

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

- and -

IN THE MATTER OF THOMAS LYNN TROTT, P.ENG.

CONSENT ORDER

Dated for reference October 30, 2009.

WHEREAS Thomas Lynn Trott, P.Eng. ("Lynn Trott") was served with a Notice of Inquiry dated December 4, 2000 that contained the following allegation:

***AND TAKE NOTICE** that the allegation against you is that, contrary to the Act, you demonstrated unprofessional conduct when you signed, sealed and submitted for building permit, on May 16, 2000, structural design drawings for the proposed [REDACTED] building at [REDACTED] in the City of Vancouver (the "Project"), when that design did not comply with the then current edition of the Vancouver Building By-law. Specifically, the design did not adequately address seismic or vertical loads nor did the design provide sufficient details to properly construct the Project.*

AND WHEREAS Lynn Trott entered into an agreement with The Association of Professional Engineers and Geoscientists of the Province of British Columbia (the "Association") dated April 30, 2001 (the "Stipulated Order") whereby he admitted the allegations in the Notice of Inquiry dated December 4, 2000 and agreed to certain penalties.

AND WHEREAS Lynn Trott's membership in the Association was subject to a condition restricting his practice of structural engineering, pursuant to the terms of the Stipulated Order.

AND WHEREAS the enforceability of the Stipulated Order has been challenged in other proceedings.

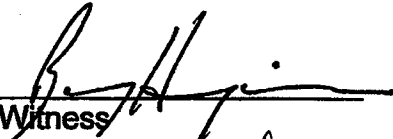
AND WHEREAS the Association and Lynn Trott wish to give legal effect to the practice restriction in the Stipulated Order.

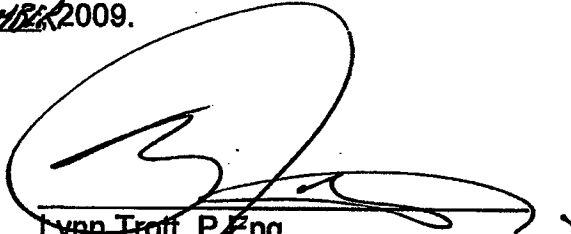
AND WHEREAS the Association and Lynn Trott wish to resolve this matter by consent in order to avoid the need for a disciplinary inquiry.


THEREFORE by consent, this Order is hereby made, pursuant to the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116 as amended ("Act"), specifically s. 32.1.


1. Lynn Trott admits the allegations of unprofessional conduct set out in the Notice of Inquiry.
2. Lynn Trott's penalty for this unprofessional conduct is as follows:
 - a) Lynn Trott may not provide structural engineering designs of buildings requiring the application of Part 4 of the British Columbia Building Code or Part 4 of the City of Vancouver Building Bylaw. Lynn Trott's practice of structural engineering shall be restricted to the design of wood frame buildings to which Part 9 of the BC Building Code and the Vancouver Building Bylaw applies, but may include the design of structural elements within such buildings, that are governed by the provisions of Part 4 of the BC Building Code and the Vancouver Building Bylaw.
 - b) Lynn Trott may apply for the above condition to be removed upon:
 - i. providing proof, satisfactory to the Discipline Committee, that he has successfully undertaken structural engineering courses addressing the issues identified in the Notice of Inquiry; and
 - ii. successfully completing an oral examination on those same issues before the Association's Structural Qualifications Board.

This Consent Order is approved and accepted by Lynn Trott and a member of the Discipline Committee this 9th day of NOVEMBER 2009.


Witness


Lynn Trott, P.Eng.


Witness
Geoffrey Thiele
ARECBC


Roy Wares, P.Eng.
Chair, Discipline Committee