

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

and

IN THE MATTER OF NARAYAN ABHYANKAR P.ENG., P.GEO.

Engineers and Geoscientists BC File No. T15-040

CONSENT ORDER

WHEREAS in 2014 Mr. Abhyankar was retained by a client to design a retaining wall at a residential property in Surrey, BC (the "Surrey Site");

WHEREAS on April 30, 2018, a Notice of Inquiry was issued to Narayan Abhyankar, P.Eng., P.Geo., FEC ("Mr. Abhyankar") pursuant to s. 32 of the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116 (the "Act");

AND WHEREAS the Association of Professional Engineers and Geoscientists of British Columbia (the "Association"), doing business as Engineers and Geoscientists B.C., and Mr. Abhyankar wish to resolve the matter by consent in order to avoid the need for a disciplinary inquiry;

MR. ABHYANKAR ADMITS THAT:

- A. He failed to ensure field reviews were documented by him, or under his direct supervision, during implementation or construction of the retaining wall at the Surrey Site in contravention of section 14(b)(3) of the Association's Bylaws; and
- B. He contravened section 14(b)(2) of the Association's Bylaws in October and November of 2014 when he failed to ensure regular, documented checks of the engineering work using a written quality control process appropriate to the risk associated with the work.

THEREFORE by consent, this Order is made pursuant to section 32.1 of the Act:

1. The following conditions are imposed on Mr. Abhyankar's membership:
 - A. Mr. Abhyankar shall successfully complete the course entitled "Field Review Responsibilities of Design Consultants" on November 1, 2018 at his own expense; and
 - B. Mr. Abhyankar shall, on or before November 21, 2018, provide written notice to the Registrar of the Association that he has successfully completed the above noted course.
2. Mr. Abhyankar shall pay a fine in the amount of \$5,000 to the Association, payable within 30 days of the date of this Consent Order.

3. Mr. Abhyankar shall pay \$7,500 toward the Association's legal costs within 30 days of the date of this Consent Order.
4. In the event that Mr. Abhyankar fails to comply with any of the terms of this Consent Order, his membership in the Association will be suspended until every default has been remedied in accordance with the terms of this Consent Order.

Consequences of the Consent Order

5. The full text or a summary of this Consent Order will be published by the Association in print and electronic publications including on the Association's website.
6. This Consent Order has the same force and effect as an Order made under section 33(2) of the Act and may be dealt with under section 34 of the Act if conditions in the Consent Order are not met.
7. Mr. Abhyankar agrees that he has had the benefit of independent legal advice regarding this Consent Order.
8. The Association and Mr. Abhyankar agree that this Consent Order may be executed in counterparts and delivered as an electronic document.

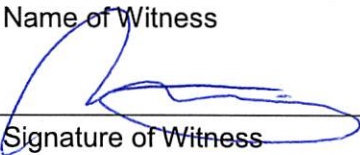
This Consent Order is approved and accepted by Mr. Abhyankar and the members of the Discipline Committee Review Panel this 20 day of September, 2018.




Narayan Abhyankar, P.Eng., P.Geo., FEC




Name of Witness



Signature of Witness



Paul Adams, P.Eng., FEC
Member, Discipline Committee



Colin Smith, P.Eng., FEC, FGC (Hon)
Member, Discipline Committee



Dave Ricketts, P.Eng., FEC
Member, Discipline Committee