

**CALIFORNIA ARCHITECTS BOARD  
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE  
INITIAL STATEMENT OF REASONS**

Hearing Date: September 13, 2006

Subject Matter of Proposed Regulation: Rules of Professional Conduct

Section Affected: California Code of Regulations (CCR), Title 16, Division 26, section 2670

As a result of legislative reorganization, the Landscape Architects Technical Committee (LATC), established on January 1, 1998, replaced the former Board of Landscape Architects and was placed under the purview of the California Architects Board (Board). Business and Professions Code section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that are reasonably necessary in order to carry out the provisions under the Landscape Architects Practice Act.

SPECIFIC PURPOSE OF AMENDMENT

This proposal would retain the Board's existing rules of professional conduct and do the following: 1) move subsection (a)(3) from the current language under a new Willful Misconduct subheading, subsection (b), to be consistent with the Board's rules of professional conduct for architects under California Code of Regulations, Title 16, Division 2, Section 160; 2) add a new provision under Willful Misconduct, subsection (b)(2), that would require a landscape architect or a candidate for licensure to respond to the Board's requests for information and/or evidence within 30 days whenever the Board is conducting an investigation; 3) add new language under subsection (c)(2) that would require a landscape architect to respond in writing within 30 days to any request from the Board for information solicited in connection with a candidate's application for a license to practice landscape architecture and delete the requirement to report the candidate's education; and 4) make additional clarifying edits to the language.

The specific purpose of this proposal is to improve the effectiveness of the Board's enforcement efforts, which would, in turn, benefit the public. In addition, this proposal adds clarifying language to other rules of professional conduct.

FACTUAL BASIS/RATIONALE

The Board's 2003 and 2004 Strategic Plans directed its Regulatory and Enforcement Committee (REC) to review the Board's rules of professional conduct for architects and propose additional rules or modifications, if necessary. As a result of the review process, the REC identified two new rules of professional conduct that could help improve the effectiveness of the Board's enforcement efforts and benefit the public. Because of the similarities between the practice of architecture and landscape architecture, the Board has determined that the same changes be made to the rules of professional conduct for landscape architects.

### UNDERLYING DATA

None

### BUSINESS IMPACT

This regulation will not have a significant adverse economic impact on businesses. This initial determination is based on the following facts or evidence/documents/testimony:

The proposed regulation sets forth, by regulation, the Board's amended rules of professional conduct for landscape architects.

### SPECIFIC TECHNOLOGIES OR EQUIPMENT

This regulation does not mandate the use of specific technologies or equipment.

### CONSIDERATION OF ALTERNATIVES

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.