in responsible charge of the corporation or LLC. It shall be the duty of the corporation or LLC and the licensed landscape architect(s) listed as being in responsible charge on the certificate of authorization to provide such notification.
- d) Any corporation or LLC that offers or renders landscape architecture services without a Certificate of Authorization or with a lapsed Certificate of Authorization shall be subject to civil penalties as authorized by N.J.S.A. 45:1-25. This subsection shall not apply to a professional service corporation established pursuant to the Professional Service Corporation Act, N.J.S.A. 14A:17-1 et seq.

13:27-8.14 CONTINUING EDUCATION HOUR REQUIREMENTS; WAIVER OR MODIFICATION OF REQUIREMENTS

- a) Except for a landscape architect who, on March 5, 2009, the effective date of P.L. 2008, c. 77, holds a valid certificate issued by the Board, pursuant to N.J.S.A. 45:3A-1 et seq., and who is considered a licensed landscape architect immediately upon that effective date, a licensee shall not be required to obtain continuing education hours during the first biennial renewal period in which the licensee first obtains licensure. For each succeeding biennial renewal period, the licensee shall complete a minimum of 24 hours of continuing education. An architect licensed to practice architecture and licensed to practice landscape architecture in New Jersey shall be required to complete 12 hours of continuing education in landscape architecture as set forth in N.J.S.A. 45:3A-15.
- b) A licensed landscape architect shall receive continuing education credit only for continuing education successfully completed during the biennial licensure period in which

the continuing education was completed, and no continuing education hours may be carried over into a succeeding biennial period.

- c) The Board may, at its discretion, waive, extend or modify continuing education requirements on an individual basis for reasons of emergency or hardship, such as illness or disability that prevents attendance at or completion of continuing education, military service or other good cause as demonstrated by the licensee.
- d) Any licensee seeking a waiver, extension or modification of the continuing education requirements shall submit a request to the Board in writing specifying the reasons for the waiver, extension or modification. The licensee shall also provide the Board with such information as it may reasonably request in support of the request.

13:27-8.15 CONTINUING EDUCATION PROGRAMS AND COURSES

- a) The licensee may obtain continuing education credit as follows:
 - 1) Courses or programs approved by the Board pursuant to N.J.A.C. 13:27-8.17: one hour for each hour of attendance;
 - 2) Seminar, courses, conferences and other programs offered for the purpose of keeping the certificate holder apprised of advancements and new developments in the profession. Suitable programs include, for example, any of the subjects tested in the Landscape Architect Registration Examination (LARE), such as professional practice, design (conceptual site design, planting design, comprehensive site design), communication or design implementation (grading construction details, layout): one hour for each hour of attendance;
 - 3) Successful completion of graduate course work relevant to landscape architecture beyond that required for professional certification, at university-sponsored programs or university-level, subject to Board approval: a maximum of nine hours for each course; or
 - 4) Courses, programs or seminars offered or approved by the New Jersey Department of Environmental Protection that are directly related to the practice of landscape architecture: one hour for each hour of attendance.

- b) The Board shall maintain a list of all approved programs and courses at the Board offices and shall furnish this information to licensees upon request.
- c) A licensee may obtain approval for attendance at a seminar, conference or other program that meets the Board's continuing education requirements. For approval prior to attendance at a seminar, conference or other program, the licensee shall submit to the Board a descriptive outline of the program or a description as prepared by the sponsor, including dates and hours 60 days prior to enrollment. For approval subsequent to attending a seminar, conference or other program, the licensee shall submit to the Board a descriptive outline of the program or a description as prepared by the sponsor, including dates and hours together with written verification of attendance.

13:27-8.16 COMPLIANCE WITH CONTINUING EDUCATION REQUIREMENTS; AUDIT

- a) A licensee applying for license renewal as set forth in N.J.A.C. 13:27-8.7 shall confirm on the renewal application that he or she has completed the required continuing education during the preceding biennial period set forth in N.J.A.C. 13:27-8.14(a).
- b) Each licensee shall be subject to audit by the Board and shall submit documentation of completed continuing education courses and programs upon request. Failure to provide requested documentation or falsification of any information submitted to the Board may result in penalties, pursuant to N.J.S.A. 45:1-22 and 45:1-25, and/or suspension of license, pursuant to N.J.S.A. 45:1-21.
- c) Each licensee shall retain documentation for a period of five years:
 - 1) For attendance at courses or programs approved by the Board, the verification of attendance as set forth in N.J.A.C. 13:27-8.17(b); and
 - 2) For attendance at seminars, conferences and other programs for which the licensee received advanced approval, a descriptive outline of the program or a description as prepared by the sponsor, including dates and hours. For attendance at seminars, conferences and other courses and programs for which the licensee received subsequent approval by the Board, written verification by the sponsor of attendance.

13:27-8.17 RESPONSIBILITIES OF CONTINUING EDUCATION PROVIDERS

- a) At least 60 days prior to offering a course or program, a provider of continuing education for landscape architects shall submit the following for each course or program offered for evaluation by the Board:
 - 1) A detailed description of course or program content and the number of hours of instruction; and
 - 2) A summary of each lecturer's qualifications.
- b) The provider shall monitor the attendance at each approved course or program and furnish to each enrollee a verification of attendance, which shall include at least the following information:
 - 1) The title, date and location of course or program offering;
 - 2) The name and certificate number of the attendee;
 - 3) The number of hours of the course or program and, if known, the number of continuing education hours approved by the Board; and
 - 4) The name and signature of the person responsible for monitoring attendance.
- c) The provider shall solicit evaluations from both the participants and the instructors.
- d) A provider shall not exclude from the course or program any licensee who is not a member of the group or association but may impose a reasonable differential in course or program fees based upon membership within a group or association.

13:27-8.18 (RESERVED)**13:27-8.19 RULES OF PROFESSIONAL CONDUCT**

- a) If, in the course of his or her work on a project, a licensed landscape architect becomes aware of a decision taken by his or her employer or client, against the licensed landscape architect's advice, which violates applicable Federal, State, county or municipal building laws and regulations and which would, in the licensed landscape

architect's exercise of reasonable judgment, materially and adversely affect the health, safety and welfare of the public, the licensed landscape architect shall notify the employer or the client of such consequences and such other public authority as may be appropriate in the situation.

- b) A licensed landscape architect may accept an assignment or employment requiring education or experience outside of his or her field of competence, but only to the extent that the services are restricted to those phases of the project in which he or she may, without undue cost or hardship to the client, reasonably become qualified. All other phases of such project shall be performed by qualified associates, consultants or employees in conformance with the statutes and rules governing their respective professions.
- c) A licensed landscape architect shall not affix a personal signature or seal to any plan or document dealing with subject matter in which there is a lack of competence by virtue of education or experience, nor to any such plan or document not prepared under his or her direct supervision and control.
- d) A licensed landscape architect shall be completely objective and truthful in all professional reports, statements or testimony and shall include all relevant and pertinent information.
- e) When issuing any statements, criticisms or arguments on matters connected with public policy that are inspired or paid for by an interested party, or parties, a licensed landscape architect shall preface such comments by explicit personal identification, by disclosing the identity of the party or parties on whose behalf he or she is speaking, and by revealing the existence of any pecuniary interest he or she may have in the instant matters.
- f) A licensed landscape architect shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to by, all interested parties.

- g) A licensed landscape architect shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their products unless such consideration is disclosed to the client.
- h) A licensed landscape architect shall not solicit or accept gratuities or anything of value not related to work performed, directly or indirectly from contractors, their agents or other parties dealing with his or her client or employer in connection with work for which he or she is responsible.
- i) When in public service as a member, advisor or employee of a governmental body or department, a licensed landscape architect shall not participate in considerations or actions with respect to services provided by the individual or the individual's professional organization in private practice.
- j) A licensed landscape architect shall not solicit or accept a contract from a government body on which a principal or officer of his or her organization serves as a member.
- k) A licensed landscape architect shall not offer to pay, either directly or indirectly, any commission, political contribution, gift or other consideration in order to secure or retain work, exclusive of securing positions through employment agencies.
- l) A licensed landscape architect shall not falsify or permit misrepresentation of academic or professional qualifications. He or she shall not misrepresent or exaggerate degrees of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures or past accomplishments with the intent and purpose of enhancing his or her qualifications and work.
- m) A licensed landscape architect shall not knowingly associate with or permit the use of a personal name or firm name in a business venture by any person or firm which he or she knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature or is otherwise engaging in unlawful activities.

- n) All advertisements and public representations of licensees, which make specific reference to service as a "landscape architect" shall list the name and license number of the licensed landscape architect. If the licensee conducts the practice under a corporation or trade name, the advertisement/public representation may list the business name under which the practice is conducted but shall also conspicuously disclose the name and license number of at least one of the principal practitioners.

- 1) Licensed landscape architects, whose advertisements/listings in a telephone or other consumer information directory do not comply with this requirement, shall immediately notify the directory publisher of the additional data which shall be published in the next available directory in which the licensed landscape architect intends to continue such advertisement/listing. The licensee, personally or through the business entity, shall retain a copy of the notification which shall be made available for inspection at Board request.

- o) If a licensed landscape architect has knowledge or reason to believe that another person or firm may be in violation of any of these provisions, he or she shall present such information to the Board in writing and shall cooperate with the Board in furnishing such further information or assistance as may be required by the Board.

13:27-8.20 (RESERVED)

13:27-8.21 FEES

- a) The following fees shall be charged by the Board for landscape architect license matters. Unless otherwise provided herein, all fees are non-refundable.
 - 1) Application Fee \$ 125.00

 - 2) Initial fee (including seal press)
 - i) If paid during the first year of a biennial renewal period..... 160.00

 - ii) If paid during the second year of a biennial renewal period 80.00

 - 3) Biennial Renewal Fee—Active Status 160.00

- 4) Biennial Renewal Fee—Inactive Status
 (To be determined by the Director by rule)
- 5) Late Fee 50.00
- 6) Reinstatement Fee..... 100.00
- 7) Replacement or duplicate license fee..... 25.00
- 8) Replacement seal press..... 40.00
- 9) Verification of license 25.00

b) Certificate of Authorization fees shall be as follows:

- 1) Application fee \$ 100.00
- 2) Initial licensure
 - i) If paid in the first year of a biennial renewal period..... 500.00
 - ii) If paid in the second year of a biennial renewal period 250.00
- 3) Biennial renewal 500.00
- 4) Late fee 50.00
- 5) Reinstatement fee 300.00

13:27-8.22 NOTIFICATION OF CHANGE OF ADDRESS; SERVICE OF PROCESS

- a) Licensed landscape architects shall notify the Board in writing of any change from the address currently registered with the Board and shown on the most recently issued license. Such notice shall be sent to the Board by certified mail, return receipt requested, no later than 30 days following the change of address. Failure to notify the Board of any change of address may result in disciplinary action.

- b) Service of an administrative complaint or other Board-initiated action at a licensee's address on file with the Board shall be deemed adequate notice when service by certified or regular mail is acceptable and shall allow the commencement of any disciplinary proceedings.