

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

and

IN THE MATTER OF CHARLES SHEN, P. Eng.

APEGBC File No.: T16-021

CONSENT ORDER

Dated for reference August 19, 2016.

WHEREAS the Association of Professional Engineers and Geoscientists of the Province of British Columbia ("APEGBC"), pursuant to section 32 of the *Engineers and Geoscientists Act*, R.S.B.C. 1996, Chapter 116 (the "Act"), served on Charles Shen ("Mr. Shen") a Notice of Inquiry dated July 1, 2016.

AND WHEREAS Mr. Shen admits to all of the allegations against him contained in the Notice of Inquiry and agrees to the following statement of facts:

1. Mr. Shen breached section 20(9) of the Act by affixing his signature and his professional engineer's seal on engineering drawings dated August 4, 2015 and a Schedule "B" *British Columbia Building Code* Letter of Assurance addressed to the City of Surrey dated August 4, 2015, all of which related to a project located in the City of Surrey (the "Project"), in circumstances in which he knew or ought to have known that the engineering design that was reflected in and referred to in those documents had not been prepared by him or under his direct supervision;
2. Mr. Shen breached APEGBC Bylaw 14(b)(1) by his failure to retain complete project documentation in respect of the Project;
3. Mr. Shen breached APEGBC Bylaw 14(b)(2) by his failure to use a written quality control process appropriate to the risk associated with the engineering work performed in respect of the Project for which he formally took responsibility in his capacity as a professional engineer; and
4. Mr. Shen promptly and fully cooperated with the Investigation Committee of APEGBC in relation to its investigation of this matter, and made reasonable and appropriate admissions early in the investigation.

AND WHEREAS APEGBC and Mr. Shen wish to resolve this matter by consent pursuant to section 32.1 of the Act, without a disciplinary hearing.

THEREFORE by consent, and pursuant to the section 32.1 of the Act, this Order is hereby made:

- A. Mr. Shen's membership in APEGBC will be suspended for one month, effective from the date for reference of this Order;
- B. Mr. Shen will take the APEGBC Law and Ethics Seminar by January 31, 2017;
- C. Mr. Shen will pass the APEGBC Professional Practice Examination by January 31, 2017; and
- D. in the event that Mr. Shen does not complete either one or both of the requirements set out at items B and C above, Mr. Shen's membership in APEGBC will be automatically suspended from February 1, 2017 until the date of his completion of both requirements.

The full text or a summary of this Consent Order will be published by APEGBC in print and electronic publications including on APEGBC's website.

This Consent Order has the same force and effect as an order made under section 33(2) of the Act and may be dealt with under section 34 of the Act if any order set out herein is not met.

This Consent Order is approved and accepted by Mr. Shen this 19 day of August, 2016.



Signature of Charles Shen, P. Eng.

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Name of Witness



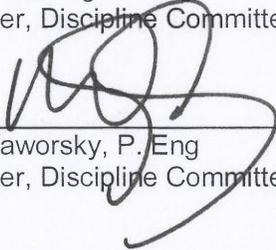
Signature of Witness



Ed Bird, P. Eng., APEC
Member, Discipline Committee



Neil Cumming, P. Eng.
Member, Discipline Committee



Ron Yaworsky, P. Eng.
Member, Discipline Committee