

loads were incorrect in the first two sets, allowable bearing capacities were not clearly noted, and bearing elevations were not marked. All drawings had the same two dates on the seals, regardless of when they were submitted. The lack of detail with respect to the proper soil-bearing capacity and footing location would create a design with undersized footings if placed at the incorrect elevation.

The member, on behalf of himself and the holder, admitted the allegations contained in the Agreed Statement of Facts. The panel conducted a plea inquiry and was satisfied that the admissions were voluntary, informed and unequivocal.

It was agreed that the drawings and the work carried out by the member and the holder fell below the expected standard of practice for engineering work of this type. It was further agreed that the member and the holder were guilty of professional misconduct, and acted unprofessionally.

The member and the holder had signed and sealed two sets of structural drawings that should have been marked “preliminary” since they were based upon incomplete architectural drawings. These drawings had incorrect design loads, which led to undersized footings. The final third set of drawings did not specify elevations based upon two available geotechnical reports, and the potential existed for undersizing the footings.

The parties agreed on a Joint Submission as to Penalty and Costs. The panel accepted that the proposed penalty in the joint submission was reasonable and in the public interest, and the panel accordingly ordered:

- (a) The member and holder shall be given an oral reprimand, and the fact of the reprimand shall be recorded on the register for a period of six months;
- (b) The member and holders shall submit, within four months of the date of the hearing, a Quality Assurance Plan acceptable to the registrar, and to be thereafter implemented by the member and holder.
- (c) The member and holder shall undergo a series of quality control practice inspections in accordance with the terms of reference.
- (d) A summary of the Decisions and Reasons, with names, will be published in *Engineering Dimensions*.
- (e) There shall be no order as to costs.

The parties waived appeal rights. An oral reprimand was given at the conclusion of the hearing.

This summary of the Decision and Reasons was signed by Michael Wesa, P.Eng., as chair of this discipline panel, and on behalf of the other members of the discipline panel: J.E. Benson, P.Eng., Ishwar Bhatia, P.Eng., Ravi Gupta, P.Eng., and Martha Stauch.

HAMILTON AREA BUSINESS OWNER FINED \$6,000 FOR USE OF A FABRICATED PROFESSIONAL ENGINEER’S SEAL

On November 22, Asif Siddiqui of Milton, Ontario, was convicted of breaching the *Professional Engineers Act* by the Ontario Court of Justice and fined \$6,000 for use of a fabricated professional engineer’s seal.

In March 2015, Siddiqui was undertaking renovations at a SUBWAY restaurant franchise, which he owned through a corporation. Siddiqui submitted a building permit application and a technical drawing bearing a fabricated professional engineer’s seal to the building division at the City of Hamilton. A professional engineer with the building division identified the seal as a forgery and notified the affected professional engineer, who then notified PEO.

His Worship Justice of the Peace Jerry Woloschuk convicted Siddiqui of one offence relating to use of the seal. Despite readily apparent flaws with the seal, and the fact that the drawing did not come directly from the affected professional engineer, Siddiqui failed to exercise due diligence and take steps to verify the seal before submitting the drawing to the building department.

Nick Hambleton, associate counsel, regulatory compliance, represented PEO in this matter. PEO would like to thank the affected professional engineer and several persons involved with the renovations, as well as the Hamilton building department for their co-operation in the investigation.