

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

- and -

IN THE MATTER OF LARRY WOOD, P.Eng.

STIPULATED ORDER

WHEREAS:

1. Larry Wood, P.Eng. ("Larry Wood") has been advised by letter dated April 5, 2005, with attachments, from the Association of Professional Engineers and Geoscientists of the Province of British Columbia (the "Association") about a concern over his practice as a Professional Engineer;
2. Larry Wood understands that the Investigation Committee of the Association has reasonable and probable grounds to believe and does believe that he, Larry Wood, contravened the *Engineers and Geoscientists Act*, R.S.B.C. 1996, Chapter 116, as amended (the "**Act**"), the Bylaws or the Code of Ethics of the Association, specifically:

AND TAKE NOTICE that the allegation against you is that, contrary to the **Act**, you have breached the code of ethics of the Association, in that you have not conducted yourself with fairness, courtesy and good faith towards a colleague and have not given honest and fair professional comment on a colleague's work, when on or about March 21, 2005 you wrote a letter to third parties and stated that the colleague "has a history of preparing misleading, inaccurate and sensational reports and [REDACTED]";

3. Larry Wood understands that the Discipline Committee of the Association after an Inquiry, and a finding that the allegation set out in the Notice of Inquiry has been proven, has the power and authority, in accordance with Section 32 of the **Act**, to do one or more of; reprimand, impose conditions on membership, suspend or revoke membership, for the contravention the Discipline Committee finds Larry Wood, to have committed;
4. Larry Wood understands that he has the right at an Inquiry to make full answer and defence and to be represented by counsel;

5. Larry Wood, after seeking and obtaining independent legal advice, wishes to expedite the resolution of this matter by means of this Stipulated Order, and does not wish to proceed to an Inquiry;

6. This Stipulated Order will become binding when accepted by Larry Wood, and the Reviewing Member of the Discipline Committee; and

7. Larry Wood understands that particulars surrounding this Stipulated Order will be published in *Innovation* and a notice of this Stipulated Order may be otherwise published or distributed.


THEREFORE

In recognition of the foregoing, Larry Wood and the Reviewing Member hereby agree as follows:

- (a) Larry Wood, accepts that he is in breach of the **Act**, as alleged in the Notice of Inquiry dated October 3, 2005;
- (b) The Reviewing Member, after a careful review of all the information provided, has determined that an appropriate penalty is as follows:
 - 1. Larry Wood be, and hereby is, reprimanded for his conduct;
 - 2. As a condition of Larry Wood's continued membership in the Association he will prepare a letter of apology to [REDACTED] P.Eng. for Larry Wood's comments in his March 21, 2005 memo regarding [REDACTED] in a form acceptable to the Registrar of the Association by November 30, 2005;
 - 3. As a further condition of Larry Wood's continued membership in the Association he will immediately send the approved letter of apology to [REDACTED] and to the Association, which will publish the letter of apology in a form and manner that the Association deems appropriate;
 - 4. If Larry Wood fails to comply with paragraphs 2 and 3 herein, he will be fined \$5,000 payable to the Association, by December 1, 2005; and
 - 5. Larry Wood will pay to the Association its costs of investigation and the inquiry in the amount of \$1,011.65 by December 1, 2005;
- (c) Larry Wood understands and accepts that the acceptance of the above penalty has the same force and effect as if the penalty had been ordered by the Discipline Committee after an inquiry pursuant to Section 32 of the **Act**, and
- (d) Larry Wood, after carefully considering this matter, accepts the above penalty.

Accepted by Larry Wood, this 21 day of November, 2005.

E. Whitman
Witness

Larry Wood
Larry Wood, R. Eng.


Accepted by the Reviewing Member this 23 day of November, 2005.

[Signature]
Reviewing Member



AQUA-THERMAL CONSULTANTS (1999) LTD.

P.O. Box 1367 Station A
Delta, B.C. V4M 3Y8
Tel: 948-0958 Fax: 948-0959

November 28, 2005

APEG BC
#200 – 4010 Regent Street
Burnaby, BC V5C 6N2

Attn: Rob Hunter, P. Eng.

Dear Sir;

Re: Apology to [REDACTED]

On February 17, 2005, [REDACTED] prepared a report that was critical of the quality of workmanship at a newly constructed project in Squamish, British Columbia. I, Larry Wood, who was a consulting engineering in the construction of the project, was asked by the developer of the project to prepare a critique of the report for consideration by the developer, the contractor who constructed the project and the architect who designed the project.

In my critique, I, Larry Wood stated in my conclusion: [REDACTED] has a history of preparing misleading, inaccurate and sensational reports [REDACTED]

I understand that this statement says that [REDACTED] was prone to purposefully preparing misleading and inaccurate opinions. I accept that this statement was both inappropriate and unprofessional. I, Larry Wood, completely retract this statement and tender my unqualified apology to [REDACTED] for this statement.


L. M. Wood, P. Eng., BEP

LMW Corres. 11.28.05, [REDACTED] apology

TOTAL P.01

11/28/05 MON 12:04 [TX/RX NO 7580]

Stipulated Order — Larry Wood PEng, Delta, BC

A complaint was made to the Association regarding a comment made by Mr Wood about another member (the complainant). Mr Wood was a consultant for the original construction of a building and the complainant had been retained for a warranty review.

The complainant's report was provided to Mr Wood and he wrote a response to his client that included the statement "[The complainant] has a history of preparing misleading, inaccurate and sensational reports ..."

The complaint was investigated by the designated reviewer and the Investigation Committee, which recommended that an inquiry be held regarding Mr Wood's alleged failure to conduct himself with fairness, courtesy and good faith towards a colleague and give honest and fair professional comment, contrary to Principle 7 of the Code of Ethics.

In lieu of proceeding to an inquiry, Mr Wood accepted a Stipulated Order admitting that he was in breach of the Engineers and Geoscientists Act and the Code of Ethics, and accepted as his penalty:

- A reprimand;
- That he prepare an apology letter to the complainant, in a form acceptable to the Registrar, and send the approved letter of apology to the complainant and to the Association, which will publish it in the form and manner it deems appropriate;
- If he fails to provide the apology he will be fined \$5,000;

- He will pay the Association \$1,011.65 towards its legal costs for the investigation and preparation for the inquiry.

A copy of the Stipulated Order is posted on the APEGBC website; the name of the complainant and other identifying details have been removed from this notice and the Stipulated Order at the complainant's request.

The text of Mr Wood's letter of apology follows:

Re: Apology to [name]

On February 17, 2005, [name] prepared a report that was critical of the quality of workmanship at a newly constructed project in Squamish, British Columbia. I, Larry Wood, who was a consulting engineer in the construction of the project, was asked by the developer of the project to prepare a critique of the report for consideration by the developer, the contractor who constructed the project, and the architect who designed the project.

In my critique I, Larry Wood, stated in my conclusion: "[Name] has a history of preparing misleading, inaccurate and sensational reports and [remainder of sentence deleted]."

I understand that this statement says that [name] was prone to purposefully preparing misleading and inaccurate opinions. I accept that this statement was both inappropriate and unprofessional. I, Larry Wood, completely retract this statement and tender my unqualified apology to [name] for this statement.

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Accepted by Larry Wood, this 21 day of November, 2005.

J. Whitman
Witness

L. M. Wood
Larry Wood, R. Eng.
A circular seal for a Professional Engineer in the Province of Columbia. The seal contains the text "PROFESSIONAL ENGINEER" around the perimeter, "PROVINCE OF" at the top, and "COLUMBIA" at the bottom. In the center, it reads "L. M. WOOD" and "1985".

Accepted by the Reviewing Member this 23 day of November, 2005.

[Signature]
Reviewing Member



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