

MAINTENANCE GARDENER PEST CONTROL BUSINESS LICENSING REQUIREMENTS

Do you need this license?

You must possess a Maintenance Gardener Pest Control Business (MGB) License if you are a maintenance gardener who occasionally engages in pest control in support of your primary gardening business for hire¹ (Food and Agricultural Code (FAC) section 11704a).

- You are a Maintenance Gardener if your maintenance gardening activities include mowing lawns, engaging in general yard cleanup, and/or taking care of ornamental and turf plants in:
 - Outdoor ornamental and garden areas surrounding public structures, such as buildings, brick walls, fountains, fences, statues;
 - Outdoor ornamental and garden areas surrounding commercial parks, such as, offices, restaurants, warehouses, factories, stores, shopping centers, malls;
 - Parks, golf courses, cemeteries, but only on ornamental or turf plantings near buildings (clubhouses, pro shops, restrooms) that are distinct and separate from the plantings that constitute open space landscaping in a park, golf course or cemetery itself.

If the primary purpose of your business is pest control for hire, you must obtain a Pest Control Business License.

Licensing exemption

Persons doing pest control incidental to new construction are not required to obtain this business license. This includes construction work in establishing new landscapes.

Basic licensing requirements

You may obtain a MGB license by submitting the following:

- Application;
- Appropriate fee;
- Supplemental application information (PR-PML-143);
- Qualified person's identification;
- Proof of Financial responsibility;
- Documents required to verify your business name and type, if applicable;
- Worker's compensation insurance, if applicable.

Definitions and more information will follow.

Qualified person

A qualified person is someone in a supervisory position that holds a valid QAC (with a category *Q-Maintenance Gardener* or category *B-Landscape Maintenance*) or a valid QAL (with a category *B-Landscape Maintenance*). There must be at least one qualified person at each business location at all times (FAC section 11704a).

Please state the name of the qualified person, their license or certificate number, and their license or certificate category as indicated on the application form.

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¹ "For hire" refers to any person who advertises, solicits, or operates as a business.

Financial responsibility

You must demonstrate financial responsibility by choosing one of the options listed below and completing the required form associated with your preferred option (FAC section 11702(c)(2) and Title 3 of the California Code of Regulations (3 CCR) section 6524). All department forms are available in this packet. They are also available on the DPR website: www.cdpr.ca.gov/docs/license/lcforms.htm.

Options	Required Forms	Minimum Amounts		
		Bodily injury per person	Bodily injury per occurrence	Property damage
1) Liability Insurance	Submit one of the following: <ul style="list-style-type: none"> ACORD Certificate of Liability Insurance² Certificate of Insurance (PR-PML-052) 	\$5,000	\$10,000	\$5,000
2) Certificate of Deposit	Proof from bank issuer	\$5,000 (need not exceed \$300,000)		
3) Surety Bond	Pest Control Business Licensees Bond (PR-PML-053)	\$5,000 (need not exceed \$300,000)		
4) Self-Insurance	Liability Certification Statement (PR-PML-170)	Damages paid with personal assets.		

Verifying your business name and type

You must have the following documents to verify your business name and type (FAC section 11702a). If you are the owner of the business and use your surname as part of your business name, then no documents are required.

Document Name	Details
Fictitious Business Name Statement	<ul style="list-style-type: none"> Obtain from the County Clerk’s Office or County Record’s Office. Applies to any business operating under a name other than the owner’s surname.
Certificate of Good Standing	<ul style="list-style-type: none"> Applies to any domestic or foreign corporation operating in California. Must be obtained by registering with the California Secretary of State’s Office at www.ss.ca.gov/business/business.htm.

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² All ACORD Certificate of Liability Insurance forms must state “**The coverage provided by this insurance company and issued to the aforementioned Named Insured fulfills the requirements pursuant to Title 3 of the California Code of Regulations, Code section 6524, including chemical bodily injury and chemical property damage coverage**”, as demonstrated in the provided sample.

**Worker's
compensation
insurance**

You must have worker's compensation insurance if your business has employees (Labor Code section 3300). See the table below for instructions on how to demonstrate that you have met the requirements for worker's compensation insurance.

If you have employees and a valid worker's compensation insurance policy:	<ul style="list-style-type: none">• State the carrier's name, policy number, and expiration date in section H of the application.
If you do not have employees:	<ul style="list-style-type: none">• Write "not applicable" in section H of the application.

NOTE: If you are interested in self-insurance to fulfill this requirement, please go to the California Department of Industrial Relations website at www.dir.ca.gov/SIP/sip.html for information.

**Requirements
after license is
issued**

Once you obtain your license, you must do **all** of the following:

- Register with the County (see below)
 - Retain pest control application notification records for two years,
 - Retain records of pesticide use for two years (3 CCR section 6624),
 - Submit pesticide use report records to County Agricultural Commissioner every 10th of the month (refer to the DPR Laws and Regulations study guide under Pesticide Use Reports for Production Agriculture for more information),
 - Possess valid permits from the County for restricted materials used (3 CCR section 6632),
 - Provide proof of financial responsibility each year by submitting your renewed financial responsibility statement, and
 - Provide proof of worker's compensation insurance (if applicable) each year by submitting a valid certificate of worker's compensation insurance or by completing the Worker's Compensation Insurance Verification form (PR-PML-120), which can be found at www.cdpr.ca.gov/docs/license/lcforms.htm.
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**County
registration**

Before you conduct any work, you must register the MGB license with the county agricultural commissioner's office in each county that your business intends to perform pest control (FAC section 11732). Most counties require an annual fee for registration, which covers one calendar year. For a list of county registration fees, please go to the DPR website at www.cdpr.ca.gov/docs/license/liccert.htm.

To register your MGB license with the County, the qualified person must present the following items to the county agricultural commissioner's office.

- Valid MGB license,
 - Valid QAL/QAC card – Landscape Maintenance (category B) or Maintenance Gardener (category Q), and
 - Inventory of pest control equipment, including number and kind of equipment.
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Application fee

The application fee is **\$80 per calendar year** for this license (3 CCR section 6502).

Depending on the name of your business, you may be required to pay a second year fee of an additional \$80. This distinction is based on the following second year cycles:

If your business name begins with...	Then your license will...
A through L	Expire on December 31 of even-numbered years (e.g. 2010, 2012, 2014, etc.)
M through Z (including businesses starting with "The")	Expire on December 31 of odd numbered years (e.g. 2011, 2013, 2015, etc.)

For example, if you applied for a license under the name "The Best Landscaping Company" in January 2009, then your license expires on December 31, 2009 (in this case, the license duration is one year) and the fee is \$80. If you applied for a license under the name "Best Landscaping Company" in January 2009, then your license expires on December 31, 2010 (in this case, the license duration is two years) and the fee is \$160.

Valid licenses

A list of currently valid business licenses may be viewed at the DPR website at: www.cdpr.ca.gov/docs/license/currlic.htm.

License duration

A new license may be issued for up to two years, depending on when you apply and your license cycle. Each renewed license is valid for two years unless you renew late.

Renewal fee

The renewal fee is \$160 for the 2-year cycle (3 CCR section 6502). We do not prorate your fee if you renew your license late. Instead, a late fee is applied.

Late renewal fee

A late fee of 50 percent of the total renewal fee will be charged for each license postmarked after December 31 of the expiration year.

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Miscellaneous fees

The following chart lists possible miscellaneous fees.

Type	Amount	Details
Name change	\$20	<ul style="list-style-type: none"> • This option applies only if you are changing your business name. <ul style="list-style-type: none"> ○ If you are changing your business status (corporation, partnership, individual, or LLC), or if the owner is changing, you need to apply and pay for a new business license. • You must immediately notify the Licensing and Certification Office in writing (3 CCR section 6508). • You must submit legal documents certifying the name change (i.e. Fictitious Business Name Statement). • A new license will be issued for all name changes. • Name change requests can be submitted by completing the Maintenance Gardener Pest Control Business License application (PR-PML-004) and marking the “Name/Address Change” box.
Address change	\$20 (optional)	<ul style="list-style-type: none"> • You must immediately notify the Licensing and Certification Office in writing (3 CCR section 6508). • This fee is only required if you request a new license. • Address change requests can be submitted by completing the Maintenance Gardener Pest Control Business License application (PR-PML-004) and marking the “Name/Address Change” box.
Duplicate	\$20	<ul style="list-style-type: none"> • This fee applies to requests for a duplicate or replacement license. • Duplicate card requests can be submitted by completing the Maintenance Gardener Pest Control Business License application (PR-PML-004) and marking the “Duplicate/Replacement License” box.

Name and/or address change fees are waived when a license is reprinted during renewal.

Timelines for processing applications

DPR may take up to 100 days to complete the processing of your application after all the required documents are submitted (Government Code sections 15374-15378). Failure to comply with this time period may be appealed to the Agency Secretary, California Environmental Protection Agency, P.O. Box 2815, Sacramento, California, 95814, pursuant to regulations set forth in 3 CCR section 301. Under certain circumstances, the Agency Secretary may order that the applicant receive a reimbursement of filing fees.

Common mistakes

The most common application errors are:

- Incorrect fees;
- No insurance documents, or the insurance documents submitted do not meet our requirements;
- No business type information provided;
- No qualified person listed, or the qualified person has the wrong license type.

You can avoid these errors by reading the application instructions carefully.

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**Our physical
address**

Department of Pesticide Regulation
Pest Management and Licensing Branch
Licensing and Certification Program
1001 I Street
Sacramento, CA 95814-2828

**Our mailing
address**

Department of Pesticide Regulation
Pest Management and Licensing Branch
Licensing and Certification Program
P.O. Box 4015
Sacramento, CA 95812-4015

**For more
information**

You may contact us between the hours of 8 a.m. to 5 p.m. at (916) 445-4038, or e-mail us at licenseemail@cdpr.ca.gov.
