

**APEGA
DISCIPLINE COMMITTEE
DECISION**

Hearing Date: August 20, 2026
Date of Decision: September 3, 2026
APEGA 24-10 [REDACTED]

**IN THE MATTER OF A HEARING OF THE DISCIPLINE COMMITTEE
OF THE ASSOCIATION OF PROFESSIONAL ENGINEERS AND
GEOSCIENTISTS OF ALBERTA**

**Pursuant to the Engineering and Geoscience Professions Act,
being Chapter E-11 of the Revised Statutes of Alberta 2000**

Regarding the Conduct of [REDACTED], P.Eng.

INTRODUCTION AND SUMMARY OF DECISION

1. Pursuant to Part 5 of the Engineering and Geoscience Professions Act, RSA 2000, c. E-11 (the “**EGP Act**”), a hearing was held on August 20, 2026 (the “**Hearing**”) regarding the conduct of the Member. The Hearing was held remotely via Teams before a hearing panel of the Discipline Committee (the “**Hearing Panel**”). The Hearing proceeded by way of an agreed statement of facts, acknowledgment of unprofessional conduct and unskilled conduct, and a joint submission on sanctions.
2. The Hearing Panel considered, and subsequently accepted, the agreed statement of facts and acknowledgment of unprofessional conduct and unskilled practice. The Hearing Panel then heard from Counsel to the Investigative Committee of APEGA (“**IC**”) and Counsel to the Member with respect to the joint submission on sanctions. Ultimately, the Hearing Panel accepted the joint submission on sanctions and has made an order in this decision consistent with that submission.
3. That order requires this decision be published, but such publication shall not name the Member. Therefore, this decision shall redact the name of the Member when referred to herein. If any member of the public inquires with APEGA as to whether the Member was the subject of a discipline hearing or was found guilty of any charges under the EGP Act, APEGA shall be at liberty to provide a complete copy of the Discipline Committee’s decision.

ORDER OF THE HEARING PANEL

4. The Hearing Panel makes the following order with respect to the Member:

1. *The Member shall be reprimanded for his conduct, and the Discipline Committee's written decision (the "Decision") shall serve as the reprimand.*
2. *The Member shall complete, at his own cost, the following course:*
 - a. *ADL 213 Ethics for Professional Practice at the University of Calgary. The Member may complete an alternative but equivalent course with the prior approval of the APEGA Discipline Manager.*
3. *The Member shall pay a portion of the hearing costs in the amount of \$2,000 within 6 months of service of the Decision or in accordance with a payment schedule approved by the Director, Enforcement of APEGA (the "Director").*
4. *The Member shall pay a fine of \$2,000 within 6 months of service of the Decision or in accordance with a payment schedule approved by the Director.*
5. *The fine and costs referred to in paragraphs 3 and 4 above are a debt owing to APEGA.*
6. *If The Member fails to comply with any of the sanctions, his registration with APEGA will be subject to cancellation.*
7. *The Discipline Committee's decision shall be published and circulated as follows:*
 - a. *This matter and its outcome will be published by APEGA as deemed appropriate and such publication will not name The Member; and*
 - b. *If any member of the public inquires with APEGA as to whether The Member was the subject of a discipline hearing or was found guilty of any charges under the Engineering and Geoscience Professions Act, APEGA shall be at liberty to provide a complete copy of the Discipline Committee's decision.*

THE HEARING

Appearances

5. The members of the Hearing Panel of the Discipline Committee of the Association of Professional Engineers and Geoscientist of Alberta ("**APEGA**") were:
 - Alex Bolton, P.Geo. – Panel Chair
 - Paul Kavanagh, P.Geo.
 - John McDonald, P.Eng.
 - Bill Gaudette, Public Member
6. Independent Legal Counsel for the Hearing Panel, Emma Banfield of Reynolds Mirth Richards & Farmer LLP, was also in attendance.
7. The Hearing Panel was assisted by Discipline Committee staff members ("**Staff**").
8. Chantele Theroux, complaints manager for APEGA, attended the hearing on behalf of the IC. The IC was represented by its legal counsel, Ms. Tracy Zimmer of Field LLP.

9. The Member was present and represented by his legal counsel, Mr. Chris Hinchcliffe of McLennan Ross LLP.

OPENING OF THE HEARING

Preliminary and Procedural Matters

10. The hearing was initially scheduled to proceed in March, 2026. The parties sought to adjourn the matter by consent, and the matter was adjourned to August 2026.
11. The hearing was held on August 20, 2026. The parties advised that there were no objections to the Hearing Panel's constitution or jurisdiction. All participants introduced themselves and confirmed that they were in a private space.
12. The parties confirmed there were no preliminary matters.

The Charges

13. Counsel to the IC noted that the charges included in the Notice of Discipline Hearing had been amended, and the charges now before the Hearing Panel were as follows:

IT IS ALLEGED THAT [REDACTED], P. Eng. engaged in unprofessional conduct in that he:

- a. On or about 2022 to 2023, while enrolled with APEGA as an Engineer-in-Training, engaged in the practice of engineering for [REDACTED] without supervision by a Professional Member of APEGA.

- b. On or about 2022 to 2023, while enrolled with APEGA as an Engineer-in-Training, represented or held himself out to [REDACTED] as a Professional Engineer, or as entitled to engage in the practice of engineering without supervision, or both.

- c. **WITHDRAWN.**

AMENDED TO:

- d. On or about 2022 to 2023, designed a prototype device for use in Alberta by specifying electrical system equipment that was not inspected by an inspection body, or certified by a certification body, accredited by the Standards Council of Canada.

- e. On or about 2022 to 2023 caused [REDACTED] to engage in the practice of engineering, or engaged in the practice of engineering through [REDACTED], without a permit to engage in the practice of engineering.

- f. **WITHDRAWN.**

AND IT IS FURTHER ALLEGED that the above-referenced conduct contravenes one or more provisions of the *Engineering and Geoscience Professions Act*, RSA 2000, c. E-11, the *Safety Codes Act*, RSA 2000, c. S-1, the *Electrical Code Regulation*, Alta Reg 209/2006, APEGA's Guidelines for Ethical Practice, August 2022, APEGA's Professional

Practice Standard, Authenticating Professional Work Products, January 2022, Rules of Conduct 1, 2, 3, 4 and 5 of APEGA's Code of Ethics and constitutes unprofessional conduct or unskilled practice as set out in section 44 of the *Engineering and Geoscience Professions Act*.

14. The following exhibits were entered with the consent of both counsel:

Exhibit 1	Agreed Statement of Facts and Acknowledgment of Unprofessional Conduct and Unskilled Practice
Exhibit 2	Joint Submission on Sanction

Submissions on Unprofessional Conduct

15. Counsel to the IC began by advising that the parties were putting forward an Agreed Statement of Facts and Acknowledgment of Unprofessional Conduct and Unskilled Conduct. Counsel for the Member agreed that this was the case.
16. Counsel to the IC thanked both the Member and his counsel for their cooperation and professionalism in reaching an agreement.
17. Counsel to the IC reviewed the Agreed Statement of Facts and Acknowledgment of Unprofessional Conduct and Unskilled Conduct between the parties including the general background facts and the facts specific to each charge before the Hearing Panel.
18. Counsel to the IC submitted that the Hearing Panel had to consider first, whether the evidence established the facts. Second, if satisfied that the facts were established, the Hearing Panel then had to consider whether the facts demonstrated unprofessional conduct and unskilled practice on the part of the Member. This consideration was to be measured on a balance of probabilities. Counsel to the IC submitted that the agreement of the parties, as laid out for the Hearing Panel, was sufficient to establish both components.
19. Counsel to the Member began by thanking Counsel to the IC, and the members of the Hearing Panel for their time. He adopted the submissions of Counsel to the IC, noting that his client had cooperated throughout the process, understood his errors, and had done his best to resolve the issues, including reaching out to a practice advisor.
20. Counsel to the Member closed by asking the Hearing Panel to accept the Agreed Statement of Facts and Acknowledgment of Unprofessional Conduct and Unskilled Practice as presented.
21. The Hearing Panel had one clarifying question with respect to the acknowledgment of the Member that his conduct breached Sections 3.2, 4.2.3, 4.4.1, and 4.5.6 of the APEGA Guidelines for Ethical Practice v3, in light of the withdrawal of Charge 3.

22. Counsel to the IC advised that the aspects of this admission were addressed in the revised Charge 4, and therefore the parties had agreed Charge 3 was not needed, given the admission to the revised Charge 4.
23. Counsel to the Member advised that as part of the negotiations between the parties, there was some discussion with respect to overlap in the initial charges. In reviewing the initial charges, the parties devised a solution through removing Charge 3 and revising Charge 4. Counsel to the Member noted this provided some insight into the collaborative work between the parties.

DECISION OF THE HEARING PANEL

Legislation

24. Section 44(1) of the EGP Act describes unprofessional conduct and unskilled practice.¹
25. Reference was also made to the Rules of Conduct of APEGA's Code of Ethics, which is found as a Schedule to the Engineering and Geoscience Professions General Regulation, Alta Reg 150/1999 and reads as follows:

Rules of Conduct

- 1** Professional engineers and geoscientists shall, in their areas of practice, hold paramount the health, safety and welfare of the public and have regard for the environment.
- 2** Professional engineers and geoscientists shall undertake only work that they are competent to perform by virtue of their training and experience.
- 3** Professional engineers and geoscientists shall conduct themselves with integrity, honesty, fairness and objectivity in their professional activities.
- 4** Professional engineers and geoscientists shall comply with applicable statutes, regulations and bylaws in their professional practices.
- 5** Professional engineers and geoscientists shall uphold and enhance the honour, dignity and reputation of their professions and thus the ability of the professions to serve the public interest.

¹ S. 44(1) of the EGP Act: Any conduct of a professional member, licensee, permit holder, certificate holder or member in training that in the opinion of the Discipline Committee or the Appeal Board

- (a) is detrimental to the best interests of the public,
- (b) contravenes a code of ethics of the profession as established under the regulations,
- (c) harms or tends to harm the standing of the profession generally,
- (d) displays a lack of knowledge of or lack of skill or judgment in the practice of the profession, or
- (e) displays a lack of knowledge of or lack of skill or judgment in the carrying out of any duty or obligation undertaken in the practice of the profession,

whether or not that conduct is disgraceful or dishonourable, constitutes either unskilled practice of the profession or unprofessional conduct, whichever the Discipline Committee or the Appeal Board finds.

26. The Hearing Panel may make findings with respect to allegations of unskilled practice or unprofessional conduct of an investigated person (section 62 of the EGP Act), and in the event findings are made, may make orders pursuant to section 63 of the EGP Act.

Onus and Standard of Proof

27. In a discipline hearing, the onus is on the IC to prove the facts alleged in the Notice of Hearing. This means the IC must establish, on a balance of probabilities, that it is more likely than not that the facts alleged occurred.
28. If the alleged particulars are found to be established on a balance of probabilities, the Hearing Panel must determine whether the proven conduct constitutes unskilled practice, or in the alternative, unprofessional conduct.

Agreed Facts

29. In the Agreed Statement of Facts and Acknowledgment of Unprofessional Conduct and Unskilled Practice, the following is admitted by both parties:
- a. The Member became a member of APEGA in 2015 as an Engineer-in-Training. He maintained his status as an Engineer-in-Training until January 13, 2023 when he became a professional engineer.
 - b. The Member is the sole director and shareholder of a corporation duly incorporated in Alberta (the “Company”). The Company was incorporated on July 5, 2021. The Company obtained a valid APEGA Permit to Practice on July 24, 2023. The Member is the sole engineer employed by the Company and the Responsible Member for the Company. Through the Company, the Member provided engineering services.
 - c. On or around October 28, 2022, based on a referral, the complainant contacted the Member to design a semi-automated film winding machine (the “Machine”) that would run off a computer with a human machine interface.
 - d. The Member and the Complainant signed a service agreement on November 28, 2022, and the scope of work was dated November 30, 2022 which included the designing of the Machine (the “Project”) for the Complainant’s company (the “Client”). However, the Member started work on the Project prior to the signed service agreement.
 - e. Throughout the life of the Project, the Member reported on, designed, and prepared plans for the Machine.
 - f. The first invoice for the Project was dated December 26, 2022.
 - g. The Member completed 30 drawings throughout the Project which were used to fabricate or assemble machine parts. The drawings show the technical nature of the design. Some of these drawings constitute professional work products (“PWPs”).

- h. To design the Machine, the Member had to apply principles required in the practice of engineering with the ultimate goal being aimed at the development of something for the use and convenience of the Client.
- i. In designing the Machine, the Member engaged in the practice of engineering while enrolled as an Engineer-in-Training with APEGA.

Charge 1

- j. As noted above, the Member did not become a professional engineer with APEGA until January 13, 2023. From 2015 to January 12, 2023, the Member was enrolled with APEGA as an Engineer-in-Training. From November 2022 to January 12, 2023, The Member was providing engineering services to the Client.
- k. Despite being an Engineer-in-Training, the Member was not supervised by a professional member of APEGA, as is required by APEGA, while providing engineering services to the Client from November 2022 to January 12, 2023.

Charge 2

- l. The first invoice to the Client, dated December 29, 2022, stated the invoice was for “Engineering Design” and there was a charge for 50.25 hours of work described as “Engineering Design and Consultation”.
- m. The PWP's completed by the Member include his company name, logo, and a caption stating, “Engineering Design Services”.
- n. The Member's LinkedIn profile stated that he had been a Mechanical Design Engineer from May 2019 to April 2022 and an Engineering Consultant from February 2021 to Present.
- o. On January 4, 2023, the Member sent an email with a signature line that included “M.Eng.” after his name, followed by the name of the Company.

Charge 4

- p. The Machine was designed to use a 120VAC power supply. In designing the prototype of the Machine, the Member specified parts that were not inspected by an inspection body, or certified by a certification body, accredited by the Standards Council of Canada, such as the Canadian Standards Association (“CSA”) or Underwriters Laboratories (“UL”).
- q. As part of the agreement, the Client would order parts based, in part, on the advice of the Member.
- r. The Member provided the Client with various options for components, which included parts that did not comply with CSA or UL, and then the Client chose the components to purchase based, in part, on the Member's advice.

Charge 5

- s. The Member performed the professional engineering services provided to the Client through the Company.
- t. The PWP's were stamped with a logo that included the Company name.

- u. The service agreement was between the Client and the Company and was signed on November 28, 2022.
- v. The invoice dated December 29, 2022 was issued in the name of the Company.
- w. The Company did not become an APEGA permit holder until July 24, 2023.
- x. The Company entered into the service agreement and provided services via the Member eight months prior to registering with APEGA for a permit to engage in the practice of engineering.

Decision as to Whether the Conduct is Factually Proven

30. The Hearing Panel accepts, based on the agreement of the parties, that the facts as alleged, did occur. The facts as alleged in Charges 1, 2, 4 (as amended), and 5 are therefore established and factually proven, and the Hearing Panel makes the following determinations:
- 1. With respect to Charge 1: On or about 2022 to 2023, while enrolled with APEGA as an Engineer-in-Training, the Member engaged in the practice of engineering for [REDACTED] without supervision by a Professional Member of APEGA.
 - 2. With respect to Charge 2: On or about 2022 to 2023, while enrolled with APEGA as an Engineer-in-Training, the Member represented or held himself out to [REDACTED] as a Professional Engineer, or as entitled to engage in the practice of engineering without supervision, or both.
 - 3. With respect to Charge 4 as amended: On or about 2022 to 2023, the Member designed a prototype device for use in Alberta by specifying electrical system equipment that was not yet inspected by an inspection body, or certified by a certification body, accredited by the Standards Council of Canada.
 - 4. With respect to Charge 5: On or about 2022 to 2023, the Member caused [REDACTED] to engage in the practice of engineering, or engaged in the practice of engineering through [REDACTED], without a permit to engage in the practice of engineering.

Decision as to Whether Unprofessional Conduct or Unskilled Practice is Proven

31. The Hearing Panel then considered whether the facts established were sufficient to make a finding of unprofessional conduct or unskilled practice.
32. In the Agreed Statement of Facts and Acknowledgment of Unprofessional Conduct and Unskilled Practice, the Member admits that the conduct relating to Charges 1, 2, 4 (as amended), and 5 constitutes unprofessional conduct and unskilled practice within the meaning of section 44(1), and specifically that his conduct:
- a) Was detrimental to the best interests of the public;
 - b) Contravenes Rules of Conduct 1, 2, 3, 4, and 5 of the Code of Ethics;

- c) Displayed a lack of judgment in the practice of the profession; and
 - d) Harmed or tended to harm the standing of the profession generally.
33. The Member also admitted that his conduct breached the Safety Codes Act, Electrical Code Regulation, section 2 and APEGA's Professional Practice Standard, Authenticating Professional Work Products, January 2022. He further acknowledged that his conduct breached Sections 3.2, 4.2.3, 4.4.1, and 4.5.6 of the APEGA Guidelines for Ethical Practice v3.
34. The Hearing Panel has carefully considered the facts, the admissions of the Member, the submissions of the parties, and the definition of unprofessional conduct and unskilled practice. The Hearing Panel has concluded that the conduct as proven is sufficient to amount to unprofessional conduct and unskilled practice. In particular, the Hearing Panel has determined that the evidence is sufficient to support a finding that Charges 1, 2, 4 (as amended), and 5 constitute unprofessional conduct and unskilled practice on the part of the Member.

Submission on Sanctions

35. Counsel to the IC reviewed the Joint Submission on Sanction put forward by the parties. The proposed sanctions were as follows:
1. The Member shall be reprimanded for his conduct, and the Discipline Committee's written decision (the "Decision") shall serve as the reprimand.
 2. The Member shall complete, at his own cost, the following course:
 - a. ADL 213 Ethics for Professional Practice at the University of Calgary. The Member may complete an alternative but equivalent course with the prior approval of the APEGA Discipline Manager.
 3. The Member shall pay a portion of the hearing costs in the amount of \$2,000 within 6 months from service of the Decision or in accordance with a payment schedule approved by the Director, Enforcement of APEGA (the "Director").
 4. The Member shall pay a fine of \$2,000 within 6 months from service of the Decision or in accordance with a payment schedule approved by the Director.
 5. The fine and costs referred to in paragraphs 3 and 4 above are a debt owing to APEGA.
 6. If The Member fails to comply with any of the sanctions, his registration with APEGA will be subject to cancellation.
 7. The Discipline Committee's decision shall be published and circulated as follows:
 - a. This matter and its outcome will be published by APEGA as deemed appropriate and such publication will not name The Member; and
 - b. If any member of the public inquires with APEGA as to whether The Member was the subject of a discipline hearing or was found guilty of any charges under the Engineering

and Geoscience Professions Act, APEGA shall be at liberty to provide a complete copy of the Discipline Committee's decision.

36. Counsel to the IC submitted that the proposed penalties were both corrective and remedial. Counsel to the IC reviewed the underlying purpose of sentencing, which she submitted is to ensure that the public is protected from unprofessional conduct and unskilled practice in the future. In her submission, this concept should guide the Hearing Panel in making its decision.
37. Counsel to the IC submitted that the goal of protecting the public serves to ensure confidence in the profession and to send a message to other members that the conduct in question was unacceptable. Further, she referenced the importance of both general and specific deterrence, as well as the importance of rehabilitation rather than punishment.
38. Counsel to the IC submitted that the proposed penalty met all these purposes. In her submission, the proposed ethics course was remedial, while the publication order served to balance both the importance of transparency and the Member's reputation. In the submission of Counsel to the IC, it was within the authority of the Hearing Panel to determine whether publication should occur with or without names. In this case, Counsel to the IC advised that the parties proposed the matter be published without the Member's name, but that the full decision could still be accessed upon inquiry with APEGA.
39. Counsel for IC referred to the decision of *Jaswal v Newfoundland (Medical Board)*, 1996 CarswellNfld 32 (Nfld. Trial Div.) ("**Jaswal**") as establishing a non-exhaustive list of factors the Hearing Panel could reference when determining an appropriate penalty. Counsel to the IC highlighted a few factors which, in her submission, were most relevant in this case. In particular, she referenced the nature and gravity of the proven conduct which, in her submission, showed that the matter was serious, but not at the most serious end of the spectrum. The conduct was serious because it involved the unauthorized practice of engineering, the Member had acted without supervision, held himself out as someone who had qualifications he did not possess, failed to comply with permit requirements, and his work involved the specification of uncertified electrical components. In the submission of Counsel to the IC, this was an aggravating factor.
40. Regarding the Member's age and experience, Counsel to the IC noted that the Member had been an engineer-in-training for about seven years at the time of the conduct in question. As a result, Counsel to the IC submitted the Member knew or ought to have known expectations of him as an engineer-in-training. This factor was aggravating.
41. Regarding the Member's prior character, Counsel to the IC noted there were no prior complaints or disciplinary matters, which should be viewed as a mitigating factor.
42. With respect to the number of times the conduct occurred, Counsel to the IC submitted this was the first allegation of its kind, but that all the conduct related to one project. In her submission, this should be a mitigating factor.

43. Regarding the Member's role in acknowledging the conduct, Counsel to the IC indicated he had plead guilty and had taken responsibility for his actions. His willingness to come to an agreement reduced the cost and time required for a hearing, and this was therefore a significant mitigating factor.
44. With respect to specific and general deterrence, Counsel to the IC indicated there was a need to promote both. She submitted the proposed sanctions met both of these objectives.
45. Counsel to the IC submitted that the proposed course met the objective of remediation and would support the Member in making good decisions in the future. She submitted the proposed sanctions also showed that APEGA takes these matters seriously, and will deal with such breaches in a matter that addresses their severity.
46. With respect to the degree to which the conduct fell outside the range of acceptable conduct, Counsel to the IC submitted that the Member performed services and held himself out as having professional qualifications he did not have. In her submission, this was a clear breach.
47. Regarding the range of sentences in similar cases, Counsel to the IC referred to three other cases as instructive:
 - a. *Bhandari*, APEGA Case Number 23-11
 - b. *Mackie*, APEGA Case Number 17-015
 - c. *Buchmeyer (re)*, 2024 BCEGBC 15
48. Counsel to the IC reviewed the facts and sanctions imposed in each of the three cases. Counsel to the IC noted that the *Buchmeyer* decision, although from BC, was the most similar with respect to the facts of the case. The sanctions in that case were a reprimand, completion of a course, a fine of \$2,000, and costs of \$2,000.
49. Counsel to the IC submitted that, upon consideration of the nature of the conduct and the *Jaswal* factors, the proposed sanctions were reasonable, appropriate, and adequate to protect the public.
50. Regarding the proposed costs order, Counsel to the IC submitted that the parties had considered the guidance of the Court of Appeal of Alberta in the decision of *Charkhandeh v College of Dental Surgeons of Alberta*, 2025 ABCA 258 ("**Charkhandeh**"). In her submission, the parameters of the proposed sanctions in this case would likely fall outside the Court's analysis in *Charkhandeh*, but if that were not the case, the low amount proposed would not offend the principles as outlined in *Charkhandeh*.
51. Counsel to the IC closed her submissions by outlining the high degree of deference owed to joint submissions on sanctions, and by referencing the decision of *R v Anthony-Cook*, 2016 SCC 43. In her submission, the proposed sanctions in this case were reasonable, met the required sanctioning objections, and should be accepted by the Hearing Panel.

52. Counsel to the Member echoed the submissions of Counsel to the IC and emphasized the importance of the Member's acknowledgment. He stated that the Member had cooperated and recognized his errors.
53. Counsel to the Member noted that the parties had worked diligently to arrive at the Joint Submission on Sanction, and to ensure the proposed sanctions satisfied the Jaswal factors and the importance of rehabilitation.
54. Counsel for the Member submitted that in addition to acknowledging his conduct, the Member never had any intent to harm the reputation of the profession, and indeed, the Member took great pride in being an engineer. He was committed to ensuring this would never happen again, and that he would never do anything to harm the public. Counsel for the Member noted no prior incidents had been complained of, and he anticipated this would be the last.

DECISION OF THE HEARING PANEL ON SANCTIONS AND COSTS

55. When the Hearing Panel determines that the conduct of a Member is unprofessional conduct or unskilled practice, it may make an order pursuant to section 63 of the EGP Act.
56. The Hearing Panel carefully considered the submissions of the parties, including that the parties put forward a Joint Submission on Sanction. The Hearing Panel accepts the joint submission and makes the order on the terms and conditions proposed by the parties.
57. The Hearing Panel considered the following factors in determining an appropriate order:
 1. The submissions with respect to the *Jaswal* factors, including the nature and gravity of the conduct, the Member's role in acknowledging the conduct, the need for general and specific deterrence, and the importance of rehabilitation.
 2. The conduct at issue in this case was serious, but not the most severe conduct that could come before a Hearing Panel.
 3. The Member had no prior disciplinary history and no prior findings of unprofessional conduct or unskilled practice.
 4. The Member's cooperation throughout the disciplinary process, including in the submission of the Agreed Statement of Facts and the Acknowledgement of Unprofessional Conduct and Unskilled Practice, and the Joint Submission on Sanction. This alleviated the need for a lengthy contested hearing, including witness testimony and additional hearing time.
 5. A high level of deference is owed to a joint submission on penalty.
 6. The proposed orders reflect an appropriate balance between the seriousness of the proven conduct and other relevant circumstances, including the Member's cooperation and admission.
 7. The recommendation that the Member be required to take a course will provide the Member with the opportunity to reflect on his mistakes and learn how to conduct himself in future. It

also provides the public with confidence that the Member will not repeat this conduct in the future.

8. The reprimand will serve as specific deterrence to this Member, and a reminder to the membership generally of the need for responsible conduct as a professional. The proposed fine is on the low end of the scale but sufficient to serve as both specific deterrence to this Member and as an indication that this conduct is taken seriously.
9. The publication of the decision without the name of the member, while still having the full decision available upon request, is an appropriate balance between the Member's cooperation and incentive to admit his conduct on the one hand, and communicating to the public and the profession that this type of conduct is not acceptable on the other.
10. The costs order is reasonable, in line with similar decisions, and has been agreed to by the parties. As a result, the Hearing Panel orders costs as proposed by the parties.
11. The proposed orders taken together will help ensure that the best interests of the profession and the public are protected.

CONCLUSION

58. For the reasons set out in this decision, the Hearing Panel finds that Charges 1, 2, 4 (as amended), and 5 have been factually proven, and constitute unprofessional conduct and unskilled conduct.
59. In addition, the Hearing Panel makes the following order with respect to sanctions:
 1. The Member shall be reprimanded for his conduct, and the Discipline Committee's written decision (the "**Decision**") shall serve as the reprimand.
 2. The Member shall complete, at his own cost, the following course:
 - a. ADL 213 Ethics for Professional Practice at the University of Calgary. The Member may complete an alternative but equivalent course with the prior approval of the APEGA Discipline Manager.
 3. The Member shall pay a portion of the hearing costs in the amount of \$2,000 within 6 months of service of the Decision or in accordance with a payment schedule approved by the Director, Enforcement of APEGA (the "**Director**").
 4. The Member shall pay a fine of \$2,000 within 6 months of service of the Decision or in accordance with a payment schedule approved by the Director.
 5. The fine and costs referred to in paragraphs 3 and 4 above are a debt owing to APEGA.
 6. If the Member fails to comply with any of the sanctions, his registration with APEGA will be subject to cancellation.
 7. The Discipline Committee's decision shall be published and circulated as follows:
 - a. This matter and its outcome will be published by APEGA as deemed appropriate and such publication will not name the Member; and

- b. If any member of the public inquires with APEGA as to whether the Member was the subject of a discipline hearing or was found guilty of any charges under the Engineering and Geoscience Professions Act, APEGA shall be at liberty to provide a complete copy of the Discipline Committee's decision.

60. The Hearing Panel thanks counsel for their able submissions and the parties for their cooperation.

Dated this 3rd day of September, 2026.

On behalf of the Hearing Panel of the APEGA Discipline Committee:

Alex Bolton

Signed with ConsignO Cloud (2026/09/03)
Verify with verifio.com or Adobe Reader.



Alex Bolton, Discipline Committee Panel Chair

Paul Kavanagh

Signed with ConsignO Cloud (2026/09/03)
Verify with verifio.com or Adobe Reader.



Paul Kavanagh, Discipline Committee Panel Member

John McDonald

Signed with ConsignO Cloud (2026/09/04)
Verify with verifio.com or Adobe Reader.



John McDonald, Discipline Committee Panel Member

William (Bill) Gaudette

Signed with ConsignO Cloud (2026/09/03)
Verify with verifio.com or Adobe Reader.



Bill Gaudette, Discipline Committee Panel Member

Appendix “A” – List of Exhibits

- Exhibit 1** Agreed Statement of Facts and Acknowledgment of Unprofessional Conduct and Unskilled Practice
- Exhibit 2** Joint Submission on Sanction

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