



Gazette

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Discipline Committee of the Association of Professional Engineers of Ontario
In the Matter of a Hearing Under the *Professional Engineers Act*, RSO 1990, Chapter P.28 And
in the Matter of a Complaint Regarding the Conduct of

Tzaifa Shen, P.Eng.

A Member of the Association of Professional Engineers of Ontario, and

Future Steel Buildings Limited

A Holder of a Certificate of Authorization
Between the Association of Professional Engineers of Ontario and
Tzaifa Shen, P.Eng. and Future Steel Buildings Limited

Decisions and Reasons

A panel of the Discipline Committee of the association met in the offices of the association on October 1 and 2, 1996, to hear allegations of incompetence and professional misconduct against Tzaifa Shen and professional misconduct against Future Steel Buildings Limited, (hereinafter referred to as "Shen" and "Future," respectively).

Michael Royce, of Lenczner Slaght Royce Smith Griffin, appeared as legal counsel for the association. Shen and Future were represented by Silja S. Seppi, of Keyser Mason Ball.

The hearing arose as a result of Shen's involvement in the design of a steelarch building addition at 1873 Port Robinson Road in the City of Thorold, (hereinafter referred to as "Thorold") and Shen's and Future's involvement in the design, supply, and erection of a steelarch building in the

Township of Anson, Hindon and Minden, (hereinafter referred to as "Minden").

The allegations of professional misconduct and incompetence set out in Appendix "A" to the Notice of Hearing regarding the Thorold project and filed as an exhibit are summarized as follows:

Appendix "A"

1. On September 8, 1993, Nick Loch, of Nick Loch & Son Construction, (hereinafter referred to as "Loch") applied to Thorold for a building permit with respect to a steelarch building attached to an existing two-storey, wood-frame structure located at 1873 Port Robinson Road in Thorold. The wood-frame structure was approximately 16' wide, 86' long and 24' high, while the steel building to be constructed beside it was to be approximately 45' wide, 150' long and 19' high.

2. Before a permit could be issued, Thorold advised Loch that a professional engineer would have to approve the structural design of the steel building, the structural integrity of the connections of the steel building to the existing foundation, and the structural rigidity and integrity of the wood structure, and that Loch would have to provide a Site Plan, showing elevations and grading, and revised as-built drawings showing the existing wood-frame structure.

3. On November 18, 1993, Shen sealed, signed and dated a drawing numbered "AZ-100," showing the cross-sectional front and side elevations of a steel-arch building "Model Q46-16," 45'5" wide by 15' high and 150' long. The title blocks indicated that the drawing was the property of Future.

4. On December 7, 1993, Shen sealed a second drawing, num-

bered "AZ-I00," similar to the aforementioned drawing, except that the building length was only 24'3" and there was no notation that it was the property of Future.

5. On December 8, 1993, Shen sealed (signed and or dated) approximately 13 other drawings regarding this structure, including two drawings with respect to the design for the foundation of the steel building.

6. On December 8, 1993, Loch submitted the aforementioned drawings sealed by Shen to Thorold in support of an application for a building permit.

7. On December 8, 1993, Shen orally advised Thorold that he knew of nothing wrong with the aforementioned buildings or their footings, and so sealed, signed and dated a letter to Thorold stating that the structure was "safe and sturdy" and that the only thing wrong was the plywood was weather-beaten on the outside but all right on the inside.

8. Shen's drawings were found to be deficient as follows:

◆ with respect to the steel-arch building:

a) The foundation plan showing details of the partition occurring midway along the steel-arch building was poorly detailed, showing no anchors or girts,

b) The concrete grouting detail was poor, in that the grouting would likely crack and spall off with the temperature and flexural movement of the steel shell,

c) The foundation wall and footing work were poorly detailed, since the location and clearance for the reinforcement steel was not shown, and it was unclear whether the foundation wall was intended to act as a cantilevered retaining wall or whether the thrust was to be resisted by the passive resistance of the back fill,

d) The allowable soil-bearing pressure of 5,000 psf noted in a drawing detail conflicted with the 2,000 psf noted on the November 18, 1993, and the December 8, 1993, drawings, e) The connection between the top of the foundation wall and the steel arch was not clearly detailed; a structural review is

required to determine if it can safely resist the horizontal and vertical forces, and

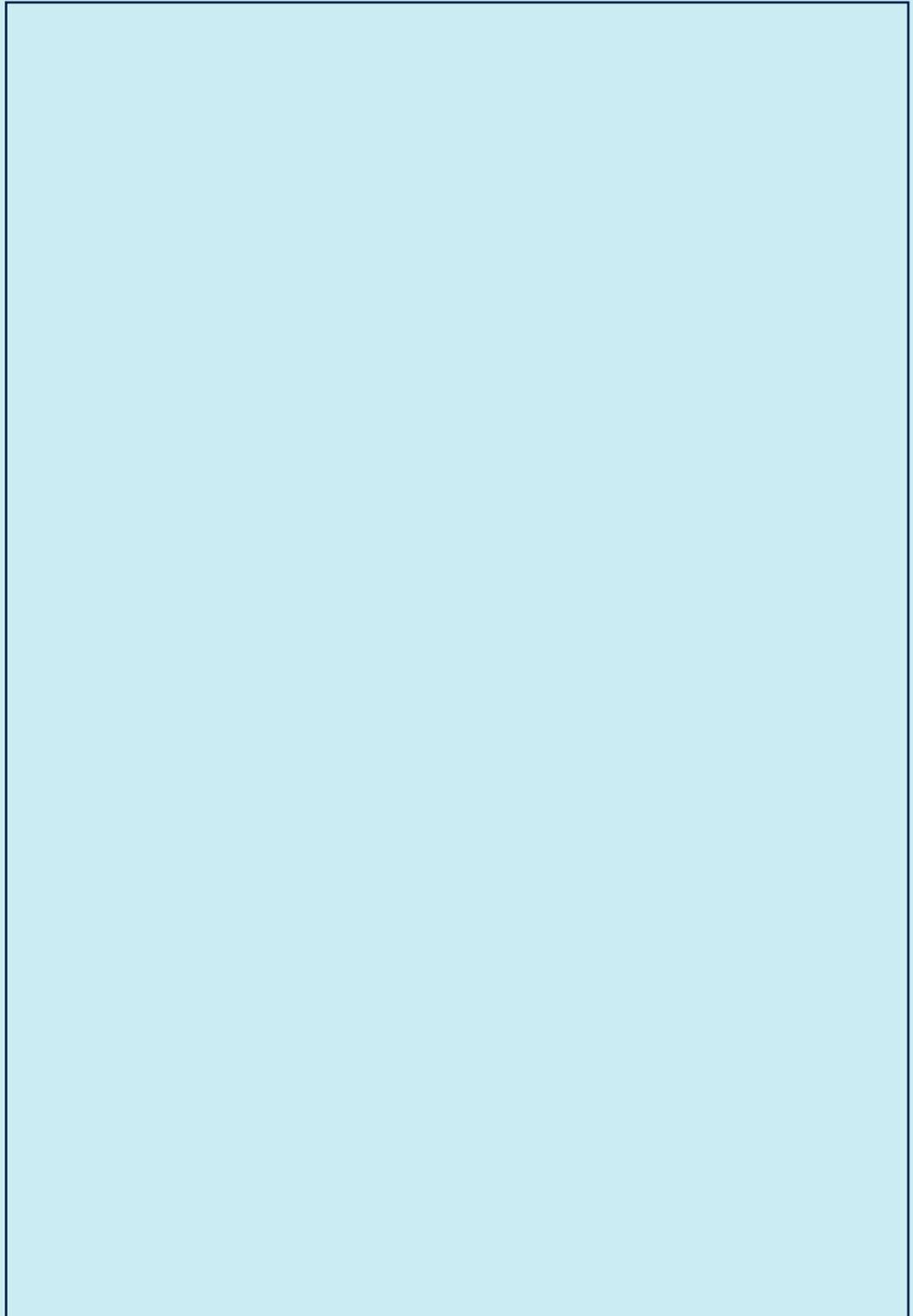
f) There were no framing details for the end wall that contained the large doors with a beam cantilevered beyond the steel arch at each side, which is subject to very large wind loads, and lintels and openings were

not detailed on the structural drawings;

◆ with respect to the two-storey, wood-frame structure:

a) The inside and outside wall details were for a masonry wall, but were annotated for wood-stud construction;

b) A sectional drawing showing 2" x 12" joist construction at



12" centres conflicted with the framing plan that showed 2" x 16" at 16" centres, which would not carry the minimum live load for warehouse floor space required by the Canadian Farm Building Code 1990;

c) The wood species and grade, and hold-down anchorage of connections were not shown;

d) The connection details between the wood and steel structures were not shown, with the result that a critical stability problem, resulting from the fact that the structure is 24' high and has insufficient lateral resistance to wind loads, was not addressed in the drawings;

e) a drawing showed a 2" x 4" dwarf wall in the basement of the structure, but this wall was not shown in the sectional drawing, nor were the footing details shown on the foundation drawing for the structure;

f) The triple 2" x 12" built-up beams supporting the floor joist were substantially overstressed according to the minimum design live load for agricultural warehouse space;

g) There were no details shown in the structure's floor or roof framing plans for openings such as stairs and access hatches, and the structural framing around the openings.

9. In summary, Shen:

- ◆ sealed drawings which were inadequate for the purpose of obtaining a building permit or for construction;

- ◆ sealed drawings containing deficiencies, omissions, inaccuracies and conflicting information;

- ◆ sealed drawings for a design of a structure which has unacceptable overstresses and which violated the OBC and the Canadian Farm Building Code;

◆ confirmed orally and in writing that the buildings, footing and foundations were safe and sturdy, when in fact they were not;

- ◆ sealed drawings that he did not actually prepare or check; and

- ◆ engaged in the provision of professional services to the public without a Certificate of Authorization.

The allegations of professional misconduct and incompetence regarding the Minden project as set out in Appendix "B" to the notice of hearing and filed as an exhibit are summarized as follows:

Appendix "B"

1. Based on quotations dated June 20, and July 12, 1991, Minden entered into a contract with Future to supply and erect, complete with footings, a curved steel-arch building with four fibreglass roof skylights.

2. On July 15, 1991, Shen, as an employee of Future, sealed the design-load sheet dated July 16, 1991, for the building, and confirmed that the steel-arch building was designed according to the OBC 1990.

3. On July 16, 1991, Shen sealed, signed, and dated a drawing numbered "Q-91-097" for a "Model S45" steel-arch building showing design and construction details.

4. The structure to be located on the Minden fairgrounds was to be approximately 62' long, 45' wide, and 19' high.

5. After the town received the above-mentioned design load sheet, it advised Future on July 17, 1991, that it would not accept delivery of the building based on the live loads indicated on the sheet. Future had advised the Minden Fair Board that it would provide a letter guaranteeing that the building was designed and sold for its intended use as a public building for exhibits.

6. Subsequently, on July 18, 1991, Shen submitted a revised design-load sheet, sealed and signed, but not dated, to Minden. On the basis of the revised design sheet, the building was accepted and erected in August 1991, and has been

used as an exhibit building for public use.

7. The drawing submitted by Shen was found to be deficient in that:

- ◆ No allowance for the four skylights was made;

- ◆ There was no reference to the OBC/90;

- ◆ The design ground snow loads should have been shown as Snow = 52.2 psf, and Rain = 8.4 psf, in accordance with OBC/90 instead of the ground snow load of 71 psf shown on the drawing;

- ◆ Material specifications "A-446 Grade 50" should have been "A-446 Grade D";

- ◆ The tensile strength of A-446 Grade D should have been shown as 65 ksi, not 60 ksi;

- ◆ The steel thicknesses were improperly specified by using gauge numbers;

- ◆ The #3 and #4 bars and stirrups shown for the foundation were obsolete references;

- ◆ The demarcation between panel thickness was not clearly shown.

8. Shen's drawing was to a substantial and improper extent copied, without consent or permission, from a drawing Prepared by Pioneer Steel Manufacturing Ltd., a competitor of Future.

9. In summary, Shen and Future:

- ◆ sealed a drawing containing omissions, inaccuracies, conflicting information and incorrect design loads, and

- ◆ sealed a drawing that was substantially copied from another drawing without permission from the owners of the original drawing.

In regard to the Thorold project, Mr. Royce called as the association's first witness Debra Buck, building inspector for the City of Thorold. Ms. Buck testified that she graduated as a construction technologist in 1987 from Niagara College.

She explained, chronologically, her association with the

project. She showed the Committee a series of photographs of the site, which she took from April 6, 1992, to February 22, 1994, following complaints from neighbours. She testified that the permit issued in 1984 for construction at the site was cancelled in 1987. As a result of complaints from neighbours regarding construction activities at the site, Ms. Buck issued an Order to Comply to Loch, the builder. Despite the aforementioned Order, construction continued and Ms. Buck issued a Stop Work Order on September 7, 1993. Subsequently, on September 8, 1993, Loch delivered an application for a building permit for the steel building to her office.

Since the city found the supporting drawing unacceptable, Loch withdrew the application but continued construction of the building. As a result Ms. Buck served Loch with four Summons on November 11, 1993, regarding construction without a permit. Despite the Summons, Loch continued construction until the entire building was in place by November 29, 1993.

Ms. Buck stated that on December 8, 1993, Loch submitted to her office two sets of plans for the steel building sealed and signed by Shen, and dated. November 18, and December 7, 1993, along with a letter dated December 8, 1993 and a series of plans stamped but not dated nor signed. These latter plans were described by her to be copies of the initial plans submitted with the wood structure in the original permit application in 1984, which had been subsequently cancelled.

In the December 8, 1993, letter sealed, signed, and dated by Shen, he stated that the building was safe and sturdy. She testified that he reconfirmed this view when telephoned by Ms. Buck the same day.

In cross-examination of Ms.

Buck, Ms. Seppi suggested that the telephone conversation on December 8, 1993, between her and Shen was not successful because she was upset with Loch's past actions and Shen had difficulty with the English language. Ms. Buck reported that she did not take the frustrations with the project personally and that she had repeated her questions slowly to Shen. In response to a question from the Panel, Ms. Buck confirmed that Shen had sealed only the Site Plan and the letter of December 8, 1993, and had only stamped, but not dated or signed, the remaining plans in that package.

The second witness for the association regarding the Thorold project was Bruce Hastings, P.Eng., chairman of Hastings & Aziz Ltd. Mr. Hastings, a structural consultant, was asked by the association to review the drawings submitted by Shen. Mr. Hastings' evidence confirmed the charges laid out in paragraphs 8 and 9 of Appendix "A." He concluded that Shen's drawings submitted from the permit did not meet an acceptable standard.

In cross-examination by Ms. Seppi, Hastings admitted that the drawings of Exhibit 12, which detailed and resembled sketches, could be considered preliminary drawings even though they had been stamped by Shen. Ms. Seppi noted that only the first drawing and the last letter had been sealed, and the others had just been stamped, but not dated or signed. Mr. Hastings stated that if the drawings were to be considered preliminary and not for construction, they should have been marked accordingly.

In leading evidence regarding the second project, a curved steel-arch building with skylights at Minden, Mr. Royce introduced Terry Powell, president of Pioneer Steel Manufacturing Limited. Mr. Powell indicated that Shen's drawing

number "Q-91-097" for a "Model S45" curved steel-arch building at Minden was to a substantial and improper extent copied from a drawing prepared by Pioneer Steel Manufacturing Ltd., without consent or permission.

The second witness for the association regarding the Minden project was Tom Trestain, P.Eng. Mr. Trestain, a consulting structural engineer, provided evidence that confirmed the information regarding the charges of deficiencies in Shen's drawings, as outlined in paragraphs 7, 8 and 9 of Appendix "B." Mr. Trestain believed that the drawings submitted by Shen were not satisfactory for permit approval or construction and did not meet acceptable engineering standards. Also, he did not believe it proper if the drawings were copied from Pioneer without their consent.

Under cross-examination by Ms. Seppi, Trestain admitted that some of his concerns, such as the specification and tensile strength of material A-446 Grade D, did not affect the structural integrity of the building. Mr. Trestain indicated that evaluating the adequacy of the foundation was not part of his study for the association. However, he believed that the foundation work was suspect. Also, Mr. Trestain noted that the location of the skylights would affect the structural capacity of the building.

In presenting the defendants' case, Ms. Seppi called Shen as her first witness. Shen testified that he graduated in civil engineering in 1969 at Missouri USA. After various assignments with other companies, Shen worked at Future from 1985 to present as a design engineer.

In regard to the Thorold project, Shen reported that Future's president had asked him to help Loch obtain a building permit. This was the first and only time that he had

worked independent of Future. These drawings were given to Shen at the site on November 18, 1993. Shen sealed drawing Exhibit 10 at the site on November 18, 1993; however, he testified that he had not approved the 150' length indicated on the drawing.

He sealed one similar drawing, on December 7, 1993, with the length of the building indicated as 24'3". The existing wood structure was never checked by him, since at the time of his visit to the site on November 18, 1993, at 5:00 a.m., it was too dark.

In regard to the series of sketches and letter, Shen stated that the sketches were not his work and he should have put them in the garbage because of their poor quality. He admitted to stamping the sketches, but just sealed the site plans and did not sign or date the others. He reported that the letter of December 8, 1993, was prepared by Loch and faxed to him for his signature and seal. He indicated that the building referenced in the letter by him as safe and sturdy was the arched-steel building.

Shen testified that he never had further involvement with the project after December 8, 1993, when Ms. Buck had phoned him in a very upset manner, until he heard about a complaint from PEO. He had been unaware of Loch's disregard for the Stop Work Order, and other attempts by Thorold to resolve the situation.

In providing evidence with respect to the Minden project, Shen reported that he was not aware that any of the drawings of arched-steel buildings used at Future had been the property of Pioneer. These drawings had been in place at Future before he joined the company and Pioneer's name did not appear on them. The template was used daily but recently had been replaced by computer-assisted drawings.

In response to the charges

that obsolete references to steel thickness and imperial measures were used in the Minden project, Shen reported that over 90% of Future's customers are in the USA and these customers had no problem dealing with them. However; he admitted that referencing the U.S. Building Code was a mistake with respect to skylights.

Shen stated that they were not part of his design and had been added subsequently to his design. He calculated that his design would accommodate a snow load of 71 psf., and agreed that the tensile strength should have been 65 ksi instead of 60 ksi as shown on the drawing, Exhibit 18. In regard to his use of gauge numbers for thicknesses and bar numbers, he reported that everyone at Future used these terms and no one in the factory would have problems understanding them.

Under cross-examination by Mr. Royce with respect to the Thorold Project, Shen reported that Future supplied only the 24'3" length of the steel-arch building and not the 150' length indicated on the drawing. Loch purchased the extra length from another supplier.

Shen testified that he did not design the 150'-long structure, just the 24' 3" length and therefore he took responsibility only for the part of the building that he designed.

In his letter of December 8, 1993, he reported that the remarks about safe and sturdy referred just to the part of the building that he had designed. Shen stated that his calculations found the foundation to be all right. However, he admitted that he should have been more cautious before signing the December 8, 1993, letter.

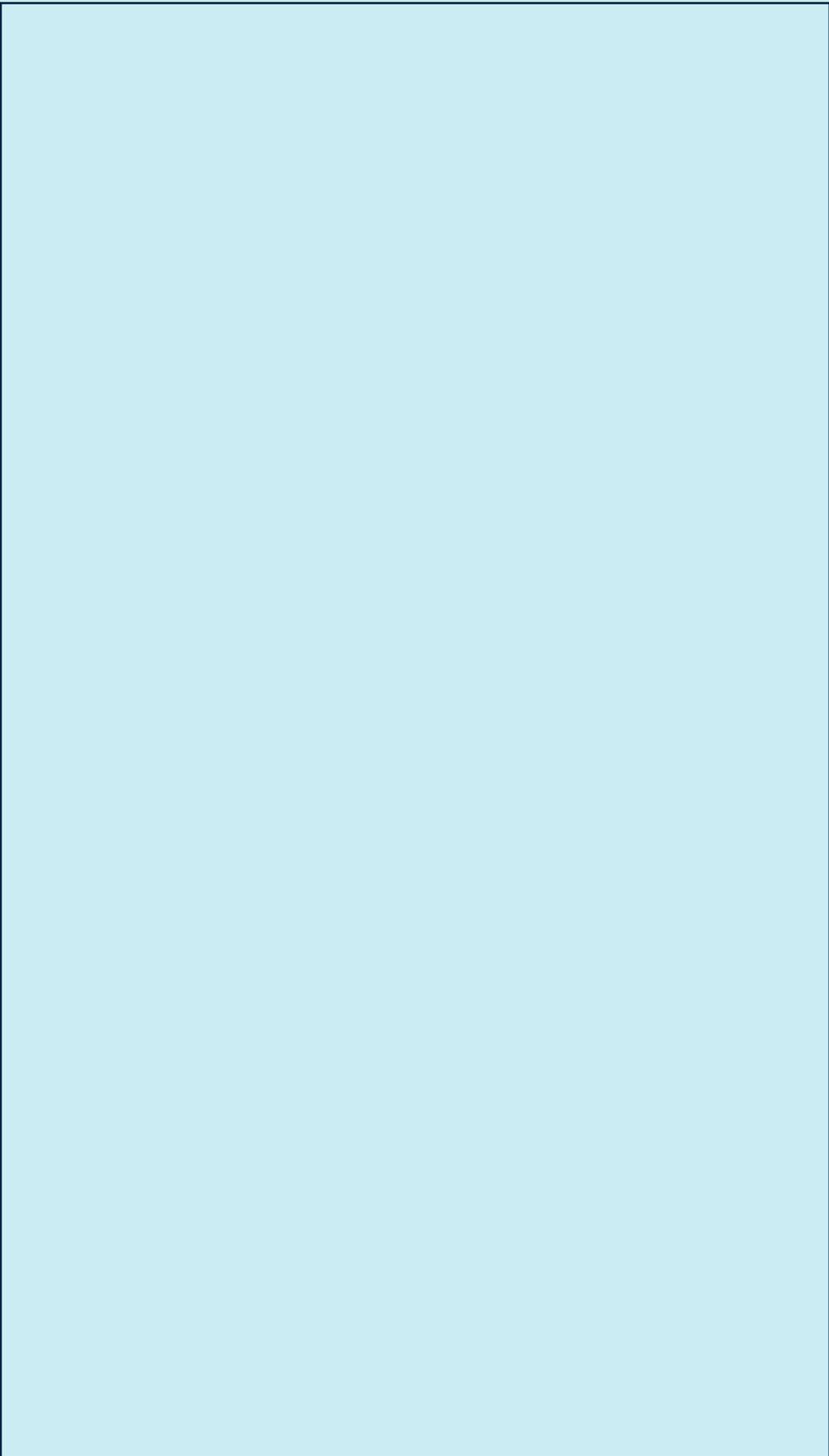
In response to a question from the Panel, Shen stated that he did not know who prepared the sketches that he stamped. Also, he advised the

Panel that 5:00 a.m. was the only time available for his site visit due to his heavy workload. He reported that was the first time he ever made a field inspection, since Future does not make field inspections. This particular field inspection was made at the request of Loch and Shen's boss.

He testified that he prepares approximately 20 drawings a day for projects as an employee of Future. When questioned about the foundations for the two projects, he reported that he did not design the foundation for the Thorold project, but did design the Minden Project. He indicated that he would check the Minden foundation design when questioned on its adequacy, since the tiebars had been removed from the drawing. He advised the Panel that he was the only professional engineer on staff at Future.

Ms. Seppi's second witness was Sabino Scarponi, who has been the engineering manager of technical support at Future for the past three years. His duties include answering technical questions for customers, reviewing the drawings, and working on special projects with Shen to make sure drawings are complete. He explained that Future manufactures the steel buildings for its subsidiary AZ Technical, which sells them.

Mr. Scarponi testified that in the last three years, new procedures were in place at Future, so that all drawings are reviewed by Shen, himself, and two other junior engineers, that is all of Shen's drawings were now reviewed by him. Also, other than being drawn manually, the drawings were now done by computer on the CAD system. He reported that Shen no longer deals directly with the customers. Also, he reported that any additions to projects (such as adding skylights) now automatically go through engineering and not



to the president as was the case in the past.

In response to cross-examination by Mr. Royce, Mr. Scarponi reported that he was not a professional engineer, but graduated from Humber College in mechanical drafting. The two junior engineers mentioned in his testimony were

architectural draftsman from community colleges. He advised the Panel that if the foundation design shown on the drawings was not acceptable for a site-specific location, then the client must have a professional engineer design it. In response to questions from the Panel, Mr. Scarponi report-

ed that the company has about 80 employees, and sells about 4600 buildings a year and that Shen reports to him.

In reply evidence, Mr. Scarponi explained to Ms. Seppi that all the buildings are preengineered and only 15%-20% require review by a professional engineer.

In summation, Mr. Royce stated that Shen had stamped drawings recklessly at Thorold, and sealed a letter stating that the building was safe and sturdy, even though he had not made a sufficient investigation to determine its condition.

With respect to the Minden project, Mr. Royce noted that Shen had made no reference to OBC, nor had made any allowance for the skylights. Since Shen was the only professional engineer at Future, he was responsible for their Certificate of Authorization.

In her summation, Ms. Seppi noted that Shen had been a model engineer until he was involved in a situation outside his normal duties. He was drawn into an inspection situation over which he did not have sufficient control. Ms. Seppi stated that Shen was unaware that he was dealing with a scoundrel, Mr. Loch, the owner of the Thorold building.

Shen realized that he made a mistake stamping the drawings given to him by Mr. Loch. However, Ms. Seppi believed part of Shen's problem was the result of the City of Thorold not being more diligent in their dealings with Mr. Loch. Also, Shen was working under a lot of stress due to his heavy workload. Since the time of these problems, Ms. Seppi noted that Future has introduced new procedures. She also noted that the company sends out general specifications and the local engineer must design for site-specific conditions.

With respect to the Minden project, Ms. Seppi claimed that there was no proof that Shen copied Pioneer's drawings, since these drawings were in place before he came to Future in 1985. Also, he did not believe the drawings were copyright, but rather in the public domain. As far as the sloppy errors in the design drawings for Minden, Ms. Seppi said that none of them affected the structural integrity of the building. Also, she noted that the skylights were added sub-

sequent to Shen's design and therefore he could not be held responsible for their inclusions.

She concluded that these problems should not occur again due to the new procedures introduced by Future, and the fact that Future was hiring an additional professional engineer.

After considering the evidence and exhibits filed, the Committee found Mr. Shen guilty of professional misconduct as defined in Section 28(2)(b), and not guilty of incompetence as defined in Section 28(3)(a) of the Professional Engineers Act R.S.O., 1990, Chapter P.28. The particulars of which are as follows:

Thorold Project

Section 28(3)(a): "The member or holder has displayed in his or her professional responsibilities a lack of knowledge, skill or judgment or disregard for the welfare of the public of a nature or to an extent that demonstrates the member or holder is unfit to carry out the responsibilities of a professional engineer."

Finding: Not guilty.

The Panel believed there was no evidence presented that he was incompetent, because it was the Panel's understanding that he was not responsible for the foundation and the wooden structure and was only responsible for the approximately 24' arch section supplied by Future.

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."

Finding: Guilty.

Mr. Shen signed and sealed a letter dated December 8, 1993, that implied that the entire building was "safe and sturdy," without his personal examination and verification.

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.

Finding: Guilty.

Mr. Shen signed and sealed a letter (Exhibit 12) dated December 8, 1993, that implied that the entire building was "safe and sturdy," without his personal examination and verification.

Section 72(2)(d): failure to make reasonable 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.

Finding: Not guilty.

The Panel believed that Mr. Shen was responsible only for the approximately 24' section of the arch.

Section 72(2)(e): signing or sealing a final drawing, specification, plan, report or other document not actually prepared or checked by the practitioner.

Finding: Guilty.

Mr. Shen signed and sealed the Site Plan contained in Exhibit 12, even though he had not checked any of the dimensions.

Section 72(2)(g): breach of the Act or Regulations, other than an action that is solely a breach of the Code of Ethics.

Finding: The Panel found this Section not applicable in this case.

Section 72(2)(h): undertaking work the practitioner is not competent to perform by virtue of the practitioner's training and experience.

Finding: Not guilty.

The Panel believed that Mr. Shen was responsible only for the approximately 24' section of the arch.

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.

Finding: Not guilty of disgraceful or dishonourable conduct, but guilty of unprofessional conduct.

He stamped sketches not prepared by Future and he sealed a Site Plan and a letter to the town that were inappropriate.

The Minden Project

Section 28(3)(a): "The member or holder has displayed in his or her professional responsibilities a lack of knowledge, skill or judgment or disregard for the welfare of the public of a nature or to an extent that demonstrates the member or holder is unfit to carry out the responsibilities of a professional engineer."

Finding: not guilty.

There was no evidence presented to support that he was incompetent.

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 practitioner that constitutes a failure to maintain the standards that a reasonable and prudent practitioner would maintain in the circumstances."

Finding: Guilty.

Both Shen and Future did not initiate a design review when skylights were added to the structure.

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.

Finding: Guilty.

Both Shen and Future did not initiate a design review when skylights were added to the structure.

Section 72(2)(d): failure to make reasonable provision for complying with applicable statutes, regulations, stan-

dards, codes, by-laws and rules in connection with work being undertaken by or under the responsibility of the practitioner.

Finding: Not guilty.

There was insufficient evidence represented to support this charge, since there were disclaimers on the drawing.

Section 72(2)(e): signing or sealing a final drawing, specification, plan, report or other document not actually prepared or checked by the practitioner.

Finding: Not guilty.

The Panel concluded the drawing was prepared by Future.

Section 72(2)(h): undertaking work the practitioner is not competent to perform by virtue of the practitioner's training and experience.

Finding: Not guilty.

No evidence was presented to demonstrate their incompetence in the work that was carried out.

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.

Finding: Not guilty.

There was no evidence presented to support these charges against Mr. Shen. The Panel found the conduct of Future to be unprofessional in that there appeared to be little or no communication downward to the professional engineer who was responsible for their Certificate of Authorization. The Panel did not find the conduct of Future to be disgraceful or dishonourable.

The Committee heard submissions with respect to penalty from Mr. Royce and Ms. Seppi. Mr. Royce advised the Panel that it had no jurisdiction with respect to penalty for Future since their Certificate of Authorization had been withdrawn in 1994, and the new

Certificate of Authorization for a company called Future Steel Buildings International Corp. was not in place at the time of the infractions.

However, Mr. Royce indicated that Mr. Shen was the responsible engineer for the new Certificate of Authorization for the new company.

Mr. Royce suggested that Shen's licence be suspended until he passed the Professional Practice Examination (PPE). Also, that a practice inspection review

of Shen and the company be undertaken at the expense of Future.

Mr. Royce also suggested that the proceedings should be published, and costs of \$5,000 should be awarded against Shen and the company. Ms. Seppi did not believe that Shen deserved any severe penalty. She suggested a short period of suspension from one to three months for Mr. Shen, rather than writing the PPE and suspension. She suggested a period

of probation during which Mr. Shen would work with another professional engineer. She did not agree that a practice inspection was warranted.

By virtue of the power vested in it by Section 28 of the Professional Engineers Act, the Committee ordered that:

1. Mr. Shen pass the association's Professional Practice Examination.

2. The licence of Mr. Shen be suspended for a minimum of three months, or until he

passes the PPE.

3. The Decision and Reasons of the Discipline Panel be published in full in the official journal of the association.

Dated at Toronto, this 26th day of February, 1997.

William Fredenburg, P.Eng.,
Chair

For and on Behalf of the Panel:
R. Keith Cross, P.Eng., Kevin L.
Feeney, P.Eng., Daniela E. Iliescu,
P.Eng., Bryan J. Parkinson, P.Eng.