

**IN THE MATTER OF THE *ENGINEERS AND GEOSCIENTISTS ACT*
R.S.B.C. 1996, CHAPTER 116**

and

IN THE MATTER OF Reza Ghodousi, P.Eng.

Engineers and Geoscientists BC File No. T18-002

CONSENT ORDER

Background

1. On June 2, 2020, the Association of Professional Engineers and Geoscientists of the Province of British Columbia (the "Association"), also operating as Engineers and Geoscientists BC, issued a Notice of Inquiry to Reza Ghodousi, P.Eng. ("Mr. Ghodousi") pursuant to s. 32 of the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116 (the "*Act*").
2. The Association and Mr. Ghodousi wish to resolve the matter by consent pursuant to section 32.1 of the *Act* in order to avoid the need for a disciplinary inquiry.
3. Mr. Ghodousi's membership status with the Association is currently non-practicing.

Admissions

4. Mr. Ghodousi admits the allegations set out in the Notice of Inquiry, namely that:
 - a. He demonstrated incompetence, negligence or unprofessional conduct by failing to design and verify a fire suppression system for a dental office located at [REDACTED] (the "Project") to the reasonable standard expected of a professional engineer by signing and affixing his seal to drawings for the Project:
 - i. which utilized a design method only permitted for single family or duplex residential occupancy; and
 - ii. which were neither prepared by Mr. Ghodousi nor prepared under his direct supervision;
 - b. His conduct described in paragraph (a) was in breach of section s. 20(9) of the *Act*, which requires that a member receiving a seal or stamp under this section must use it, with signature and date, to seal or stamp estimates,

specifications, reports, documents, plans, or things that have been prepared and delivered by the member or licensee in the member or licensee's professional capacity or that have been prepared and delivered under the member or licensee's direct supervision;

- c. His conduct set out in paragraph (a) was also contrary to:
- i. Principle 1 of the Association's Code of Ethics, which requires that members and licensees hold paramount the safety, health and welfare of the public, the protection of the environment and promote health and safety within the workplace;
 - ii. Principle 2 of the Association's Code of Ethics, which requires that members and licensees undertake and accept responsibility for professional assignments only when qualified by training or experience;
 - iii. Principle 3 of the Association's Code of Ethics, which requires that members and licensees provide an opinion on a professional subject only when it is founded upon adequate knowledge and honest conviction; and
 - iv. Principle 6 of the Association's Code of Ethics, which requires that members and licensees keep themselves informed in order to maintain their competence; and
- d. He breached section 30(4)(a) of the *Act* by failing to provide the Subcommittee of the Investigation Committee with a copy of his complete file for the Project, as requested on June 29, 2018. Specifically, in responding to the Subcommittee's request on July 3, 2018, he failed to provide a copy of all his correspondence with the City of Surrey, and with another engineer regarding the Project.

Disposition

5. By consent, this Order is made pursuant to section 32.1 of the *Act*.
6. Should Mr. Ghodousi's membership status in the Association revert back to practicing at any time in the future, from the date practicing status is reinstated, Mr. Ghodousi's membership in the Association will be suspended for a period of four (4) months.
7. If Mr. Ghodousi wishes to return to practicing status with the Association, he must first provide written notice to the Association that he has completed and passed the Association's Professional Practice Examination.

8. If Mr. Ghodousi's membership status is changed to practicing at any time in the future, he agrees to undergo a Practice Review conducted by the Association, and pay the costs associated with the Practice Review, within six (6) months of the completion of the suspension period set out in paragraph 6.
9. Mr. Ghodousi agrees that he will not perform any engineering work related to fire suppression systems (the "Practice Restriction"). If Mr. Ghodousi wishes to lift or modify the Practice Restriction, he must:
 - a. Provide proof to the Association that he has completed and passed the **NFPA 13, Standard for the Installation of Sprinkler Systems Online Training Series**, offered by the National Fire Protection Association (the "Course"), at his own expense.
 - b. After successful completion of the Course, he may apply for reinstatement of full practice rights and request that the Association's Credentials Committee lift the Practice Restriction (the "Competency Application").

In partial fulfilment of the Competency Application, Mr. Ghodousi shall report his updated experience and competencies through the Association's Competency-Based Assessment system, using the 34 key competencies with generic indicators and providing registered professional engineers practicing in the fire suppression discipline as Validators, as described in the Association's *Competency Assessment Guide*. The validated competency assessment will be assessed by fire suppression Assessors, as described in the Association *Competency Assessment Guide*.

- c. After Mr. Ghodousi's Competency Application is reviewed by the Validators and the Assessors, the Association's Credentials Committee shall review Mr. Ghodousi's Competency Application. An interview may be required to further assess Mr. Ghodousi's competency to return to full practice rights. If the Credentials Committee is of the opinion that Mr. Ghodousi is competent to practice fire suppression engineering, the Credentials Committee may lift the Practice Restriction at paragraph 9, and reinstate Mr. Ghodousi's full practice rights. No fees will be charged to Mr. Ghodousi in relation to the Competency Application.
10. Mr. Ghodousi will pay \$3,000 towards the Association's legal costs within 30 days of the date of this Consent Order.
11. If Mr. Ghodousi fails to comply with the requirements set out above in paragraphs 8, and 9, his membership in the Association will be suspended until he has done so.

Consequences of the Consent Order

- 12. The full text or a summary of this Consent Order will be published by the Association in print and electronic publications including on the Association's website.
- 13. This Consent Order has the same force and effect as an Order made under section 33(2) of the *Act* and may be dealt with under section 34 of the *Act* if conditions in the Consent Order are not met.
- 14. Mr. Ghodousi agrees that the Association has advised him that he should receive independent legal advice regarding this Consent Order and that he has had the benefit of independent legal advice regarding this Consent Order.
- 15. The Association and Mr. Ghodousi agree that this Consent Order may be executed in counterparts and delivered as an electronic document.
- 16. This Consent Order is approved and accepted by Mr. Ghodousi and the members of the Discipline Committee Review Panel this 18 day of Aug, 2020.

<original signed by>

Reza Ghodousi, P.Eng.

Mahdi Ghodousi

Name of Witness

<original signed by>

Signature of Witness

<original signed by>

Derek Cooper, P.Eng.
Member, Discipline Committee

<original signed by>

Neil Cumming, P.Eng.
Member, Discipline Committee

<original signed by>

Bruce Nicholson, P.Eng., non-practicing
Member, Discipline Committee