

September/October  
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## NCLCLB News

Your source for NC Licensed Landscape Contractor information.

### FOCUS ON: Tax on Services



In 2016, the North Carolina General Assembly passed several laws enacting tax on services. Thanks to the efforts of many green industry groups, most - but not all - landscape services and related work were deemed exempt from many of the tax on services requirements. However, there were some gray areas in the language, and The North Carolina Department of Revenue (NCDOR) asked for clarification. 2017's tax legislation [SB628](http://www.ncleg.net/Sessions/2017/Bills/Senate/PDF/S628v7.pdf) - [www.ncleg.net/Sessions/2017/Bills/Senate/PDF/S628v7.pdf](http://www.ncleg.net/Sessions/2017/Bills/Senate/PDF/S628v7.pdf) - among other things, attempted to clarify those gray areas. The landscape services exemptions secured in 2016 remain intact, but some of the clarifications - specifically irrigation maintenance and repair services on capital improvement projects (which could include replacement of essential components post construction), and landscape lighting services - are now defined as taxable services.

As a guide, not tax advice, NCDOR published a notice titled [Important Notice: Additional Information Regarding Real Property Contracts and Retail Sales of Repair, Maintenance, and Installation Services to Real Property](http://www.dornrc.com/taxes/sales/impnotice031717_cmirmi.pdf) - [www.dornrc.com/taxes/sales/impnotice031717\\_cmirmi.pdf](http://www.dornrc.com/taxes/sales/impnotice031717_cmirmi.pdf) - earlier this year. This document can guide licensed landscape contractors in understanding if their services are taxable or exempt. There are additional related related links to NCDOR directives in the notice to guide you as well.

Additionally, there are many rules and qualifications to obtain tax exemptions - for example, tax exemption number requirements, state and municipal project bid exemptions, and capital improvement project exemptions. NCDOR's [Important Notice on Transition Issues Relative to Sales and Use Tax Law Changes with Respect to Real Property Contracts; Repair, Maintenance, and Installation Services to Real Property and Other Items](http://www.dornrc.com/taxes/sales/impnotice122216_transitionissues.pdf) - [www.dornrc.com/taxes/sales/impnotice122216\\_transitionissues.pdf](http://www.dornrc.com/taxes/sales/impnotice122216_transitionissues.pdf) - addresses these rules and includes links to additional directives and affidavit forms needed for exemptions.

**THE LAW MUST BE READ AND INTERPRETED CAREFULLY** to ensure your business is in compliance with tax laws! NCLCLB is not qualified to give tax compliance advice. Consult your CPA or tax preparation service, and/or NCDOR, for advice and specific questions related to your company, contracts, and clients.

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### A Look Into the Law - License Reinstatement

It is a new NC Landscape Contractor License year. If you, or a colleague, were a Licensed Landscape Contractor in 2016-2017, but missed the August 1 renewal deadline and/or did not receive enough continuing education credits, you can still be reinstated.

- To reinstate your license, you will need to:
- Submit documentation of continuing education credits;
  - Pay the \$100 reinstatement fee;
  - Pay the \$60 license fee; and
  - Pay the \$25 late renewal fee.



**It may seem like a lot of money, but how much will it cost your business if you don't have a landscape contractor license?** Your landscape contractor license is a tool to keep you above or on an even playing field with your competition, assures you can bid on government bids, and protects your customers. Additionally, the required continuing education helps you stay up to date on current techniques, technologies, and research.

Failure to request a reinstatement of your license and failure to pay the reinstatement fee, renewal fee, and late renewal fee within one year of expiration (August 1, 2018), shall result in the forfeiture of your license. Upon forfeiture, you shall be required to submit a new application and retake the examination.

If you let your license lapse - get reinstated today!

Visit [nclclb.com/individual-license-reinstatement/](http://nclclb.com/individual-license-reinstatement/) for forms and more information.

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## Maintaining Your License



### Continuing Education (CEL)

Licensees need to complete seven (7) hours of Continuing Education (CEL) in a renewal year (August 1 - July 31).

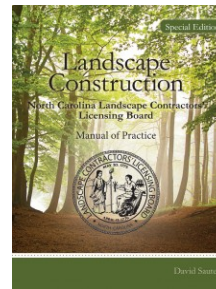
- Three (3) CELs must be technical
- Two (2) CELs must be business
- The two (2) remaining credits can be technical or business.

Do not wait to start getting your credits!

Visit:

[nclclb.com/continuingeducation/continuingeducation-approvedcourses/](http://nclclb.com/continuingeducation/continuingeducation-approvedcourses/)

to search the easy-to-use list of approved courses by course#, provider, date, hours of credit, or location.



### Good References = Good Practices

NCLCLB has created three manuals that every landscaper should have on its shelf. The manuals serve as study guides for license applicants, and comprehensive references for professionals working in the field every day.

#### 1. Guide to Business, Law, and Project Management

#### 2. Manual of Professional Horticulture Practice

#### 3. Landscape Construction Manual of Practice

To order:

[nclclb.com/licensing-2/manuals/](http://nclclb.com/licensing-2/manuals/)

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