



ENGINEERS &
GEOSCIENTISTS
BRITISH COLUMBIA

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

and

IN THE MATTER OF AN KHANH TRAN, P.ENG.

ENGINEERS AND GEOSCIENTISTS BC FILE NO. T22-077

CONSENT ORDER

Background

1. On September 28, 2023, the Association of Professional Engineers and Geoscientists of the Province of British Columbia, doing business as Engineers and Geoscientists BC, issued a Citation to An Khanh Tran, P.Eng., pursuant to section 66(1) of the *Professional Governance Act*, S.B.C. 2018, c. 47 (the “PGA”).
2. The Citation was issued in relation to an 11-storey concrete building then known as Danbrook One located at 2766 Claude Road, Langford, British Columbia (now known as RidgeView Place at 2770 Claude Road, Langford, British Columbia) (the “Building”), in respect of which Mr. Tran took responsibility for the remediation of the Building as the structural engineer of record, and prepared structural drawings titled “Final Remediation Drawings” dated April 11, 2022 (the “Remediation Work”). Mr. Tran provided the associated Letters of Assurance to the City of Langford.
3. Engineers and Geoscientists BC and Mr. Tran now wish to resolve this matter by consent pursuant to section 73(2) of the *PGA* in order to avoid the need for a disciplinary hearing.

Admissions

4. Mr. Tran admits that, in connection with the Building and the Remediation Work, he demonstrated professional misconduct by failing to advise the City of Langford that his review of the design of the Building and his design of remediation measures for

the structural elements of the Building was limited to addressing those items identified in an external review report prepared by a third-party engineering firm (the "Report") in circumstances where the Report expressly stated that it was not a comprehensive review of the Building, and recommended a complete detailed review of the Building design that he had not completed.

5. The conduct set out above at paragraph 4 is contrary to Principle 1 of the Engineers and Geoscientists BC Code of Ethics, as it stood at the time, which required 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.

Disposition

6. By consent, this Consent Order is made pursuant to section 73 of the *PGA*.
7. Mr. Tran's registration in Engineers and Geoscientists BC is suspended for a period of three months commencing on September 20, 2024 (the "Suspension Period").
8. During the period from the date of the execution of this Consent Order to the commencement of the Suspension Period, Mr. Tran will:
 - a. make reasonable arrangements for the orderly transfer of his ongoing professional engineering project files to other professional engineers; and
 - b. limit his practice to those project files that he is currently engaged on and will not take on any new project files or other engineering work.
9. Prior to the end of the Suspension Period, Mr. Tran must provide written notice to Engineers and Geoscientists BC that, at his own expense, he has completed the Professional Engineering and Geoscientists Practice in BC Online Seminar.
10. Six months after the conclusion of the Suspension Period, Mr. Tran will undergo a practice review conducted by 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.
11. Mr. Tran will pay \$12,000 to Engineers and Geoscientists BC contemporaneous with the execution of this Consent Order as a contribution towards the legal and investigative costs incurred in this matter.
12. In the event that Mr. Tran 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

13. 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.
14. This Consent Order has the same force and effect as an Order made under section 75(6) of the *PGA*.
15. Mr. Tran has received independent legal advice regarding the content of this Consent Order.
16. Mr. Tran and Engineers and Geoscientists BC 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. Tran and the members of the Discipline Resolution Panel this 26 day of August, 2024.

<original signed by>

An Khanh Tran, P.Eng.

Irene Wijoyo

Name of Witness

<original signed by>

<original signed by>

Jurgen Franke, P.Eng.
Member, Discipline Resolution Panel

Signature of Witness

<original signed by>

Roz Nielsen, P.Eng.
Member, Discipline Resolution Panel

<original signed by>

Warren Funt
Member, Discipline Resolution Panel