

PROFESSIONAL LICENSURE: ENFORCEMENT (2002, R2018)



Policy Statement

The American Society of Landscape Architects advocates vigorous enforcement of professional landscape architectural licensing laws by the states and U.S. territories to protect the public's health, safety, and welfare. ASLA recommends that penalties be assessed for unlicensed practice, for unlicensed use of the title of landscape architect, and for incompetent or improper practice by licensees.

Rationale

Enforcement of professional licensing statutes is essential to ensure the protection of public health, safety and welfare. States have the responsibility to provide a mechanism with sufficient funding to investigate complaints, to hold administrative hearings ensuring due process, to revoke or suspend licenses, to initiate actions for injunctions, and to bring civil or criminal charges. Vigorous enforcement of licensing laws requires the following:

- clear and legally appropriate language in the statutes and governing rules;
- clear definition of professional landscape architecture practice, including legally authorized services allowed by different professional licensees;
- clear use of the title of landscape architect;
- clear administrative and enforcement procedures;
- understanding, among legislative bodies and enforcement authorities, of the impact of unlicensed activity on the protection of public health, safety, and welfare;
- public awareness of consumer rights and avenues for redress;
- timely investigation of complaints;
- judicial procedures and prosecution of violators;
- willingness of public jurisdictions, the public, and professional practitioners to report, document, and testify on complaints.

Note

This policy is one of an integrated group of policies on licensing issues.