

# Gazette

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REGULATORY COMPLIANCE DEPARTMENT, PEO

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The Discipline Committee of the Association of Professional Engineers of Ontario

In the matter of a hearing under *the Professional Engineers Act*, R.S.O. 1990, Chapter P. 28

And in the matter of a complaint regarding the conduct of

## A Member

a member of the Association of Professional Engineers of Ontario

BETWEEN:

The Association of Professional Engineers of Ontario and

A Member

## Findings and Order

**A** Panel of the Discipline Committee of the Association of Professional Engineers of Ontario (PEO) met in the offices of the association on February 25, 2002, to hear allegations of professional misconduct against a member of the association.

Both PEO and the member were represented by legal counsel. Independent legal counsel was in attendance for the Panel of the Discipline Committee.

The allegations against the member were stated in Appendix A to the Fresh Notice Hearing dated January 28, 2002, as follows:

### Appendix A

It is alleged that the member is guilty of professional misconduct as defined in Section 72 of Regulation 941 under the *Professional Engineers Act* (the Act), the

particulars of which are as follows:

1. The member was first licensed as a professional engineer in the Province of Ontario in June 1981.
2. On or before March 7, 1995, Company A, of which the member was a principal, was retained by an architect to provide electrical consulting engineering services relative to the design of fire alarm system (FAS) upgrades for five existing buildings in order to bring the FASs into compliance with the requirements of Part 9 (Retrofit) of the *Ontario Fire Code*. Three of the buildings were located in Etobicoke, Ontario, one in North York, Ontario, and one in Toronto, Ontario.
3. The member is a mechanical engineer. Company A's electrical engineer

was unavailable to work on the project, and accordingly the member engaged Engineer Z of Company Z to produce electronic files from hand-drafted original drawings for the FASs for three of the five buildings.

4. In that regard, three drawings, each titled "FA-1," were produced as electronic files by Engineer Z and dated March 12, 1995. There was one drawing for each of the buildings located in Etobicoke. The member's seal, but not his dated signature, appeared on all three drawings.
5. Sometime after March 15, 1995, the member signed and sealed General Review Commitment Certificates for the electrical work at the buildings located in Etobicoke.
6. Two drawings, also titled "FA-1" were produced by an employee of Company A with the initials "A.B." for the buildings located in North York and Toronto. These drawings were dated March 20, 1995 and March 22, 1995, respectively, and were sealed and signed, but not dated, by the member.
7. The FASs in all five buildings were upgraded in accordance with the various drawings titled FA-1. On October 20, 1995, the member sealed and signed but did not date three letters certifying that the FASs for the Etobicoke buildings had been installed in accordance with the building permit documents.
8. On February 22, 1996, the Etobicoke Fire Department conducted tests of the FASs in the three Etobicoke buildings and found the audibility level of the signalling devices to be inadequate. By letter dated February 23, 1996, the Fire Department notified the owner of the buildings that the minimum acceptable sound pressure was 15 decibels above ambient, with a minimum of 65 decibels.
9. On April 22, 1996, an audio test of the FAS at the North York building was carried out. The results demonstrated that there was insufficient audio coverage produced by the corridor bells to meet the *Ontario Fire Code*. Recommendations were made for changes

to correct the shortcomings.

10. On June 12, 1996, the Toronto Fire Department conducted tests of the FAS at the Toronto building. Again, the results showed that there was insufficient audio coverage produced by the corridor bells to meet the *Ontario Fire Code*. Again, recommendations were made for changes to address the shortcomings.
11. Two independent experts (being two principals of a firm involved in fire safety engineering) were engaged by PEO to review the drawings and specifications relative to the five FASs in issue in the complaint in this matter.
12. The experts reached a total of 13 conclusions with respect to this review.
13. With respect to seven of the experts' 13 conclusions, the experts concluded that the conduct in issue, while not acceptable in their opinion, was in fact common in the industry, having regard to a certain degree of confusion as to the relevant standards and interpretation of relevant standards in fire safety engineering.
14. With respect to the experts' remaining six conclusions, the experts expressed the opinion that these items indicated a lack of required understanding, engineering judgment and effort in preparing the designs in question:
  - (a) The retrofit designs should have included the provision of smoke detectors in corridors in all buildings required to comply with *Ontario Fire Code*, Section 9.6, except the North York building where they were included;
  - (b) An incorrect reference was made to ULC S536 where this should have indicated ULC S537;
  - (c) One drawing indicated conflicting information where both bells and mini-horns are required for the same purpose;
  - (d) In one case the design for audible signal layout is delegated to the contractor/supplier without requirements for engi-

neering approval prior to installation;

- (e) The reference to class "A or B" audibles is confusing since it is wiring that is installed in a class A or B manner and not devices. As well, there appears to be no justification for the added expense; and
  - (f) There is no indication that engineering judgment has been applied to the design, since there is no specific information on the drawings with respect to existing conditions or constraints. It has been left to the contractor to determine how the work is to be done.
15. Having regard to their agreement with these conclusions, PEO and the member agree that the member:
    - (a) signed and sealed General Review Commitment Certificates for work that he was not competent to review by virtue of his training and experience;
    - (b) sealed drawings for electrical engineering design work on life safety systems, which he was not competent to perform by virtue of his training and experience;
    - (c) provided sealed certifications regarding the installation of three fire alarm systems, which he was not competent to do by virtue of his training and experience;
    - (d) sealed designs for fire alarm systems that did not comply with the *Ontario Fire Code*;
    - (e) failed to provide details and specifications to establish standards for the work to be performed;
    - (f) breached Section 53 of Regulation 941 made under the *Professional Engineers Act*, R.S.O. 1990, c. P.28 by failing to sign and date his seal on the fire alarm system drawings for the Etobicoke buildings; and
    - (g) did not meet the standard of engineering practice for professional engineers performing this type of work.

**16. As such, the parties agree that the member is guilty of professional misconduct under the following definitions of professional misconduct (in Section**

## 72 of Regulation 941):

- ◆ **Section 72(2)(a): “negligence”;**
- ◆ **Section 72(2)(b): “failure to make reasonable provision for the safeguarding of life, health or property of a person who may be affected by the work for which the practitioner is responsible”;**
- ◆ **Section 72(2)(d): “failure to make responsible provision for complying with applicable statutes, regulations, standards, codes, by-laws and rules in connection with work being undertaken by or under the responsibility of the practitioner”;**
- ◆ **Section 72(2)(g): “breach of the Act or Regulations, other than an action that is solely a breach of the Code of Ethics”;**
- ◆ **Section 72(2)(h): “undertaking work the practitioner is not competent to perform by virtue of the practitioner’s training and experience”;** and
- ◆ **Section 72(2)(j): “conduct or an act relevant to the practice of professional engineering that, having regard to all the circumstances, would reasonably be regarded by the engineering profession as disgraceful, dishonourable or unprofessional”.**

Specifically by reference to paragraphs 1 through 15 above, the parties further agree that by virtue of failing to comply with various provisions of the *Ontario Fire Code*, by failing to sign and date his seal on certain fire alarm drawings, by virtue of performing work that in the opinion of the experts reflected a lack of understanding of various aspects of fire safety engineering, and by giving inadequate attention to certain details and requirements of a project, the member’s conduct gives rise

to the findings of professional misconduct under section 72 of Regulation 941.

## Findings

The member admitted to the allegations set out in the Fresh Notice of Hearing. The Panel conducted a plea inquiry and was satisfied that the member’s admission was voluntary, informed and unequivocal.

Counsel for PEO reviewed the admitted facts as set out in the Fresh Notice of Hearing with the Panel. He advised that PEO was not alleging that the member’s conduct was disgraceful or dishonourable, as alleged in section 72(2)(j) of Regulation 941, but rather that the conduct was unprofessional.

The Panel considered the facts as admitted by the member in the Fresh Notice of Hearing and found that the facts support a finding of professional misconduct and, in particular, found that the member is guilty of professional misconduct as alleged in paragraph 16 of the Fresh Notice of Hearing.

## Penalty order

Counsel for PEO advised the Panel that a Joint Submission as to Penalty had been agreed upon. He indicated that this was a serious matter in that the member had entered into an area where, by his experience and training, he was not adequately qualified and that although no harm resulted to the public, this was a matter of concern to PEO. By way of mitigation, however, the member had practised for many years in Ontario and his work as a professional engineer was never in question in the past. It was the first time that the member did commit such a violation and he was not engaged in any sort of other violations in the past. Counsel for PEO further noted that the member was cooperative with the investigation and admitted the violation.

Counsel for the member stated that the matter has caused his client much distress

and that the member was very sorry for the violation. He suggested that the public interest would be appropriately protected through the terms of the Joint Submission as to Penalty as agreed between his client and PEO.

**The Panel accepted the Joint Submission as to Penalty and accordingly ordered:**

- 1. that the member’s licence be suspended for a period of six months;**
- 2. having regard to the member’s cooperation with PEO in this matter, the suspension set out in item 1 above itself be suspended in its entirety on the following conditions**
  - (a) that it henceforth be a term and restriction on the member’s licence that he not engage in the design or specification of fire alarm systems, subject to further order from the Discipline Committee,**
  - (b) that the member receive a reprimand not to be recorded on the Register, and**
  - (c) that the findings and Order of the Discipline Committee in this matter be published without names;**
- 3. no order with respect to costs.**

The Panel concluded that the proposed penalty is reasonable and in the public interest. The member has cooperated with PEO and, by agreeing to the facts and a proposed penalty, has accepted responsibility for his actions and has facilitated in bringing this matter to a close.

The written Decision and Reason was dated April 18, 2002, and signed by the Chair of the Panel, Kam Elguindi, P.Eng., for and on behalf of the other members of the Panel: Denis Dixon, P.Eng., Jim Lucey, P. Eng., Lawrence McCall, P.Eng., and Max Perera, P.Eng.

## Note from the Regulatory Compliance department

The member waived his right of appeal in this matter and the reprimand was administered by the Panel at the conclusion of the hearing. The term and restriction on the member’s licence was entered on the Register on February 25, 2002.

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The Discipline Committee of the Association of Professional Engineers of Ontario

In the matter of a hearing under *the Professional Engineers Act*, R.S.O. 1990, Chapter P. 28

And in the matter of a complaint regarding the conduct of

## Engineer X

a member of the Association of Professional Engineers of Ontario and

## Company X

a holder of a Certificate of Authorization

BETWEEN:

The Association of Professional Engineers of Ontario and

Engineer X and Company X

## Summary of Decision and Reasons

**A** Panel of the Discipline Committee of the Association of Professional Engineers of Ontario (PEO) met in the offices of the association on July 4, 2002, to hear allegations of professional misconduct and incompetence against Engineer X, a member of PEO, and allegations of professional misconduct against Company X, a holder of a Certificate of Authorization issued by PEO.

Engineer X admitted that he and Company X were guilty of professional misconduct as defined in the *Professional Engineers Act* (the Act), based on the following circumstances:

1. Engineer X was first licensed as a professional engineer in the Province of Ontario in September 1987.
2. Engineer X, operating as a sole proprietor under the business name and style of "Company X" was at all material times the holder of a Certificate of Authorization under the Act.
3. In or about January 2000, a client retained Engineer X and Company X

to conduct a load/strength test on a roof panel manufactured by the client.

4. Engineer X issued an "Engineering Report on Roof Panel Test" dated January 10, 2000, bearing his signature and seal. The report was issued on the letterhead of Company X.
5. The report referred to the panel in question as a "Fire Rated Roof and Wall Panel." The report also stated that the panel "conforms to O.B.C. Section 3.1.4.2," which O.B.C. section addresses protection of foamed plastics in combustible construction.
6. The panel tested was a three-inch thick composite aluminum sandwich roof panel with ".024 T5 alum., sheets" around a "1.5 pcf Polyurethane Core" and with "7/16" oriented strand board ("OSB") wood sheathing laminated to the aluminum on one face of the panel.
7. The report provided no basis for the description of the panel as "fire rated" and no basis for the statement that the panel conformed to O.B.C. Section

3.1.4.2.

Engineer X admitted the facts set out above, admitting that this conduct constituted professional misconduct. The panel conducted a plea inquiry and was satisfied that the member's admission was voluntary, informed and unequivocal.

Engineer X admitted that he neglected to provide sufficient information that the roof/wall panel complied with O.B.C. and was fire rated. He agreed that he ought to have spelled out the requirements regarding the installation to ensure "as built" it would have met the manufacturer's standards.

Engineer X recognized that to the extent that he relied on that level of detail regarding O.B.C., he should have spelled out the details regarding mechanical fastness and he ought to have specified details regarding strand board, as there was the possibility that someone installing these items in the field would have relied on his report with respect to fire rating and O.B.C. compliance.

Counsel for PEO indicated that PEO was content with Engineer X's admis-



sion of professional misconduct being made on this basis.

## Decision

The panel considered the facts as admitted and agreed to by Engineer X and found that the facts supported a finding of professional misconduct and, in particular, found that Engineer X committed an act of professional misconduct as defined in Regulation 941 as follows:

- ◆ **Section 72(2)(d): failure to make responsible provision for complying with applicable standards in connection with work being undertaken by or under the responsibility of the practitioner.**
- ◆ **Section 72(2)(h): undertaking work the practitioner is not competent to perform by virtue of the practitioner's training and experience.**
- ◆ **Section 72(2)(j): conduct or an act relevant to the practice of professional engineering that, having regard to all the circumstances, would be regarded by the engineering profession as unprofessional.**

## Penalty

Counsel for PEO advised the panel that a Joint Submission as to Penalty had been agreed upon. Counsel submitted that the penalty would address the goals of general and specific deterrence. Counsel for Engineer X emphasized that Engineer X had learned his lesson and was unlikely to commit these forms of professional misconduct again. He stressed that Engineer X had cooperated with PEO.

**The panel accepted the Joint Submission as to Penalty and accordingly ordered that:**

- 1. Engineer X will receive a reprimand, to be recorded in PEO's Register for period of 12 months.**
- 2. Engineer X will be suspended from practice for a period of three months.**
- 3. The above suspension will itself be suspended provided that Engineer X:**
  - (a) writes and passes the Professional Practice Examination within a period of 12 months from July 4, 2002; and**
  - (b) provides a written undertaking that he will not engage in fire protection issues under the O.B.C. or otherwise and a term of this undertaking will be that any breach of it will be deemed to constitute professional misconduct.**
- 4. A summary of these proceedings shall be printed in the association's Gazette, omitting the name of the Member and the holder of the Certificate of Authorization.**

The panel concluded that the proposed penalty is reasonable and in the public interest. Engineer X had cooperated with PEO and, by agreeing to the facts and a proposed penalty, had accepted responsibility for his actions. The panel concluded that the proposed penalty addressed the needs of general and specific deterrence in the circumstances of this case. Finally, in the panel's view, this penalty would send the appropriate message to the profession that this form of professional misconduct will not be tolerated.

The written Decision and Reasons in this matter were dated October 16, 2002, and were signed by the Chair of the Panel, Lawrence McCall, P.Eng., for and on behalf of the other members of

the Discipline Panel: Daniela Iliescu, P.Eng., Ken Lopez, P.Eng., Nick Mon-sour, P.Eng., David Smith, P.Eng.

## Notice of Licence Revocation

At a discipline hearing held on October 1, 2003, at the offices of the association in Toronto, the Discipline Committee revoked the licence of Wiktor Kwiatek. Pursuant to Section 29(1) of the *Professional Engineers Act*, the revocation takes effect immediately, in spite of any appeal that may be made by Kwiatek, because he was found guilty of incompetence.

The Decision and Reasons of the Discipline Committee will be published in due course.

## Notice of Licence Suspension

At a Discipline Hearing held on March 26, 2002, at the offices of the association in Toronto, the Discipline Committee suspended the licence of Hamzey A. Ali, for a minimum period of 12 months. Mr. Ali appealed the Committee's decision to the Divisional Court and the appeal was dismissed for delay on October 27, 2003. Therefore, the suspension of Mr. Ali's licence took effect on October 27, 2003.

The Decision and Reasons of the Discipline Committee will be published in due course.

## Note from the Regulatory Compliance department

Engineer X waived his right of appeal in this matter and the reprimand was administered by the Panel at the conclusion of the hearing. Engineer X provided PEO with the written undertaking on August 12, 2002. He wrote and passed the Professional Practice Examination in December 2002.

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The Discipline Committee of the Association of Professional Engineers of Ontario

In the matter of a hearing under *the Professional Engineers Act*, R.S.O. 1990, Chapter P. 28

And in the matter of a complaint regarding the conduct of

## Engineer A

a member of the Association of Professional Engineers of Ontario and

## Company A

a holder of a Certificate of Authorization

BETWEEN:

The Association of Professional Engineers of Ontario and

Engineer A and Company A

## Summary of Decision and Reasons

A Panel of the Discipline Committee of the Association of Professional Engineers of Ontario (PEO) met in the offices of the association on September 4, 2002, to hear allegations of professional misconduct against Engineer A, a member of PEO, and Company A, a holder of a Certificate of Authorization issued by PEO.

### The Allegations

The allegations against Engineer A and Company A related to a storm water management report for a proposed residential development. The initial report (Report 1) was issued by Company A in January 1997 and submitted to the town for review and approval. In February 1997, the town provided extensive comments to Company A regarding Report 1.

In April 1997, Company A submitted a second storm water management report (Report 2) for the project, along with associated drawings, to the town and other responsible agencies, including the regional municipality and conservation authority, for review and approval. Between May 1997 and July 1997, the town and other agencies

provided extensive comments to Engineer A and Company A regarding Report 2. One agency noted that the submission did not satisfactorily address concerns regarding storm water quantity and quality control, and erosion and sediment control.

In April 1998, Company A prepared a further revised storm water management report (Report 3), which was again submitted to the Town and other agencies for review.

It was alleged that Engineer A and Company A provided Report 3, which was substantially similar to Report 2 and Report 1, despite comments received from the various review and approval agencies. It was further alleged that Report 1, Report 2 and Report 3 were inadequate, failed to meet the minimum standard that would be expected from a professional engineer, contained errors, omissions, and deficiencies, and did not comply with the requirements of applicable guidelines. Examples included:

- (i) incorrectly numbered catchments;
- (ii) no justification for the use of the design storm selected;
- (iii) no confirmation of the estimated coefficient of permeability for the infiltration trenches was provided;

- (iv) numerous inconsistencies in the channel lengths, gradients and routing of catchments areas in the computer model of the system;
- (v) the actual pond design did not show any attempt at softening the design to be less obtrusive in a residential setting; and
- (vi) other options did not appear to have been considered to reduce the impact of the ponds on the overall subdivision.

On this basis, it was alleged that Engineer A and Company A were guilty of professional misconduct as defined in Section 28(2)(b) of the *Professional Engineers Act*, R.S.O. 1990, Chapter P.28.

Engineer A and Company A admitted all of the particulars as well as the allegations of professional misconduct. The panel conducted a plea inquiry and was satisfied that the admission by Engineer A and Company A was voluntary, informed and unequivocal.

### Decision

The panel considered the facts as admitted to by Engineer A and Company A

and found that the facts supported a finding of professional misconduct and in particular, finds that Engineer A and Company A committed acts of professional misconduct as follows:

- ◆ **Section 72(2)(a): negligence as defined at Section 72(1): In this section, “negligence” means an act or an omission in the carrying out of the work of a practitioner that constitutes a failure to maintain the standards that a reasonable and prudent practitioner would maintain in the circumstances;**
- ◆ **Section 72(2)(b): failure to make reasonable provision for the safeguarding of life, health, or property of a person who may be affected by the work for which the practitioner is responsible;**
- ◆ **Section 72(2)(d): failure to make responsible provision for complying with applicable statutes, regulations, standards, codes, by-laws and rules in connection with work being undertaken by or under the responsibility of the practitioner;**
- ◆ **Section 72(2)(g): breach of the Act or regulation, other than an action that is solely a breach of the code of ethics;**
- ◆ **Section 72(2)(h): undertaking work the practitioner is not competent to perform by virtue of the practitioner’s training and experience; and**
- ◆ **Section 72(2)(j): conduct or an act relevant to the practice of professional engineering that, having regard to all the circumstances, would reasonably be regarded by the engineering profession as unprofessional.**

## Penalty

Counsel for PEO advised the Panel that a Joint Submission as to Penalty had been agreed upon. PEO counsel also advised that Engineer A had been retained by Company B on a contract basis and was presently being supervised by a senior engineer employed by Company B. It was agreed between the parties that if Engineer A ceases to work exclusively for Company B, he must immediately report this job change to the Registrar and consent to a Practice Inspection by a professional engineer acceptable to PEO. The engineer performing the inspection would provide a report to the Registrar without delay, and this report must be acceptable to the Registrar. Failure to satisfy this requirement would be deemed to be equivalent to failure to pass the required examinations included in the penalty agreement.

**The Panel accepted the Joint Submission as to Penalty and accordingly made the following order:**

- 1. A four-month suspension of Engineer A’s licence and Company A’s Certificate of Authorization, which suspension will be entirely suspended, provided that:**
  - (a) Engineer A writes and successfully passes the PEO Professional Practice Examination within one year of the date of this decision; and**
  - (b) Engineer A writes and successfully passes the 98-Civ-A3: Municipal Engineering examination within one year of the date of this decision.**
- 2. If Engineer A does not successfully pass the examinations referred to in paragraph 1(a) and (b) within one year from the date of this decision, then the four-month suspension of Engineer A’s licence and Company A’s**

**Certificate of Authorization referred to in paragraph 1 will be imposed at the expiry of the one-year period.**

- 3. If Engineer A has not passed both examinations in the one year plus four-month period, then a further six-month suspension of Engineer A’s licence and Company A’s Certificate of Authorization will be imposed for a total period of suspension of ten months.**
- 4. Engineer A will receive a reprimand.**
- 5. If Engineer A ceases to work for Company B, he must immediately report this job change to the Registrar and consent to a Practice Inspection by a professional engineer acceptable to the PEO.**

**The engineer performing the inspection will provide a report to the Registrar without delay, and this report must be acceptable to the Registrar. Failure to satisfy this requirement will be deemed to be equivalent to failure to pass the required examinations.**

- 6. A summary of the decision shall be published in the *Gazette*, without names. If the requirement to successfully pass examinations is not fulfilled within one year of the date of this decision, and the suspensions are imposed, and a summary of this decision will be republished, with names.**

The written Decision and Reasons in this matter were dated December 18, 2002, and were signed by the Chair of the Panel, Lawrence McCall, P.Eng., for and on behalf of the other members of the Panel of the Discipline Committee: Barry Hitchcock, P.Eng., Ken Lopez, P. Eng., Nick Mon-sour, P.Eng., Colin Moore, P. Eng.

### Note from the Regulatory Compliance department

Engineer A wrote and passed the Professional Practice Examination and the 98-Civ-A3 (Municipal Engineering). He continues to work exclusively for Company B.

## Summary of Scheduled Discipline Hearings

This schedule is subject to change. For further information contact PEO at 416-224-1100; toll free 1-800-339-3716.

Any person wishing to attend a hearing should contact the Manager, Complaints & Discipline, at extension 474.

All hearings commence at 9:30 a.m.

NOTE: These are allegations only. It is PEO's burden to prove these allegations during the discipline hearing. No adverse inference regarding the status, qualifications or character of the member or C of A holder should be made based on the allegations listed herein.

Further details regarding the allegations against the members and certificate of Authorization holders listed below can be found on PEO's web site at [www.peo.on.ca](http://www.peo.on.ca)

### November 24 to 27, 2003

Timothy E. Leier, P.Eng., and Walters Consulting Corporation (Walters)

It is alleged that Leier is guilty of incompetence as defined in Section 28(3)(a) of the *Professional Engineers Act*.

It is alleged that Leier and Walters are guilty of professional misconduct as defined in Section 28(2)(b) of the *Professional Engineers Act*.

### December 8 to 10, 2003

Michael A. Schor, P.Eng., and M.A. Steelcon Engineering Ltd (Steelcon)

It is alleged that Schor is guilty of incompetence as defined in Section 28(3)(a) of the *Professional Engineers Act*.

It is alleged that Schor and Steelcon are guilty of professional misconduct as defined in Section 28(2)(b) of the *Professional Engineers Act*.

### January 26 to 28, 2004

William Tessler, P.Eng., and Sonterlan Corporation

It is alleged that Tessler is guilty of incompetence as defined in Section 28(3)(a) of the *Professional Engineers Act*.

It is alleged that Tessler and Sonterlan are guilty of professional misconduct as defined in Section 28(2)(b) of the *Professional Engineers Act*.

### February 3 to 4, 2004

John Kadlec, P.Eng.

It is alleged that Kadlec is guilty of professional misconduct as defined in Section 28(2)(b) of the *Professional Engineers Act*.

### March 22 to 25, 2004

Victor F. Wilcox, P.Eng., and Barrie Inspection & Engineering Ltd (BIEL)

It is alleged that Wilcox is guilty of incompetence as defined in Section 28(3)(a) of the *Professional Engineers Act*.

It is alleged that Wilcox and BIEL are guilty of professional misconduct as defined in Section 28(2)(b) of the *Professional Engineers Act*.

## Council approves designation and redesignation of Consulting Engineers

At the 418th Meeting of Council held on September 20, 2003, the following members were designated or redesignated as Consulting Engineers pursuant to Ontario Regulation 941 made under the *Professional Engineers Act*. Also listed are firms to which Council has granted permission to use the title "Consulting Engineers".

Designation as a Consulting Engineer is for a period of five years. At the end of that time, the member must apply for redesignation. Anyone wishing information about the Consulting Engineers Designation Program may contact PEO's C of A Coordinator, Department of Licensing and Registration, at 1-800-339-3716, or (416) 224-1100, ext. 491.

### Newly designated Consulting Engineers

**Janos Ivan Garami, P.Eng.**  
Geo-Canada Ltd.

Markham, ON

**Ibrahim Khaled, P.Eng.**  
KIB Consultants Inc  
Kanata, ON

**Edward McCarron, P.Eng.**

Edward McCarron, P.Eng.  
Kitchener, ON

**Halina Ploska, P.Eng.**

Reinders Consultants Limited  
Brampton, ON

**Cynthia Sypher, P.Eng.**

RCM Technologies  
Mississauga, ON

**David Wood, P.Eng.**

David F. Wood Consulting Ltd.  
Sudbury, ON

### Redesignated Consulting Engineers

Rolf Anzenavs, P.Eng.

Harold Belore, P.Eng.

Zoltan Bodroghkozy, P.Eng.

Tai Bui, P.Eng.

Frank Burford, P.Eng.

Robert J. Burnside, P.Eng.

Edward Dries, P.Eng.

Harold Droppo, P.Eng.

Vincenzo Gambino, P.Eng.

Anand Goel, P.Eng.

Gary Gray, P.Eng.

Arde Shir Irani, P.Eng.

David Ivor, P.Eng.

Manohar Khemani, P.Eng.

Pritam Lamba, P.Eng.

Gabriel Litvin, P.Eng.

Yung Chieh Liu, P.Eng.

Livia Mattacchione, P.Eng.

Stanley McGillis, P.Eng.

Richard Nalezty, P.Eng.

Gabriel Rohekar, P.Eng.

Pat Silano, P.Eng.

Wayne Stacey, P.Eng.

Alfred Tam, P.Eng.

Andrew Truax, P.Eng.

Warren Vaughan, P.Eng.

Paul Wiancko, P.Eng.

### Certificate of Authorization holders granted permission to use the title "Consulting Engineers"

**Aqua Terre Solutions Inc.**

Nepean, ON

**Decommissioning Consulting Services Limited**

Richmond Hill, ON

**SRC Engineering Ontario Ltd.**

Toronto, ON