



PROFESSIONAL LICENSURE: ENFORCEMENT (2002, R2018, R2023)

Policy Statement

To protect public health, safety, and welfare, the American Society of Landscape Architects endorses active enforcement of professional landscape architectural licensing laws by all 50 states, the District of Columbia, and U.S. territories. ASLA recommends and supports assessment of penalties by regulatory bodies for non-licensed practice, for unlawful use of the title of landscape architect, and for incompetent or improper practice by licensed landscape architects.

Justification

All 50 states, the District of Columbia, and several U.S. territories have the responsibility to actively enforce landscape architectural licensing laws to protect the health, safety, and welfare of the public. Without proper regulation, unqualified individuals may design spaces that are unsafe or fail to meet professional standards, leading to potential harm to the public. Enforcing licensing laws ensures that only qualified professionals who have demonstrated a standard level of knowledge and skill are allowed to practice landscape architecture and use the title of landscape architect.

Issue

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, hold administrative hearings, ensure due process, revoke or suspend licenses, initiate actions for injunctions, and bring civil or criminal charges.

Active enforcement of licensing laws requires:

- clear and legally appropriate language in the statutes and governing rules
- clear definition of a landscape architect and of professional landscape architecture practice
- clear use of the title of landscape architect
- clear administrative and enforcement procedures
- understanding among legislative bodies and enforcement authorities of the impact of non-licensed activity on the public's 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.