

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

and

IN THE MATTER OF JOSEPH JEAN-MARC BOHEMIER, P.ENG.

Engineers and Geoscientists BC File No. T16-014

CONSENT ORDER

Background

1. A Notice of Inquiry dated January 3, 2018 was issued to Joseph Jean-Marc Bohemier, P.Eng. ("**Mr. Bohemier**"), containing the following allegations:
 - A. You have demonstrated unprofessional conduct, incompetence, or negligence in the use of your seal, in the following respects:
 - i. by affixing your seal to the Schedule C-B dated August 12, 2013 (the "**Schedule C-B**") with respect to a single family house located [in] Lake Country, BC (the "**Project**") where you did not, or by virtue of your training and experience could not, perform field inspections and conduct an appropriate review of the Project's fire suppression system, in circumstances where you had not obtained a Schedule C-B sealed by the fire suppression engineer; and
 - ii. by affixing your seal to the Schedule C-B when you knew or ought to have known that this would have the effect of misrepresenting that:
 1. you had fulfilled your obligations for field reviews, including by performing adequate field reviews of the Project's fire suppression system;
 2. you had reviewed the design, plans and other supporting documents with respect to the Project's fire suppression system to confirm that the Project's fire suppression system substantially complied with:
 - a. the applicable requirements of the B.C. Building Code and other applicable enactments respecting safety; and

b. the plans and supporting documents submitted in support of the application for the building permit with respect to the Project; and

3. that you were qualified by training or experience to perform field reviews and to provide the assurances described above at paragraph 1(A)(ii)(1) and (2).

B. The conduct set out above at each of paragraphs 1(A)(i) and 1(A)(ii) is contrary to Principles 1 to 3 of the APEGBC Code of Ethics.

Admissions

2. Mr. Bohemier admits the allegations in the Notice of Inquiry as set out paragraphs 1(A) to 1(B) above.

Disposition

3. This Consent Order is made pursuant to section 32.1 of the *Engineers and Geoscientists Act* (the "**Act**").

4. Mr. Bohemier agrees to resign his membership in the Association of Professional Engineers and Geoscientists of the Province of British Columbia (the "**Association**"), doing business as Engineers and Geoscientists BC effective immediately, and agrees not to re-apply for membership or licensure for a period of six months from the date of this Consent Order.

5. Mr. Bohemier shall pay \$4,000.00 towards the Association's legal costs within 30 days of the date of this Consent Order.

6. Should Mr. Bohemier re-apply for membership or licensure by the Association, without limiting any other power of the Council to determine if Mr. Bohemier meets the requirements for membership or licensing, he agrees to the following conditions:

A. prior to being registered or licensed by the Association, Mr. Bohemier must complete and pass the Professional Practice Examination of the Association, and provide written notice to the Association that he has completed and passed it;

B. prior to being registered or licensed by the Association, Mr. Bohemier must complete and pass the Professional Engineering and Geoscience Practice in BC Online Seminar, and provide written notice to the Association that he has completed and passed it;

C. If Mr. Bohemier's membership or licensure is approved by the Association, his membership or licensure will be subject to a condition that he not sign or seal any letters of assurance that include fire suppression engineering; and

D. Six months after Mr. Bohemier is re-admitted as a member or licensee of the Association, Mr. Bohemier will undergo a Practice Review conducted by the Association at Mr. Bohemier's cost.

7. In the event that Mr. Bohemier fails to comply with any of the terms of this Consent Order, his membership or licensure by the Association will be suspended until every default has been remedied in accordance with the terms of this Consent Order.

Consequences of the Consent Order

8. The full text or a summary of this Consent Order will be published by the Association in print and electronic publications including on the Association's website.

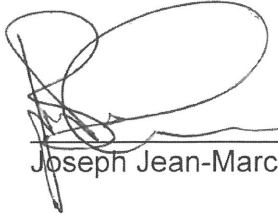
9. This Consent Order has the same force and effect as an Order made under section 33(2) of the Act and may be dealt with under section 34 of the Act if conditions in the Consent Order are not met.

10. Mr. Bohemier agrees that he has had the benefit of independent legal advice regarding this Consent Order.

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11. The Association and Mr. Bohemier 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. Bohemier and the members of the Discipline Committee Review Panel this 19 day of April, 2018.




Joseph Jean-Marc Bohemier, P.Eng.

D. BOHEMIER


Name of Witness

D. Bohemier


Signature of Witness



Neil Cumming, P.Eng.
Member, Discipline Committee



Roz Nielsen, P.Eng.
Member, Discipline Committee



Rajib Ahsan, P.Eng.
Member, Discipline Committee