

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

- and -

IN THE MATTER OF ROBERT BRUCE CHEADLE, P.ENG.

CONSENT ORDER

Dated for reference this 31st day of October, 2010.

WHEREAS Robert Bruce Cheadle, P.Eng. ("Mr. Cheadle") was served with a Notice of Inquiry dated July 12, 2010 pursuant to section 32 of the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116 as amended ("*Act*") that contained the following allegation:

AND TAKE NOTICE that the allegation against you is that contrary to the *Act*, you have demonstrated unprofessional conduct, in that, after signing a Letter of Undertaking to the Association's Practice Review Committee dated December 7, 2005 ("Letter of Undertaking") in which you undertook:

I will no longer seek new contracts for work which involves the provision of professional engineering advice or consulting services on matters related to building envelope engineering unless:

- a. It is under the direct supervision of a professional engineer having specialized expertise in building envelope engineering who is approved in advance, in writing, by the Practice Review Committee; or*
- b. I have successfully completed a training program in building envelope engineering which includes components of education and experience that has been approved in advance, in writing, by the Practice Review Committee.*

you performed 11 building envelope consulting projects without first complying with either of these provisions in the Letter of Undertaking.

AND WHEREAS the Association of Professional Engineers and Geoscientists of British Columbia ("Association") and Mr. Cheadle wish to resolve this matter by consent in order to avoid the need for a disciplinary inquiry.

AND WHEREAS Mr. Cheadle admits the allegation in the Notice of Inquiry.

THEREFORE by consent, this Order is hereby made, pursuant to the *Act*, specifically s. 32.1.

(a) Mr. Cheadle's membership in the Association is suspended for 6 months commencing on the reference date of this Consent Order;

(b) Mr. Cheadle shall pay the Association's legal costs, including disbursements and taxes, in this matter up to the reference date of this Consent Order, up to a maximum of \$2,500.00. Such costs will be payable within 6 months of the reference date of this Consent Order;

(c) Mr. Cheadle shall have an independent peer review conducted of the following 11 building envelope projects:

- (i) [REDACTED] North Saanich;
- (ii) [REDACTED], Victoria;
- (iii) [REDACTED], Victoria;
- (iv) [REDACTED], Victoria;
- (v) [REDACTED], Victoria;
- (vi) [REDACTED], Victoria;
- (vii) [REDACTED], Victoria;
- (viii) [REDACTED], Victoria;
- (ix) [REDACTED], Victoria;
- (x) [REDACTED], Victoria; and
- (xi) [REDACTED], Victoria.

at his cost within 12 months of the reference date of this Consent Order. The professional engineer that is to conduct the peer reviews shall be approved in advance and in writing by the Registrar of the Association;

(d) Mr. Cheadle following the completion of his suspension set out in paragraph (a) above shall comply fully with the terms of the Letter of Undertaking to the Association's Practice Review Committee dated December 7, 2005 with the following changes:

- (i) the independent peer review of the [REDACTED] project shall be completed within 12 months of the reference date of the Consent Order

by a professional engineer approved in advance and in writing by the Registrar of the Association; and

(ii) any approval of suitable courses and/or training shall be by the Registrar of the Association.

(e) If any of the conditions in paragraphs (b) to (d) above are not met within the time permitted Mr. Cheadle's membership in the Association will be suspended until all such conditions have been met.

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.

This Consent Order is approved and accepted by Mr. Cheadle and a member of the Discipline Committee this 5th day of ~~October~~, 2010.

number

T. Houckamp
Witness

R. Cheadle
Mr. Cheadle, P.Eng.

Witness

R. Wares
Roy Wares, P.Eng.
Chair, Discipline Committee