

IN THE MATTER OF THE ENGINEERS AND GEOSCIENTISTS ACT
RSBC 1996, CHAPTER 116, as amended

AND

IN THE MATTER OF WILLIAM J. LUND, P.Eng.

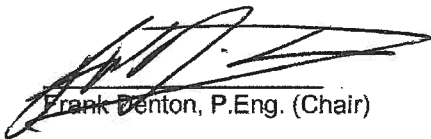
ORDER


Before a Panel of the Discipline) 2nd DAY OF
Committee of the Association of)
Professional Engineers and) January, 2015
Geoscientists of British Columbia:)
Upul Atukorala, P.Eng.)
Frank Denton, P.Eng.)
Dave Ricketts, P.Eng.)

On the application of the Association of Professional Engineers and Geoscientists ("APEGBC"), pursuant to the *Engineers and Geoscientists Act* RSBC 1996 Chapter 116, as amended (the "Act"), specifically section 34, without a hearing, and upon reviewing all written submissions and written evidence provided, including the affidavits of Kayla Vantriet sworn on October 17, 2014 and December 23, 2014, this Panel of the Discipline Committee hereby:

1. declares that William J. Lund, P.Eng., has not fully complied with the conditions set out in the Consent Order dated for reference October 17, 2013; and
2. orders that the membership of William J. Lund, P.Eng. in APEGBC be cancelled pursuant to section 34(1)(b) of the Act.

Panel of the Discipline Committee


Frank Denton, P.Eng. (Chair)


Upul Atukorala, P.Eng.


Dave Ricketts, P.Eng.

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

- and -

IN THE MATTER OF WILLIAM LUND, P.ENG.

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CONSENT ORDER

Dated for reference this 17th day of October, 2013.

WHEREAS William Lund, P.Eng. ("Mr. Lund") was served with a Notice of Inquiry dated August 26, 2013 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 your professional services for an addition of a covered deck to a house Grand Forks, B.C. in or about May, June and July 2012 (Project), by one or both of the following:

1. failure to attend the site of the Project and conduct a geotechnical investigation prior to designing the Project's foundation, or following excavation for the foundation, failing to perform a field review at the site of the Project to confirm the geotechnical assumptions you had made in designing the foundation for the Project;
2. providing to the Project contractor, for building permit application, the Project design documents and a signed and sealed B.C. Building Code 2006 (BCBC) Schedule B for structural and geotechnical design and field review, dated June 20, 2012, together with an undated, but signed and sealed BCBC Schedule C-B, with instructions to the contractor to date and submit the Schedule C-B to the authority having jurisdiction after the Project was complete, when you did not attend the site of the Project and conduct any field reviews of the work.

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

AND WHEREAS Mr. Lund 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. Lund is hereby reprimanded;

(b) Effective the reference date of this Consent Order, Mr. Lund shall have his geotechnical engineering services peer reviewed by a professional engineer in accordance with the Council Policy on Discipline Committee Ordered Peer Reviews (the "Geotechnical Peer Reviewer"). The Geotechnical Peer Reviewer must be arranged by Mr. Lund and approved in writing and in advance by the Registrar of the Association. The requirement for peer reviews shall continue for at least a period of twelve (12) months from the date of approval of the Peer Reviewer. The Geotechnical Peer Reviewer shall report in writing to the Registrar of the Association on the reviews every three months and shall report in writing to the Association's Discipline Committee at the conclusion of the twelve (12) month period providing an opinion on whether Mr. Lund requires continuing peer reviews for his geotechnical engineering work and for how long. The cost of all Geotechnical Peer Reviewer services and reports shall be borne by Mr. Lund. Mr. Lund shall provide to the Geotechnical Peer Reviewer regular updates to his geotechnical project list during the peer review period;

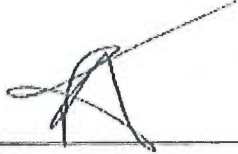
(c) Effective the reference date of the Consent Order, Mr. Lund shall have his structural engineering services peer reviewed by a professional engineer in accordance with the Council Policy on Discipline Committee Ordered Peer Reviews (the "Structural Peer Reviewer"). The Structural Peer Reviewer must be arranged by Mr. Lund and approved in writing and in advance by the Registrar of the Association. The requirement for peer reviews shall continue for at least a period of twelve (12) months from the date of approval of the Structural Peer Reviewer. The Structural Peer Reviewer shall report in writing to the Registrar of the Association on the reviews every three months and shall report in writing to the Association's Discipline Committee at the conclusion of the twelve (12) month period providing an opinion on whether Mr. Lund requires continuing peer reviews for his structural engineering work and for how long. The cost of all Structural Peer Reviewer services and reports shall be borne by Mr. Lund. Mr. Lund shall provide to the Peer Reviewer regular updates to his structural project list during the peer review period;

(d) Mr. Lund shall pay, within 60 days of the reference date of this Consent Order, the Association's legal and investigation costs incurred up to the reference date of this Consent Order; and

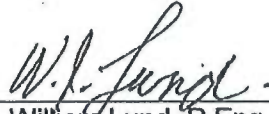
(e) If Mr. Lund fails to comply with any of the conditions of this Consent Order, his membership in the Association shall be suspended until every default has been remedied in accordance with the terms of this Consent Order.

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. Lund and a member of the Discipline Committee this ___ day of October, 2013.



Witness



Mr. William Lund, P.Eng.



Paul Adams, P.Eng.
Chair, Discipline Committee

