ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

IN THE MATTER OF THE *PROFESSIONAL GOVERNANCE ACT*, S.B.C. 2018, CHAPTER 47 AND

IN THE MATTER OF JENISH CERVANTES CASTILLO, P.ENG. ENGINEERS AND GEOSCIENTISTS BC FILE NO. T23-010(C)

CITATION

TO: Jenish C. Castillo, P.Eng.
[redacted]
[redacted]

TAKE NOTICE that a Panel of the Discipline Committee of the Association of Professional Engineers and Geoscientists of the Province of British Columbia, doing business as Engineers and Geoscientists BC, will meet on a date to be determined for the purpose of conducting a discipline hearing pursuant to the *Professional Governance Act,* S.B.C. 2018, c. 47 (the "*PGA*"). The *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116 (the "*EGA*") was repealed and replaced by the *PGA* on February 5, 2021. While some of the allegations herein are made under the *EGA*, the procedures established by the *PGA* and the current Bylaws of Engineers and Geoscientists BC will be followed as far as they can be adapted to this proceeding.

AND TAKE NOTICE that the allegations against you are that you acted contrary to the *EGA* and *PGA* as follows:

1. You committed unprofessional conduct in the professional engineering services you provided in January 2021 as the engineer of record for a temporary scaffolding structure (the "Scaffolding") at [redacted] Maple Ridge, BC (the "Property"). In particular:

    a. you prepared a preliminary drawing (the "Preliminary Drawing") that:

        i. was materially incomplete;

        ii. failed to include any indication that it was a preliminary drawing;

iii. was not authenticated but should have been authenticated as it was used for construction purposes; and

iv. detailed a design that connected the Scaffolding to the existing base building on the Property without conducting the necessary analysis to verify the structural capacity of the existing building;

b. you failed to either conduct a site visit or document the results of your site visit to the Property prior to preparing the Preliminary Drawing;

c. you failed to conduct a risk assessment of the Scaffolding before preparing the Preliminary Drawing; and

d. you failed to obtain an independent review of the design set out in the Preliminary Drawing.

2. The conduct at paragraph 1(b)–(d) also constitutes a breach of sections 14(1)(b)(1), (2) and (4) of the Bylaws of the Engineers and Geoscientists BC, as they stood at the time, which required members to establish and maintain documented quality management processes for their practices, including retention of complete project documentation for a minimum period of 10 years; regular documented checks of engineering work appropriate to the risk associated with the work; and documented independent reviews of structural designs prior to construction.

3. The conduct set out above in paragraph 1 was also contrary to Principle 1 of the Engineers and Geoscientists BC Code of Ethics, as it stood at the time, which required all members and licensees to hold paramount the safety, health and welfare of the public, the protection of the environment and promote health and safety within the workplace.

4. You committed professional misconduct in the professional engineering services you provided as the engineer of record for the Scaffolding between February 2021 and June 2021. In particular:

a. you failed to conduct a risk assessment for the Scaffolding contrary to section 7.3.4 of the Bylaws of Engineers and Geoscientists BC;

b. you failed to obtain an independent review of the Scaffolding contrary to section 7.3.5 of the Bylaws of Engineers and Geoscientists BC;

c. you created and authenticated drawings for the Scaffolding in February 2021 (the February Drawings") in which you failed to identify the components of the Scaffolding that had already been built and those yet to be built;

d. in preparing the February Drawings and the authenticated drawings you prepared for the Scaffolding in June 2021 (together the "Design Drawings"), you failed to conduct the necessary investigations and calculations for the design of the Scaffolding, including by failing to:

i. adequately investigate the condition of the asphalt at the Property;

ii. calculate a complete and structurally sufficient load path to support the tarp enclosure;

iii. adequately account for all the scaffold frames required to span over the building; and

iv. assess the effects of the total design load from the Scaffolding on the existing building structure, nor the Scaffolding and the ground;

e. in the alternative, with respect to your conduct outlined in subparagraph 4(d) above, you did not adequately document the investigations and calculations you performed before producing the Design Drawings;

f. you failed to provide adequate details in the Design Drawings for the connections between the Scaffolding and the existing building structure, as well as the Scaffolding and the ground, including by omitting to include:

i. details about the appropriate number of and spacing between the anchors required to connect the Scaffolding to the ground;

ii. details indicating a sufficient connection between the anchors and the concrete slab indicated on the Design Drawings to support the hold-down load;

g. you failed to document and analyze the potential impacts of any discrepancies between the Scaffolding as set out in the Design Drawings and its as-built condition, including discrepancies in the details connecting the Scaffolding to the existing building;

h. you failed to conduct adequate field reviews contrary to section 7.3.3 of the Bylaws of Engineers and Geoscientists BC; and

i. you failed to appropriately authenticate documents when using a digital seal.

5. The conduct set out at paragraph 4 also was contrary to certain principles of the Code of Ethics, attached as Schedule A to the current Bylaws of Engineers and Geoscientists BC, namely:

a. Principle 1, which requires that registrants must hold paramount the safety, health and welfare of the public, the protection of the environment and the promotion of health and safety in the workplace;

b. Principle 4, which requires that registrants must have regard for applicable standards, policies, plans and practices established by the government or Engineers and Geoscientists BC; and

c. Principle 12, which requires that registrants must undertake work and documentation with due diligence and in accordance with any guidance developed to standardize professional documentation for the applicable profession.

AND FURTHER TAKE NOTICE that you, Jenish Cervantes Castillo, P.Eng., have the right, at your own expense, to be represented by counsel at the hearing by the Panel of the Discipline Committee pursuant to section 79 of the *PGA*, and you or your counsel have the full right to cross-examine all witnesses called and to call evidence in defence and reply in answer to the allegations.

AND FURTHER TAKE NOTICE that, pursuant to section 78 of the *PGA*, in the event you fail to attend or remain in attendance at a discipline hearing under section 75 of the *PGA*, the Panel of the Discipline Committee may, if satisfied that you have been notified of the hearing, proceed with the hearing in your absence and make any order that the Panel of the Discipline Committee could have made in your presence.

DATED this 11 day of November, 2025

The Investigation Committee of the Association of Professional Engineers and Geoscientists of the Province of British Columbia

<original signed by>

Per: Peter Helland, P.Eng.
Chair, Investigation Committee