



## **MARYLAND BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS**

### **Chapter 09.28.02. Code of Ethics**

#### **09.28.02.01**

##### **.01 Responsibility to the Public.**

A licensee shall make every reasonable effort to protect the safety, health, property, and welfare of the public. If the licensee's professional judgment is overruled under circumstances where the safety, health, property, or welfare of the public is endangered, the licensee shall inform the employer or client of the possible consequences.

#### **09.28.02.02**

##### **.02 Public Statements, Reports, and Testimony.**

A. A licensee may not make statements or reports or give expert testimony on landscape architectural matters connected with public policy if the remarks are inspired or paid for by an interested party, unless the remarks are preceded by:

- (1) Identification;
- (2) Disclosing the identity of the party on whose behalf the remarks are being offered; and
- (3) Revealing the existence of any pecuniary interest in the matter.

B. A licensee may express publicly a professional opinion on a landscape architectural subject only when that opinion is founded upon adequate knowledge of the material facts and a background of technical competence in the subject matter.

C. In any professional report, statement, or testimony, a licensee may not be untruthful, deceptive, or misleading.

D. A licensee may not affix a professional seal other than the licensee's own seal to a professional document.

### **09.28.02.03**

#### **.03 Competency for Assignments Undertaken or Approved.**

A. A licensee may undertake to perform landscape architectural assignments only when qualified to do so by education or experience, or both. If the competence of a licensee to perform an assignment is questioned, the Board either upon request of the licensee, or by its own motion, may require the licensee to submit to a formal or informal inquiry by or on behalf of the Board.

B. A licensee may sign or seal landscape architectural documents only if the:

(1) Licensee is competent in the subject matter of those documents by virtue of education or experience, or both; or

(2) Documents were prepared under the licensee's direction as principal by an individual competent in the subject matter of those documents by virtue of education or experience, or both.

C. When using the seal, a licensee shall affix the licensee's signature immediately adjacent to the impression of the seal.

### **09.28.02.04**

#### **.04 Conflicts of Interest.**

A. A licensee shall make every effort to avoid conflicts of interest with the employer or client. Whenever conflicts of interest appear unavoidable, however, the licensee shall disclose promptly and fully all the circumstances to the employer or client.

B. A licensee shall inform promptly an employer or client of any business association, interests, or circumstances which may influence the judgment or the quality of services rendered to the employer or client.

C. A licensee may not accept compensation, financial or other, from more than one party for services on a project or for services pertaining to a project unless full disclosure is made by the licensee to all interested parties.

D. A licensee may not solicit or accept financial or other valuable consideration from a material supplier or equipment supplier for specifying the supplier's projects, except when the licensee is a previously announced employee or agent of the supplier.

E. Except for gifts of only token value, a licensee may not solicit or accept gratuities, directly or indirectly, from any contractor, architect, engineer, or other party dealing with the licensee's employer or client in connection with work for which the licensee is responsible.

**09.28.02.05**

**.05 Improper Solicitation of Professional Employment.**

A. Except for gifts of only token value and the usual commissions paid to licensed employment agencies, a licensee may not compensate, give anything of value, or offer to compensate or give anything of value:

- (1) To a person or organization to recommend or secure employment as a landscape architect; or
- (2) As a reward for having made a recommendation resulting in his employment as a landscape architect.

B. When competing for professional employment, a licensee may not falsify or permit misrepresentation of the licensee's qualifications or those of the licensee's associates.

**09.28.02.06**

**.06 Knowledge of Improper Conduct by Others.**

Except to the extent the rules of privilege recognized in this State apply, when questioned by a member or authorized representative of the Board concerning an alleged violation of another person or organization, a licensee may not conceal or refuse to divulge any information or make false or misleading statements about the matter.

**09.28.02.07**

**.07 Failure to Respond.**

A. If an applicant or licensee receives from the Board a written communication requesting a response, the applicant or licensee shall respond within 30 days of the date of mailing.

B. The Board shall send a written communication by first-class mail to the last known address furnished to the Board by an applicant or licensee.

C. It is a responsibility of an applicant or licensee to notify the Board in writing if there has been a change in the applicant's or licensee's address.

D. Failure to respond as required by this regulation may be considered by the Board to be a violation of Business Occupations and Professions Article, §9-310(a)(1)(vi), Annotated Code of Maryland.