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October 19, 2017

VIA EMAIL

Engineers and Geoscientists British Columbia
200 - 4010 Regent Street
Burnaby, BC V5C 6N2

Attn: Efrem Swartz, LLB | Director
Legislation, Ethics and Compliance

Dear Sirs/Mesdames:

Re: Notice of Inquiry - Edward Joe Yam Lee, P. Eng.

I confirm that on July 25, 2017 the panel of the discipline committee agreed to adjourn the hearing of the above-noted matter from August 29, 2017 to November 2, 2017.

I am counsel to the panel.

Yours truly,

SUGDEN, McFEE & ROOS LLP
PER:

JEAN P. WHITTOW, Q.C.
JPW/gm

cc. counsel

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

and

IN THE MATTER OF EDWARD JOE YAM LEE, P.Eng.

NOTICE OF INQUIRY

TO: Edward Joe Yam Lee, P.Eng.

c/o Lindsay LLP
1000 – 564 Beatty Street
Vancouver, BC V6B 2L3
Attention: Richard B. Lindsay, Q.C.

TAKE NOTICE that a Panel of the Discipline Committee of the Association of Professional Engineers and Geoscientists of British Columbia (the "Association"), will meet at Suite 200, 4010 Regent Street, in the City of Burnaby, in the Province of British Columbia on **Tuesday, August 29, 2017**, at the hour of 9:30 a.m. for the purpose of taking evidence or otherwise causing an inquiry to be made with respect to the allegations herein pursuant to the ***Engineers and Geoscientists Act***, R.S.B.C. 1996, Chapter 116 (the "***Act***").

AND TAKE NOTICE that the allegations against you are that:

1. You demonstrated unprofessional conduct, incompetence, or negligence in 2007 by sealing a drawing (the "Drawing") relating to the connection of air conditioning equipment to a cooling tower in the building located at 970 Burrard St., Vancouver (the "Property"):

    a. when the Drawing was neither produced by you nor under your direct supervision;

    b. when you did not have adequate knowledge of the Property's cooling system and how the air conditioning equipment would connect to the cooling system at the time that you sealed the Drawing;

    c. when you knew or ought to have known that the Drawing would be provided to the council of the Strata Corporation LMS 1866, Commercial Owners Section (the "Council"), and accordingly affixing your seal had the effect of misrepresenting to the Council

that you prepared or supervised the preparation of the Drawing when in fact you had not; and

d. when the drawing was marked "for management approval and construction" and when you knew or ought to have known that the Drawing was conceptual only and you did not know if it could safely be issued for construction.

2. The conduct set out above at paragraph 1 is contrary to s. 20(9) of the *Act*.

3. The conduct set out above at paragraph 1 is contrary to Principle 3 of the APEGBC Code of Ethics.

4. You demonstrated unprofessional conduct, incompetence, or negligence in 2007 when you did not retain a copy of the sealed Drawing for your records.

5. The conduct set out above at paragraph 4 is contrary to section 14(b)(1) of the APEGBC Bylaws.

AND FURTHER TAKE NOTICE that you, Edward Joe Yam Lee, P.Eng., have the right, at your own expense, to be represented by counsel at the inquiry by the Panel of the Discipline Committee and you or your counsel shall have the full right to cross-examine all witnesses called and to call evidence in defence and reply in answer to the allegation.

AND FURTHER TAKE NOTICE that in the event of your non-attendance at the inquiry, the Panel of the Discipline Committee may, upon proof of service of this Notice of Hearing upon you, proceed with the taking of evidence or otherwise ascertaining the facts concerning the allegation, despite your absence, and may make its findings on the facts and its decision without further notice to you.

DATED at the City of Vancouver, Province of British Columbia, this 12th day of April, 2017.

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

Per: Paul Adams, P.Eng., FEC
Chair, Discipline Committee