



ENGINEERS &
GEOSCIENTISTS
BRITISH COLUMBIA

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

and

**IN THE MATTER OF MICHAEL JOSEPH CHRISTIE, P.ENG.
ENGINEERS AND GEOSCIENTISTS BC FILE NO. T20-033**

CONSENT ORDER

Background

1. On February 5, 2021, the *Engineers and Geoscientists Act*, R.S.B.C 1996, c. 116 (the “*EGA*”) was repealed and replaced by the *Professional Governance Act*, S.B.C. 2018, c. 47 (the “*PGA*”).
2. On February 28, 2022, the Association of Professional Engineers and Geoscientists of the Province of British Columbia, doing business as Engineers and Geoscientists BC (“Engineers and Geoscientists BC”), issued a Citation (the “Citation”) to Michael Joseph Christie, P. Eng. in accordance with section 66(1) of the *PGA*.
3. The conduct of Mr. Christie in question occurred when the *EGA* was in force. As a result, Engineers and Geoscientists BC has considered Mr. Christie’s conduct pursuant to the *EGA* and the Bylaws and Code of Ethics under the *EGA*. While Mr. Christie’s conduct is considered under the *EGA*, pursuant to sections 35(2) and 36(1)(c) of the *Interpretation Act*, R.S.B.C 1996, c. 238, this matter proceeds procedurally under the *PGA*. Engineers and Geoscientists BC and Mr. Christie wish to resolve this matter by way of a Consent Order pursuant to section 73(2) of the *PGA*.
4. In 2018, Mr. Christie’s company was retained by a manufacturer of guardrail posts to provide consulting services related to the design and weight bearing aspects of those posts. Under this engagement, Mr. Christie signed and sealed two Load Test

Layout Drawings dated August 28, 2018 (the “August 28, 2018 Drawing”) and March 14, 2019 (together, the “Drawings”).

5. On or about December 17, 2019, Engineers and Geoscientists BC was notified by the Manager of Permits and Licensing for the City of Salmon Arm that the August 28, 2018 Drawing had been included in a homeowner’s application for a permit to build a topless guardrail structure as a component of a residential sundeck. The inclusion of the drawing in the permit application was done without Mr. Christie’s knowledge.

Admissions

6. Mr. Christie admits the allegations set out in the Citation, namely that in connection with the Drawings, Mr. Christie acted contrary to the *EGA* and the Bylaws of Engineers and Geoscientists BC, as follows:
 - a. Mr. Christie demonstrated unprofessional Conduct when he failed to undertake an adequate testing process, in particular:
 - i. the testing performed by Mr. Christie was not adequate to demonstrate that the design of the Short Posts complied with the BC Building Code as the load magnitude indicated on the Drawings does not result in the maximum imposed load on the Short Posts, as required by s. 4.1.5.14 of the BC Building Code.
 - b. Mr. Christie demonstrated unprofessional Conduct by signing and affixing his seal to the Drawings, in particular:
 - i. while depicting a glass guardrail system and referring to “tested glass”, the Drawings do not contain adequate information to indicate that the load test was not a test of the glass guardrail system, and that the Drawings were intended only to depict a load test conducted on the Short Posts;
 - ii. Mr. Christie included the following notes on the Drawings indicating that the glass component of the guardrail system had been tested and was in conformance with the BC Building Code:
 - a. “All testing done to confirm loading required in the BC Building Code”;
 - b. “Tested glass was 12mm thick tempered”;
 - iii. Mr. Christie failed to include sufficient information on the Drawings to describe what standards he used, what tests he performed, and what load factors he applied; and

- iv. Mr. Christie failed to include a number of details on the Drawings including gaskets between the glass and aluminum, weld sizes, substrate requirements, and edge distances.
- c. The deficiencies in the testing process identified in paragraph 4(a) and the deficiencies in the Drawings identified in paragraph 4(b) demonstrate incompetence.
- d. Mr. Christie failed to comply with the minimum requirements of s. 14(b)(1) of the Bylaws of Engineers and Geoscientists BC when he failed to maintain complete project documentation, including testing documentation and data.

Disposition

- 7. By consent of Mr. Christie and Engineers and Geoscientists BC, this Consent Order is made pursuant to section 73 the *PGA*.
- 8. From the effective date of this Consent Order until commencement of the Peer Review (defined below), Mr. Christie is prohibited from: (i) affixing his seal to any document; or (ii) authenticating any document.
- 9. Mr. Christie's practice will be subject to peer review pursuant to the *Discipline Committee Order Peer Review Policy* of Engineers and Geoscientists BC, as may be amended or revised from time to time (the "Peer Review"), subject to the following conditions:
 - a. the peer reviewer must be a professional engineer who is a registrant of Engineers and Geoscientists BC and who is approved in writing by the Registrar of Engineers and Geoscientists BC (the "Approved Peer Reviewer");
 - b. the Peer Review will continue for a minimum period of six months and the Approved Peer Reviewer must review a minimum of six projects, whichever comes later (the "Peer Review Period");
 - c. following the Peer Review Period, the Approved Peer Reviewer will provide Engineers and Geoscientists BC with confirmation in writing that Mr. Christie has successfully completed the Peer Review process and that, in the opinion of the Approved Peer Reviewer, Mr. Christie has demonstrated competence such that he should be permitted to sign, seal, and authenticate documents without oversight; and
 - d. Mr. Christie will pay the costs associated with the Peer Review.
- 10. Following the Peer Review Period, Mr. Christie agrees to undergo a practice review conducted by the Audit and Practice Review Committee of Engineers and Geoscientists BC (the "Practice Review"), at his own expense. The precise timing

and process of the Practice Review will be determined by the Audit and Practice Review Committee of Engineers and Geoscientists BC.

11. Within three months of the effective date of this Consent Order, Mr. Christie will, at his own expense, complete the Professional Engineering and Geoscience Practice in BC Online Seminar (the "Seminar"), and on completion, Mr. Christie will provide written notice of successful completion of the Seminar to Engineers and Geoscientists BC.
12. Mr. Christie will pay \$7,500 towards the legal and investigative costs of Engineers and Geosciences BC within thirty days of the effective date of this Consent Order.
13. In the event that Mr. Christie fails to comply with any of the terms of this Consent Order, his registration with Engineers and Geoscientists BC will be suspended until every default has been remedied in accordance with the terms of this Consent Order.

Consequences of the Consent Order

14. The full text of this Consent Order will be published on the website of Engineers and Geoscientists BC, and a summary will be published in print and electronic publications, including in public communications.
15. This Consent Order has the same force and effect as an Order made under section 75(6) of the *PGA*.
16. Mr. Christie has received independent legal advice regarding the content of this Consent Order.

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17. Mr. Christie and Engineers and Geoscientists BC agree that this Consent Order may be executed electronically and in counterparts and delivered as an electronic document.

This Consent Order is approved and accepted by Mr. Christie and the members of the Discipline Resolution Panel this 12 day of August, 2022.

SIGNED by Michael Joseph Christie,
P.Eng. in the presence of:

<original signed by>
Witness Signature

Sasha Christie
Witness Name (Printed)

<original signed by>
Michael Joseph Christie, P. Eng.

<original signed by>
Neil Cumming, P.Eng.
Member, Discipline Resolution Panel

<original signed by>
Alison Dennis
Member, Discipline Resolution Panel

<original signed by>
Rajib Ahsan, P.Eng.
Member, Discipline Resolution Panel