

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

and

IN THE MATTER OF AHMED RAZA SYED, P. Eng.

DECISION OF THE DISCIPLINE COMMITTEE
(Penalty and Costs)

Hearing dates:	By written submissions
Discipline Committee Panel:	Frank Denton, P.Eng., Chair Ron Yaworsky, P.Eng. Jurgen Franke, P.Eng.
Counsel for the Association:	David Volk
For the Member	Ahmed Raza Syed, appearing on his own behalf

A. Introduction

1. On May 9, 2020, this Panel of Discipline Committee (the "Panel") of the Association of Professional Engineers and Geoscientists of the Province of British Columbia doing business as Engineers and Geoscientists BC (the "Association") found that Ahmed Raza Syed breached the Association's Code of Ethics and Bylaws, and demonstrated unprofessional conduct (the "Decision").
2. In its Decision, the Panel requested written submissions on the appropriate penalty and whether costs should be imposed. The Association's submissions were delivered on May 22, 2020. Mr. Syed's submissions were due by June 5, 2020. On June 3, 2020, Mr. Syed requested an extension to provide his written submission. He stated he required additional time as he was requesting the original file of documents from the City of Langford. Mr. Syed had already been provided with copies of these documents as part of the Discipline Committee inquiry process. Nevertheless, the Panel provided Mr. Syed with a two-week extension for his written submission, to June 19, 2020. On June 19, 2020, Mr. Syed requested a further extension on the basis that he had not yet accessed the original documents at the City of Langford. On June 23,

2020, the Panel denied Mr. Syed's further request but encouraged Mr. Syed to provide any written submission he wanted the Panel to consider by July 3, 2020. On June 29, 2020, Mr. Syed requested a further extension to provide his written submission until July 31, 2020. The Panel denied that extension the same day and again encouraged Mr. Syed to deliver any written submission he wanted the Panel to consider by no later than July 3, 2020. The Panel did not receive any submissions from Mr. Syed.

3. In the present case, the Association takes the position that the appropriate penalty to be imposed is cancellation of Mr. Syed's membership with the Association, with a condition that no application for re-admission to membership be considered for twenty-four months. In the alternative, the Association submits that a twenty-four-month suspension should be imposed. Regardless, the Association submits that Mr. Syed's membership should remain suspended until the costs ordered against him by the Discipline Committee on June 18, 2019 (File T16-038), a separate discipline matter, (the "Abbotsford matter") are paid by him.
4. The Association submitted the signed Affidavit of Jesse Romano (May 22, 2020) (the "Romano Affidavit"). The Romano Affidavit was not commissioned before a lawyer due to COVID-19. The Panel accepts that the contents of the Romano Affidavit are not controversial and are intended to provide the Panel with the relevant documentary information pertaining to the assessment of penalty and costs. The Panel accepts the Romano Affidavit.

B. Legal Framework for Penalty and Costs

5. Having made a determination under section 33(1) of the Engineers and Geoscientists Act (the "Act") that Mr. Syed breached the Association's Code of Ethics and Bylaws, and demonstrated unprofessional conduct, the Panel may impose the following penalties:
 - 33 (2) If the discipline committee makes a determination under subsection (1), it may, by order, do one or more of the following:
 - (a)reprimand the member, licensee or certificate holder;
 - (b)impose conditions on the membership, licence or certificate of authorization of the member, licensee or certificate holder;
 - (c)suspend or cancel the membership, licence or certificate of authorization of the member, licensee or certificate holder;
 - (d)impose a fine, payable to the association, of not more than \$25 000 on the member, licensee or certificate holder.
6. Section 35(1) of the Act permits the Panel to direct the payment of reasonable costs as follows:

35 (1) If the discipline committee makes a determination under section 33 (1), the discipline committee may direct that reasonable costs of and incidental to the investigation under section 30 and the inquiry under section 32, including reasonable fees payable to solicitors, counsel and witnesses, or any part of the costs, be paid by the person, and the costs may be determined by the committee.

7. The relevant factors to consider in determining an appropriate penalty are set out in *Law Society of British Columbia v. Ogilvie*, [1999] LSBC 17:
 - a. the nature and gravity of the conduct proven;
 - b. the age and experience of the respondent;
 - c. the previous character of the respondent, including details of prior discipline;
 - d. the impact upon the victim;
 - e. the advantage gained, or to be gained, by the respondent;
 - f. the number of times the offending conduct occurred;
 - g. whether the respondent has acknowledged the misconduct and taken steps to disclose and redress the wrong, and the presence or absence of other mitigating circumstance;
 - h. the possibility of remediating or rehabilitating the respondent;
 - i. the impact on the respondent of criminal or other sanctions or penalties;
 - j. the impact of the proposed penalty on the respondent;
 - k. the need for specific and general deterrence;
 - l. the need to ensure the public's confidence in the integrity of the profession;
and
 - m. the range of penalties imposed in similar cases.

[the "Ogilvie Factors"]
8. *Law Society of BC v. Dent*, 2016 LSBC 05, held that it is not necessary to consider each *Ogilvie* factor in every case, and that the factors can be consolidated. In *Dent*, the following consolidated list was suggested:
 - a. Nature, gravity and consequences of conduct;
 - b. Character and professional conduct record of the respondent;
 - c. Acknowledgement of the misconduct and remedial action; and
 - d. Public confidence in the profession including public confidence in the disciplinary process.
9. Past decisions from the Association's Discipline Committee have applied the *Ogilvie / Dent* approach, including *Re Chrysanthous* (August 2018), which the Association

relies upon in this case.

C. Analysis and Findings

Nature, gravity and consequences of conduct

10. The Association submits that Mr. Syed's conduct involved a pattern of failures involving four projects at six different addresses. The Association submits Mr. Syed's repeated failure to adhere to basic and minimum engineering standards and practices put the public at great risk and is very serious.
11. The Association submits that Mr. Syed's willingness to act as the responsible, registered professional where glass guards were already installed, and his willingness to provide his contractor clients with whatever sealed documentation might be required to obtain approval from the City is very concerning. The Association submits that Mr. Syed was acting as a "seal for hire".
12. The Association submits the Panel's findings that the guardrails installed at the Projects did not meet the Building Code underscores the significant risk posed by Mr. Syed's conduct.
13. The Association submits that all of the proven conduct occurred multiple times. Mr. Syed's failure to perform any engineering work prior to the installation of the glass guards occurred on all four Projects. The glass guards in three of the four Projects were found to be inadequate to resist all applicable loads. Mr. Syed had inadequate documentation and lacked sufficient training and experience with respect to all four of the Projects.
14. The Panel finds that all of the proven allegations amount to very serious unprofessional conduct and posed serious risks to the public. The pattern and scope of Mr. Syed's conduct is very concerning to the Panel.
15. The Panel agrees with the Association's submission that Mr. Syed acted as a "seal for hire" when he agreed to act as the responsible registered professional on Projects where the glass guards were already installed and to provide the contract clients with whatever sealed documents were required to obtain approval from the City. As the Panel noted at paragraph 62 of the Decision:

62 The Panel finds that Mr. Syed's conduct in failing to prepare drawings, or preparing inadequate drawings after the glass guards were installed; failing to perform any calculations; and providing assurances under seal for work that had not yet been performed, constitutes a marked departure from the standards expected of an engineer in his circumstances. The evidence establishes that Mr. Syed demonstrated unprofessional conduct.

16. The Panel also notes that the glass guards which were erected did not meet the requirements of the Building Code because they were inadequate to resist all applicable loads. This is particularly concerning to the Panel in light of its finding that Mr. Syed undertook and accepted responsibility for the Projects in circumstances where he lacked sufficient training or experience in the practice area of engineering of glass guard systems, and in light of the fact that he continued to maintain at the hearing that his work conformed with the Building Code, when it did not. This factor favours a serious penalty.

Character and professional conduct record of the respondent

17. The Association provides the following information which it says is relevant to Mr. Syed's age and experience:
 - a. Mr. Syed's date of birth is [REDACTED].
 - b. Mr. Syed obtained [REDACTED].
 - c. Mr. Syed obtained [REDACTED].
 - d. Mr. Syed enrolled [REDACTED].
 - e. Mr. Syed was [REDACTED].
 - f. Mr. Syed was then granted registration with the Association on September 20, 2012.
18. Exhibit C to the Romano Affidavit is a spreadsheet which was provided to Mr. Romano on January 3, 2020 by [REDACTED] for the City of Surrey. [REDACTED] provided the information in response to the Association's communication to all authorities having jurisdiction in the province to provide notice of Mr. Syed's December 26, 2018 interim suspension. [REDACTED] indicated that Mr. Syed was the registered professional for 420 open permits pertaining to 241 different properties in the City of Surrey. The Association notes that:
 - a. Mr. Syed was listed as Coordinating Registered Professional for 13 permits.
 - b. Mr. Syed was listed as Geotechnical Engineer for 187 permits.
 - c. Mr. Syed was listed as a Structural Engineer for 213 permits.
19. The Association submits that the above information demonstrates that Mr. Syed has a high-volume practice.
20. In terms of prior discipline, the Association submits that while Mr. Syed has prior discipline, the Panel should not employ the principle of "progressive discipline" in this case because all of the conduct for which Mr. Syed has been disciplined by the

Association occurred before any of the penalties were imposed. The complaint in the Abbotsford matter was made in December 2015. The complaint in this matter was made in June 2016. The first discipline process pertaining to these two matters arose in June 2017. Thus, while Mr. Syed has two prior instances of disciplinary action, the penalties for those matters were imposed after the events giving rise to this complaint.

21. Nevertheless, the Association submits that the Panel should still be aware of Mr. Syed's prior penalties; namely:

a. In September 2017, Mr. Syed was found to have breached section 30(4) of the Act for failing to provide records requested by the Association's Investigation Committee during the investigation of this matter and the Abbotsford matter.

- In February 2018, Mr. Syed was ordered to pay a fine of \$5,000 and to complete the Professional Practice Examination and the Professional Engineering and Geoscience in BC Online Seminar by May 31, 2018.
- Mr. Syed did not complete the Professional Practice Examination by the deadline. He applied for an extension of time to complete the examination. On May 24, 2018, the Panel refused the extension request and suspended Mr. Syed for one month while he completed the examination. Mr. Syed's membership was subsequently reinstated.

b. On February 15, 2019, a panel of the Discipline Committee issued its determination with respect to the Abbotsford matter. The Panel found

(1) Mr. Syed demonstrated unprofessional conduct and incompetence in respect of structural engineering services he performed for projects at 4 different residential addresses in the City of Abbotsford, British Columbia, by:

(a) Issuing field review reports that were incorrect and which he knew or ought to have known to be incorrect; and

(b) Failing to adequately document changes made during construction and to submit a record of those changes to the City of Abbotsford.

(2) Mr. Syed demonstrated negligence and incompetence in respect of structural engineering services he performed for the Projects by:

(a) Issuing design drawings and specifications which included missing, incorrect, and inadequate drawing details, in particular, in respect of foundations, joist sizing, and reinforcement of retaining walls;

(c) Issuing sealed drawings with holdowns which were incorrectly located.

(4) Mr. Syed breached Bylaw 14(b) of the Bylaws of the Association in connection with his professional assignment on the Projects by:

(a) Failing to retain adequate records of his assessments, designs, load calculations and other engineering and geoscience documents; and

(b) Failing to retain adequate records of his field reviews during implementation and construction.

(5) Mr. Syed demonstrated unprofessional conduct by sealing drawings he did not create and were not professionally responsible for, specifically:

(a) Section drawings for Project C sealed on May 20, 2015; and

(b) TJI Framing plans for Project A sealed on December 9 and 14, 2015.

22. The Association submits that there are a number of similarities between the Abbotsford matter and this matter:

a. The same or similar conduct across multiple projects (4 addresses in Abbotsford and 6 addresses in Langford);

b. Documents signed and sealed by Mr. Syed which were found to be incorrect or inadequate at the time they were sealed;

c. There were substantive problems with Mr. Syed's designs, including failing to comply with the Building Code and other applicable standards;

d. Mr. Syed failed to maintain proper project documentation as required by Bylaw 14(b); and

e. Mr. Syed was found to be incompetent in the Abbotsford matter and lacking sufficient training or experience in the practice area of glass guard systems in this matter.

23. On June 18, 2019, the panel in the Abbotsford matter imposed the following order in respect of penalty: a six-month suspension and several terms dealing with direct supervision by a "supervising APEGBC professional". That panel ordered the suspension to commence "on the day following the expiry or lapsing of the interim suspension and the expiry of the additional period of suspension, if any that may be imposed upon Mr. Syed arising from the Langford matter". Mr. Syed was also ordered to pay \$29,000 in costs on or before 90 days of June 18, 2019. According to the Romano Affidavit, no amount has been received.

24. The Panel agrees with the Association that it is not appropriate to apply the progressive discipline approach in this case, but that it is relevant to consider Mr. Syed's discipline

history. The Panel has considered those two matters. The Panel agrees with the Association that there are many similarities between this matter and the Abbotsford matter. In particular, it is apparent that Mr. Syed's discipline involved a substantial volume of concerning conduct across numerous different projects. He has failed to maintain proper documentation. He was found incompetent in the Abbotsford matter and to be lacking sufficient training or experience in this matter. The Panel also notes that Mr. Syed failed to complete the Professional Practice Examination by the deadline ordered in the February 2018 penalty decision, and failed to pay costs by the deadline ordered in the Abbotsford penalty decision. Accordingly, this factor favours a significant penalty.

Acknowledgment of the misconduct and remedial action

25. In his February 7, 2020 closing statement in this matter, Mr. Syed stated:

I have come to the conclusion that the structural drawings that I sealed and signed for the above projects unfortunately were not adequate. I was not of this opinion when I sealed and signed the drawings for the guard rail projects, nor it was a deliberate ignorance of the public safety when dealing with these guard rail projects at the time.

I give my commitment that, in the future, I will not seal or sign any structural drawings and any other documents not within my expertise particularly documents related to glass guardrails if I do not feel fully comfortable to do so.

26. The Association submits that while Mr. Syed's statement represents some expression of remorse, he has failed to acknowledge that it was wrong for him to have provided his services as a registered professional engineer where the glass guards were already installed prior to his engagement because, he contends, "it is common practice in residential projects that guardrails are installed by the contractors before obtaining permits from the cities" (closing submissions dated February 7, 2020) The Association submits Mr. Syed's comments suggest there is no obligation to meet applicable standards if his clients do not permit him to do so. The Association submits a severe penalty is required to send the message that no engineer may opt out of compliance with minimum engineering standards.
27. The Association also noted that Mr. Syed maintained his position that a cap rail was not required by the 2012 Building Code despite Mr. Kevesdi's expert opinion to the contrary.
28. The Association submits that Mr. Syed has not acknowledged any wrongdoing on most of the important issues in this matter.
29. The Panel finds that while Mr. Syed did make the comments above which represent an expression of remorse, Mr. Syed has largely failed to take responsibility for his conduct in a meaningful and complete manner. Throughout this process, he has

deflected blame to the City of Langford and the contractors with whom he worked, suggesting he had no other options available to him. Mr. Syed has maintained his position that a cap rail was not required by the Building Code, despite Mr. Kevesdi's expert opinion, and the Panel's finding to the contrary. The Panel is not aware of any remedial steps which Mr. Syed has undertaken. Accordingly, this factor favours a significant penalty.

Public confidence in the profession including public confidence in the disciplinary process

30. The Association submits there is need for both specific and general deterrence.
31. The Association submits that there is a need for specific deterrence in this case because Mr. Syed is acting as a "seal for hire" in circumstances where he lacks sufficient training and expertise. The Association also submits the Panel's finding at paragraph 88 of the Decision is particularly relevant to the need for specific deterrence:

88. The Panel agrees with and accepts Mr. Kevesdi's opinion and finds that Mr. Syed undertook and accepted responsibility for the Projects in circumstances where he lacked sufficient training or experience in the practice area of engineering of glass guard systems. In addition, he provided opinions on a professional subject, including under seal, when it was not founded upon adequate knowledge and honest conviction. The Panel finds this conduct to be contrary to the second and third principles of the Code of Ethics.
32. The Association submits there is also the need for general deterrence as Mr. Syed's conduct is highly detrimental to the integrity of the seal and the professional reliance model. In relation to the integrity of the seal, the Association cites *Re: J. C. Harrison, P.Eng and I. F. Tacy, P.Eng and T. A. London, P.Eng and E. H. Y. Man, P.Eng* (1988), in which that panel stated "If the engineer's seal is debased by its indiscriminate use, then public confidence in the profession will be lost."
33. In relation to confidence in the professional regulation model, the Association argues a key aspect of self-regulation is a profession's complaint and disciplinary process. A profession's ability to enforce its standards and code of ethics is central to self-regulation and public confidence. The Association argues that Mr. Syed's conduct undermines the professional reliance model and the confidence municipalities and public place on the sealed assurances of engineers. A serious penalty is required in order to deter other engineers from engaging in the same conduct.
34. The Panel finds there is a need for both specific and general deterrence in this matter. With respect to specific deterrence, the Panel finds that Mr. Syed has not accepted appropriate responsibility for the serious conduct which was proven. He has acted as a "seal for hire" in circumstances where he lacks sufficient training and expertise, and in circumstances where he continues to maintain that he met the Building Code requirements, where that is not the case. Mr. Syed has a relevant disciplinary history

and failure to comply with terms of their ordered timelines. The Panel accepts the Association's contention that the number of open permits on different properties suggests that Mr. Syed has a large volume practice.

35. The Panel also finds that there is a need for general deterrence in this case. The seriousness of the conduct, the pattern and scope of the conduct, the lack of acknowledgement of the misconduct and lack of remedial steps all require this Panel to take action to deter other engineers from committing the same conduct, and to maintain public confidence in the profession, including in its disciplinary process. For these reasons, this factor also favours a serious penalty.

Caselaw

36. The Association submits the penalties imposed in the following cases are relevant to consider:

a. *The Matter of James K Mah P.Eng. ("Re Mah")* (1992): a structural engineer, admitted that on five different projects, he demonstrated incompetence, negligence, or unprofessional conduct in that he failed to guard against conditions that were dangerous or threatening to life, limb, or property on work for which he was responsible; and that he demonstrated unprofessional conduct when he signed and sealed a letter of assurance when in fact the structural design for the building was not completed. The Panel revoked his membership and ordered that no application for re-admission to membership be considered before 24 months. The Panel made the following comments as to why revocation was more appropriate than a suspension:

5. In structural design, safety of the public must be paramount. The Panel had no confidence that a further or longer suspension this time would improve the quality of engineering any more than it did the first time.

6. Although no injury or loss of life occurred as a result of the design errors, the potential of a major collapse existed had the buildings been built as designed without subsequent modifications. Another suspension would send a message to the membership and the public that the Association does not take this kind of problem seriously.

b. *The Matter of P.L. Baker, P.Eng. ("Re Baker")* (1986): Mr. Baker was charged with breaching the Code of Ethics for failing to guard against conditions that were dangerous to life, limb or property with respect to certain alterations he made to a drawing for a storm sewer. It was further alleged that he signed and sealed the drawing in circumstances where they were not completely prepared by Mr. Baker or were prepared with inadequate supervision. Mr. Baker also faced allegations for being in a conflict of interest as he worked both as an employee of the owner's engineering consultant and as the contractor responsible for construction of the work. Mr. Baker did not attend the inquiry and he was found guilty of all allegations. Council concluded that "it must

impose the most severe penalty available to it and ordered Mr. Baker to be expelled.”

c. *The Matter of Pershing J. Balayo, P.Eng. (“Re Balayo”)* (2017): This matter involved a resolution by consent. It was alleged that for a guardrail project, he demonstrated unprofessional conduct by affixing his seal to a Schedule B and Schedule C-B, by which he gave assurance to the City of Langley that he prepared the design for the guardrails, that he would undertake field reviews, and that he had fulfilled his field review obligations, in circumstances where he was not involved in the design of the guardrails and performed no field reviews. Mr. Balayo agreed to cancel his membership and to pay a fine of \$7500 within 60 days.

d. In *Re: J. C. Harrison, P.Eng and I. F. Tacy, P.Eng and T. A. London, P.Eng and E. H. Y. Man, P.Eng* (1988), four of the engineers involved in the Station Square Save-On-Foods roof collapse were suspended.

37. The Association submits that cancellation is warranted in this case. Mr. Syed’s conduct occurred on four different projects. The Association submits that the number of Projects and applicability of identical allegations to different Projects is significant as it demonstrates a general failure on Mr. Syed’s part to meet basic and minimum engineering standards and practices. The Association argues that while Mr. Syed’s number of open permits alone does not justify cancellation, it is evidence of a high-volume practice. Consequently, the Association argues that Mr. Syed’s repeated failure to maintain proper documentation or to perform calculations demonstrate that his conduct and manner of practicing created a significant, and extensive, health and safety risk to the public. The Association submits that Mr. Syed’s conduct in undertaking projects where he lacked sufficient understanding of a fundamental design requirement like the need for a cap rail was highly risky and dangerous conduct, particularly given that it was in respect of guardrails, the primary purpose of which is life safety. Finally, the Association submits that it is highly concerning that Mr. Syed provided letters of assurance and sealed field reviews in circumstances where he should not have.
38. Regardless of whether the Panel cancels or suspends Mr. Syed’s membership, the Association submits that the Panel should also order, pursuant to s. 35(1) of the Act, that Mr. Syed’s membership should remain suspended or cancelled until the costs ordered against him in the Abbotsford matter, which remain unpaid, and any amount ordered in this matter, are paid by him.
39. The Association disagrees with Mr. Syed’s argument that the Panel should take into account the period of his interim suspension. The suspension was put in place because of the risk posed by Mr. Syed’s continued practice. The purpose was not to punish Mr. Syed. Mr. Syed had the right to appeal that decision.
40. The Panel has considered the caselaw cited by the Association and agrees that the

range of similar penalties is a lengthy suspension or cancellation. The Panel finds the cases of *Re Mah* and *Re Balayo* to be particularly relevant to this case.

Penalty

41. Having considered the materials before the Panel and weighed the Ogilvie/Dent factors, the Panel is satisfied that the appropriate penalty in this case is cancellation of Mr. Syed's membership.
42. The Panel is not convinced that a suspension would adequately address the requirements for specific and general deterrence in this case, particularly given the seriousness of the conduct, Mr. Syed's lack of acknowledgement and remedial action, and his level of adherence to prior suspension terms.
43. The Panel agrees with the Association that the number of Projects and applicability of identical allegations to different Projects is significant as it demonstrates a general failure on Mr. Syed's part to meet basic and minimum engineering standards and practices. The Panel also agrees that Mr. Syed's repeated failure to maintain proper documentation and to perform calculations, and the fact that he undertook projects where he lacked sufficient training and experience created a significant safety risk to the public.
44. The Panel has decided that Mr. Syed's membership will be cancelled with a condition that no application for re-admission to membership be considered for twenty-four months. Mr. Syed's membership will remain cancelled until the costs ordered against him in the Abbotsford matter and amounts ordered in this matter, are paid by him.

Costs

45. The Association seeks costs associated with the interim suspension and the discipline process and hearing.
46. The Association incurred legal costs of \$14,219.71 to apply for and obtain the interim suspension. That includes the preparation of written materials and an oral hearing before a discipline panel
47. The Association incurred \$34,238.90 in legal costs for the discipline process and hearing. The Association submits that the legal expense was increased by the number of adjournments. The hearing took two days and concerned four different Projects. Counsel required time to prepare a comprehensive written argument summarizing the evidence at the hearing. All of the allegations were proven.
48. The Association also incurred expert expenses of \$2,265.44. The Association submits that the expert expense was made necessary by the highly technical nature of the glass guard issues. Mr. Kevesdi was qualified as an expert and his evidence was accepted.

49. The Association seeks \$46,847.93, representing approximately 90% of the Association's costs. It suggests the costs should be payable within thirty days or, at a minimum, by way of monthly installments over a six-month period.
50. The Panel requested that the Association provide it with its costs, net of GST. The Association advised that the pre-2019 amount, exclusive of GST, is \$13,584.25, and the January 2019 to May 2020 amount, exclusive of GST, is \$32,865.92.
51. The Association submits that the amounts claimed are consistent with recent discipline matters. In *Re Chrysanthous*, the panel ordered \$50,000 in costs (90% of actual costs), *Re Halarewicz*, the panel ordered costs of \$46,455.82 (90% of actual costs), and the Abbotsford matter involving Mr. Syed.
52. The Panel has considered whether to order costs associated with the interim suspension and declines to do so. The Panel notes that its authority in section 35 of the Act is in relation to "reasonable costs of and incidental to the investigation under section 30 and the inquiry under section 32". The interim suspension process was undertaken pursuant to section 31(7) of the Act.
53. The Panel finds the Association's other costs and disbursements to be reasonable: \$32,865.92 in external legal counsel from January 2019 to present, \$2,265.44 in expert costs and \$1,071.95 for the court reporter; totaling \$36,203.31. The Panel orders costs of \$32,582.98, representing 90% of the Association's costs, payable within 90 days of the date of this order.

D. Order

54. In summary, the Panel orders as follows:

- a. Mr. Syed's membership is cancelled.
- b. Mr. Syed must pay costs of \$32,582.98 to the Association within 90 days of the date of this order.
- c. Mr. Syed may not apply for re-admission until 24 months from the date of the order.
- d. Mr. Syed's membership will remain cancelled until Mr. Syed pays the costs ordered against him in both the Abbotsford matter and this matter.

DATED this 18th day of August 2020

<Original Signed By>

Frank Denton, P.Eng., Chair

<Original Signed By>

Ron Yaworsky, P.Eng.

<Original Signed By>

Jurgen Franke, P.Eng.