

Rules of
Department of Economic
Development
Division 196—Landscape Architectural
Council
Chapter 7—Complaints and Correspondence

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**Title 4—DEPARTMENT OF
ECONOMIC DEVELOPMENT
Division 196—Landscape Architectural
Council
Chapter 7—Complaints and
Correspondence**

**4 CSR 196-7.010 Handling Public
Complaints and Routine Matters**

PURPOSE: This rule provides procedures for handling complaints and routine correspondence.

(1) Letters relating to routine council matters shall be answered and signed by the executive director. Letters requiring council action shall be referred to the council.

(2) The council shall receive and process each complaint made against any registered landscape architect, individual or entity, in which the complainant alleges certain circumstances which may constitute one (1) or more violations of the provisions of sections 327.600—327.635, RSMo. Any member of the public or the profession, or any federal, state or local official, may file a complaint with the council. Complaints shall be received from sources outside of Missouri and processed in the same manner as those originating within Missouri. No member of the council shall file a complaint with the council while s/he is a member unless s/he excuses him/herself from council deliberation and voting concerning the matters alleged within that complaint. The director, executive director or any staff member may file a complaint pursuant to this section in the same manner as any member of the public.

(3) A complaint shall be made in writing and may be mailed to Landscape Architectural Council, P.O. Box 1335, Jefferson City, MO 65102, or delivered to 3605 Missouri Boulevard, Jefferson City, Missouri. Complainants shall fully identify themselves by name and address. Oral or telephone communications will result in the complainant receiving a complaint form.

(4) Written complaints shall be maintained by the council and shall contain the complainant's name and address; the name and address of the subject(s) of the complaint; the date each complaint is received by the council; a brief statement concerning the reason for the complaint, including the name of any person injured or victimized by the alleged acts or practices and a notation concerning the ultimate disposition of the complaint.

This information shall be a closed record of the council.

(5) Both the complaint and any information obtained as a result of the investigation of the complaint shall be considered a closed record of the council and shall not be available for inspection by the public. During the investigation, the council and staff shall keep the complaint and the fact of its existence confidential to the extent practicable. Upon written request to the council, a copy of the complaint and any attachments to the complaint shall be provided to any individual who is the subject of that complaint, or his/her legal counsel, after the council has filed an Administrative Hearing Commission complaint.

(6) Each complaint shall be acknowledged in writing and investigated by the council or division personnel. When the investigation is completed, the council shall provide to the complainant, a written response by certified mail regarding the status of the complaint. The complainant shall be notified of the ultimate disposition of the complaint, excluding judicial appeals, and shall be provided a copy of the decisions, if any, of the Administrative Hearing Commission and the council.

(7) This section shall not be deemed to limit the council's authority to file an Administrative Hearing Commission complaint charging a landscape architect with any actionable conduct or violation, whether or not the complaint filed with the Administrative Hearing Commission exceeds the scope of the acts charged in a complaint filed with the council, and whether or not any complaint has been filed with the council.

(8) The council interprets this section, as required by law, to exist for the benefit of those members of the public who submit complaints to the council, and for those persons or entities within the legislative and executive branches of government having supervisory or other responsibilities or control over professional registration. This section is not deemed to protect, or inure to the benefit of, those landscape architects, or other persons against whom the council has instituted or may institute administrative or judicial proceedings concerning possible violations of the provisions of sections 327.600—327.635, RSMo.

(9) The licensee shall respond in writing to the complaint within a time prescribed by the council.

AUTHORITY: section 327.609, RSMo Supp. 1999 and 327.631, RSMo 1994. Original rule filed Feb. 15, 1991, effective July 8, 1991. Amended: Filed June 1, 2000, effective Nov. 30, 2000.*

**Original authority: 327.609, RSMo 1989, amended 1993, 1995; 327.631, RSMo 1989.*