

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

and

IN THE MATTER OF SEYED MAHDI BEHESHTIAN, P. Eng.

APEGBC File No. T16-024

CONSENT ORDER

Background and Facts

1. On April 13, 2017, 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 Seyed Mahdi Beheshtian, P.Eng. ("**Mr. Beheshtian**") a Notice of Inquiry dated April 12, 2017.
2. Mr. Beheshtian admits that he demonstrated unprofessional conduct, and further or in the alternative he breached principle 7 of the APEGBC *Code of Ethics*, in doing one or more of the following:
 - A. on or about May 26, 2010, Mr. Beheshtian sent email correspondence to another professional engineer ("**LDT**"), containing unprofessional and derogatory remarks directed at LDT;
 - B. on or about November 29, 2011, Mr. Beheshtian posted a review of LDT's work on the *HomeStars* website, by which Mr. Beheshtian made public statements to the effect that LDT is a fraudulent, untrustworthy and unethical individual, in circumstances in which Mr. Beheshtian knew or ought to have known that Mr. Beheshtian did not have justification in making those statements;
 - C. in or about September 2014, Mr. Beheshtian posted a second review of LDT's work on the *HomeStars* website, by which Mr. Beheshtian made public statements to the effect that LDT is an untrustworthy and unethical individual, in circumstances in which Mr. Beheshtian knew or ought to have known that Mr. Beheshtian did not have justification in making those statements; and
 - D. from in or about November 2011 to in or about March 2016, Mr. Beheshtian willfully intended to cause harm to LDT's professional reputation and business in expressly refusing to retract Mr. Beheshtian's statements about LDT as particularized at subparagraphs B and C above.

Disciplinary History

3. Before the commencement of this proceeding, Mr. Beheshtian was never disciplined by APEGBC.

Admissions

4. Mr. Beheshtian admits all of the allegations contained in the Notice of Inquiry, to the extent as set out at paragraph 2 above.

Disposition

5. This Order is made pursuant to section 32.1 of the Act.
6. Mr. Beheshtian will pay \$7,000 to APEGBC as a fine, within 60 days of the date of this Consent Order.
7. Mr. Beheshtian, at his own expense and by October 31, 2017, will successfully complete the Anger Management Workshop offered by Jericho Counselling Inc. or a comparable anger management program offered by another counselling service provider, and he will provide to APEGBC a certificate or letter from Jericho Counselling Inc. or the other counselling service provider evidencing the successful completion.
8. Mr. Beheshtian will pay \$3,000 to APEGBC as a contribution to APEGBC's costs, within 60 days of the date of this Consent Order.
9. In the event that Mr. Beheshtian fails to comply with any of the terms of this Consent Order, his membership in APEGBC will be suspended until every default has been remedied in accordance with the terms of this Consent Order.

Consequences of the Consent Order

10. 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.
11. 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 conditions in the Consent Order are not met.

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12. APEGBC and Mr. Beheshtian 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. Beheshtian and the members of the Discipline Committee Review Panel this 12 day of May, 2017.



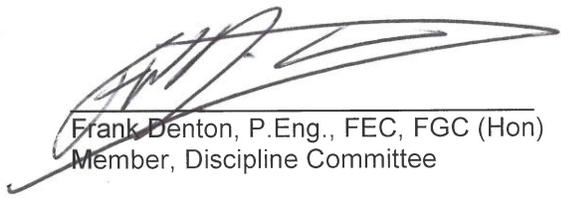
Signature of Seyed Mahdi Beheshtian, P.Eng.



Name of Witness



Signature of Witness



Frank Denton, P.Eng., FEC, FGC (Hon)
Member, Discipline Committee



Neil Cumming, P.Eng., FEC, FACI
Member, Discipline Committee



Ed Bird, P. Eng.
Member, Discipline Committee