



ENGINEERS &
GEOSCIENTISTS
BRITISH COLUMBIA

IN THE MATTER OF THE *PROFESSIONAL GOVERNANCE ACT*,
S.B.C. 2018, CHAPTER 47 (“PGA”)

AND

IN THE MATTER OF SEYED-AHMAD PISHVAEI, P.ENG.

ENGINEERS AND GEOSCIENTISTS BC FILE NO. T22-058

CITATION

TO: Seyed-Ahmad Pishvaei, P.Eng.
c/o Dolden Wallace Folick LLP
18th Floor-609 Granville St.
Vancouver, BC, V7Y 1G5
Attention: Jonathan J. Weisman

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 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 The *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116 (the “EGA”) was repealed and replaced by the PGA on February 5, 2021.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 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 in this proceeding.

AND TAKE NOTICE that the allegations against you are that:

1. You demonstrated unprofessional conduct, or in the alternative negligence, contrary to the EGA, in or about 2016 through 2019 in respect of a design for a dwelling on [REDACTED], North Vancouver, BC (the “Project”), and in particular when you signed and sealed drawings dated August 26, 2019 that:
 - a. failed to identify shear walls for resisting lateral loads;

- b. failed to specify:
 - i. shear wall tension hold-down locations for resisting overturning forces; and
 - ii. shear wall base anchor requirements for resisting base shear forces.
 - c. lacked adequate information, including regarding:
 - i. shear wall requirements and details;
 - ii. drag strut locations;
 - iii. end connection requirements for engineered wood beams; and
 - iv. stepped footing requirements and details.
 - d. did not include an adequately designed system to resist external soil pressure;
 - e. failed to address all the different basement retaining wall conditions shown in the architectural drawing set;
 - f. specified an engineered wood beam that did not meet load and capacity requirements;
 - g. specified a wood post that did not provide sufficient bearing area to support an engineered wood beam; and
 - h. specified inadequate anchor bolts for connecting ledger boards to concrete walls.
2. You demonstrated unprofessional conduct, or in the alternative negligence, contrary to the EGA, when you failed to perform the necessary calculations to ensure the Project was designed in accordance with the British Columbia Building Code in force at the time. In particular, you failed to perform the necessary calculations to ensure the design of the Project:
- a. had sufficient capacity to resist soil loads; and
 - b. had sufficient capacity to resist seismic loads.
3. In the alternative to paragraph 2, you demonstrated unprofessional conduct, or in the alternative negligence, contrary to the EGA, when you did not adequately document your structural calculations in relation to soil loads and seismic loads.
4. The conduct set out above at paragraphs 1-3 is contrary to Principle 1 of Engineers and Geoscientists BC Code of Ethics, as it stood at the time, which requires that all

members and licensees shall hold paramount the safety, health and welfare of the public, the protection of the environment and promote health and safety within the workplace.

5. You failed to comply with sections 14(b)(2) and 14(b)(4) of Engineers and Geoscientists BC Bylaws, as they stood at the time, when, in or about 2019 and in respect of the Project, you:
 - a. failed to ensure regular, documented checks of your engineering work using a written quality control process appropriate to the risk associated with the work; and
 - b. failed to ensure documented independent reviews were conducted of your structural designs generally by members or licensees having appropriate experience in designing structures of a similar type and scale, and who were not involved in preparing the designs.
6. In the alternative to paragraph 5, if documented checks and/or independent reviews of the calculations and drawings for the Project were performed, you failed to retain the documentation, contrary to section 14(b)(1) of Engineers and Geoscientists BC Bylaws, as it stood at the time.

AND FURTHER TAKE NOTICE that you, Seyed-Ahmad Pishvaei, P.Eng., have the right, at your own expense, to be represented by counsel at the inquiry by the Panel of the Discipline Committee pursuant to s. 79 of the PGA, 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 allegations.

AND FURTHER TAKE NOTICE that, pursuant to s. 78 of the PGA, in the event you fail to attend or remain in attendance at a discipline hearing under s. 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 discipline committee or panel could have made in your presence.

DATED this 25 day of July, 2024.

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