

TITLES CASE SUMMARIES 2019

CASE #18-10

STATEMENT OF COMPLAINT:

That the Respondent was using the 'AScT' designation when they were not registered as an Applied Science Technologist (AScT) with ASTTBC. Engineers and Geoscientists British Columbia (EGBC) contacted ASTTBC regarding the misrepresentation as the Respondent had applied for Engineer-in-Training (EIT) status with EGBC.

INVESTIGATION:

The investigation determined that the Respondent had been certified as an AScT in the Instrumentation discipline; however, their membership had been struck for non-payment of dues. They were sent a Cease and Desist letter by the Registrar, and asked to cease any use of the AScT designation, or any title or designation that was likely to imply that they were an Applied Science Technologist registered with ASTTBC. In addition, they were also requested to change any other communications media they were using that reflected this discrepancy, including business cards, web presence and promotional material. The Respondent did not respond to the Cease and Desist letter nor did they provide any proof of compliance. However, an internet search in the public domain did not yield any information indicating they were misrepresenting themselves as an AScT certified by ASTTBC, and a search on EGBC's register found they were listed as an Engineer in Training (EIT).

PRACTICE REVIEW BOARD RECOMMENDATIONS:

The PRB reviewed the complaint and concluded that as there was no further evidence to substantiate a misrepresentation of the AScT designation on the part of the Respondent, no further action was required.

OUTCOME:

The file was closed.

CASE #18-11

STATEMENT OF COMPLAINT:

That the Respondent's business website incorrectly showed the CHI designation, when they were not on ASTTBC's current register of CHIs. The Respondent is a Certified Technician (CTech) in the Building discipline who was previously registered as a Certified House Inspector (CHI); however, their CHI registration had been struck for non-payment of dues.

INVESTIGATION:

The Respondent was sent a Cease and Desist letter, advising that as they were not on ASTTBC's current register of CHIs, using the title in this unauthorized manner was inappropriate.

The Respondent was requested to make arrangements to modify their website to remove the 'CHI' descriptor, or any title or designation that was likely to be mistaken as an indication that they were a Certified House Inspector registered with ASTTBC. In addition, they were requested to change any other communications media they were using that reflected this discrepancy, including but not limited to, e-mail signatures, business cards and promotional material. The Respondent did not provide any comments to ASTTBC but their website was found to have the CHI designation removed.

The PRB reviewed the complaint and required that the Registrar conduct a review of the Respondent's qualifications listed and offer of services available in the public domain. The PRB also required that a letter of reprimand be sent to the Respondent for their failure to respond to ASTTBC and also outline any further concerns identified during the review.

A review of the Respondent's website was conducted. Seven additional items of concern were identified, three of which pertained to ASTTBC-related information, i.e. incorrect display of CTech designation, ASTT logo and reference to the ASTTBC Code of Ethics. The remaining four items were related to the Respondent's other qualifications and services. Accordingly, the Registrar notified the Respondent, also reprimanding them for their failure to respond to ASTTBC. The Respondent promptly corrected the ASTTBC-related information; however, the other four items of concern were not addressed.

PRACTICE REVIEW BOARD RECOMMENDATIONS:

The PRB resolved that whereas the ASTTBC-related non-compliance had been corrected, no further action was required.

OUTCOME:

The file was closed.

CASE #19-02

STATEMENT OF COMPLAINT:

That the Respondent was using the 'AScT' designation on their email signature and business cards, when they were not registered as an Applied Science Technologist (AScT) with ASTTBC.

INVESTIGATION:

The Respondent was sent a Cease and Desist letter and was requested to make arrangements to modify their email signature to remove the AScT, or any title or designation that was likely to imply that they were an Applied Science Technologist registered with ASTTBC. In addition, they were also requested to change any other communications media they were using that reflected this discrepancy, including business cards, web presence and promotional material. Further, they were referred to ASTTBC's website for online applications and encouraged to apply for certification if they believed they had the necessary educational qualifications and work experience for certification.

The Respondent promptly complied with the letter by modifying their signature as required, and advised they would be submitting an application.

PRACTICE REVIEW BOARD RECOMMENDATIONS:

The PRB reviewed the complaint and concluded that as the Respondent had stopped using the AScT designation, no further action was required.

OUTCOME:

The file was closed.

CASE #19-08

STATEMENT OF COMPLAINT:

That the Respondent's business website had multiple areas where they claimed/implied membership with ASTTBC by being certified as a Registered Onsite Wastewater Practitioner (ROWP) holding the ROWP designation, when they were no longer on ASTTBC's register of ROWPs. The website also contained statements wherein they claimed to be an Authorized Person under the BC Public Health Act.

INVESTIGATION:

The Respondent was previously on ASTTBC's register as a ROWP Planner and Installer for Type 1 and Type 2 septic systems. Due to a prior disciplinary matter, their registration was temporarily suspended in both certification categories.

A Cease and Desist letter was sent to the Respondent, requiring them to modify their website and any other media accordingly, and asked for a confirmation of compliance. The Respondent neither acknowledged nor complied with the letter. Therefore, ASTTBC's Legal Counsel for Titles issued a Cease and Desist letter to the Respondent on ASTTBC's behalf. In a telephone conversation with Legal Counsel, the Respondent advised that the registration for the domain name of their website would expire in a few weeks, and that they intended to allow it to expire, following which they expected the website (including its references to the ROWP designation) to disappear.

After the specified time had elapsed, a search for the website was conducted and found to be no longer available. Accordingly, ASTTBC's Legal Counsel was advised that no further action on this matter was required.

PRACTICE REVIEW BOARD RECOMMENDATIONS:

The PRB resolved that as there was no further evidence to substantiate a misrepresentation of the ROWP designation on the part of the Respondent, no further action was required.

OUTCOME:

The file was closed.