

OFFICE OF CONSUMER PROTECTION

Choosing a Landscaper

May 25, 2021

...and not a Woodchuck

Not all Landscapers are Created Equal

As a consumer, you may need simple yard work done or you may want to create a backyard oasis complete with hardscaping. Perhaps your vision includes a beloved tree that needs care and attention to improve its health and reduce the risk of storm damage. Who should you hire for these very different jobs? In this Newsletter, the Office of Consumer Protection breaks down the various types of firms doing business in this industry.



Landscapers are not Arborists

For the average homeowner's lawn care needs, there may be little need to know the difference between using an arborist or a landscaper. But there is a world of difference for more complex tree and lawn care needs.

The [Tree Care Industry Association](#) breaks the difference between arborists and landscapers:

Traditional landscaping tasks include landscape and hardscape installation, lawn care, lawn irrigation installation and maintenance, mulching, garden bed preparation and maintenance, and



Ensuring Integrity in our Marketplace



If you have any questions or concerns about any consumer transaction, or would like to mediate a dispute for free, please contact the Office of Consumer Protection.

100 Maryland Avenue
Suite 3600
Rockville, MD 20850
Main: 240.777.3636
Tip Line: 240.777.3681
Fax: 240.777.3768
MC311

You can also file a complaint online by clicking [HERE](#)



sometimes shrub pruning... Arboriculture, on the other hand, involves caring for mature trees, tree removal, pruning, cabling, stump grinding.

It's important for homeowners to know the difference for safety reasons.

A landscaper will not necessarily be equipped with the training and the tools needed to perform arboricultural operations safely, or even correctly.



Arborists, however, are highly trained when it comes to working with dangerous equipment, and very knowledgeable when it comes to tree care practices and standards.

Simply put, if your lawn needs a little TLC to get it looking or growing better, call a landscaping company. But, if your trees are looking sick or dangerous, it's time to get in touch with your local tree care company which employs an arborist. For more information arboriculture, check out [TCIA](#) or the [International Society of Arboriculture](#).



The Department of Environmental Protection (DEP) provides information on [RainScapes](#) and how to find professionals who can create them.

Who Needs a License or Permit?

Simple landscaping and lawncare does not require any licenses. If you're mowing the lawn, planting flowers, trimming branches, a traditional landscaper can do so. However, if the lawncare company is applying pesticides (including herbicides) to your lawn (whether for mosquitos or other pests), they must be licensed by the Maryland [Department of Agriculture's Pesticide Regulation Section](#) and also following [Montgomery County's law that ban the use of synthetic pesticides on lawns](#) Moreover, the [Maryland Tree Expert Law](#) requires that all tree care professionals practicing in Maryland must obtain a [license](#) from the [Maryland DNR Forest Service](#). Without a license, they may not practice or advertise tree care services in the state. This Law requires adequate amounts of liability and property damage insurance, as well as continuing education.



Before you dig, you need to check in with [Miss Utility](#) and [WSSC Water](#). Maryland law requires prior notice to all utility operators of any proposed excavation or demolition so that they can mark the locations of any underground infrastructure they have that may be affected by your project. You can either fill out a request [online](#) or calling 811 or 202-265-7177. Miss Utility's service is free.

New lawn irrigation systems require a WSSC Water plumbing permit, inspection, backflow prevention testing, *and* electronic submittal of the passing backflow test result to WSSC Water. Existing lawn irrigation systems require annual backflow prevention testing with passing backflow field test results electronically submitted to WSSC Water.



For more information, please visit WSSC Water's [backflow prevention information page](#). To contact the WSSC Water Cross-Connection Control Program, please email <mailto:CrossConnectionControlProgram@wsscwater.com> or call (301)-206-4004.

Lastly, the DEP has [a Q&A](#) to help you determine if your tree removal requires a permit. You should also read up on Montgomery County [Tree Laws](#) before cutting a tree down.

Hardscaping is not Landscaping

Whenever any earth is moved, or something is affixed to the ground, say a retaining wall, paver stones, patio, or an outdoor kitchen, you are beyond mere landscaping and now need to look for someone with the additional home improvement credentials.



The [Maryland Home Improvement Commission](#) licenses businesses which perform "home improvement" which includes projects like patios and retaining walls. The [definition](#) of "home improvement" includes "an improvement to land adjacent" to the residence, as well as improvements to the residence itself. By hiring an MHIC-licensed contractor, your hardscaping project is also covered by the State's [Guaranty Fund](#).

Organic Lawn Care?

Are businesses advertising organic lawn care but you're not sure if that is what is being delivered? DEP provides some [information](#) and [tips](#) on [going organic](#). The DEP also provides [questions to ask](#) your lawn care provider before hiring them.



Avoiding Woodchucks

When choosing your contractor, make sure to avoid "[Woodchucks](#)." As [MCPD warned](#), Woodchucks typically come door-to-door, offer low prices, use generic invoices for yardwork, take a deposit and never return. They may also pitch to do unlicensed home improvement, and if they return to perform it, the workmanship is rarely good, is unpermitted, lacks inspection for code compliance, and is not covered by the Guaranty Fund.

Before choosing a contractor, OCP provides [some tips](#) on choosing well and avoiding woodchucks.



Choosing a Contractor

OCP provides some tips on how to choose your [lawn](#) and [landscaping and tree service](#).

Summarized, you should:

1. Verify what credentials are needed for the job.
2. Get three estimates after the salesperson walks the property—do not rely on phone estimates.
3. Check the company's [complaint history](#).
4. Ask questions about the type of soil you have, and what products the business recommends for your soil.
5. Ask after liability insurance for their workers while on your property.

You can also review Consumers' Checkbook's tips on choosing [landscapers](#), [lawn care service](#) providers, and [tree care services](#). With these helpful tips, you and your family should be able to enjoy a summer out on your lawn.

