



**RECOMMENDED ORDER  
to the  
DISCIPLINE COMMITTEE**

IN THE MATTER OF THE ENGINEERING,  
AND GEOSCIENCE PROFESSIONS ACT,

AND

IN THE MATTER OF THE CONDUCT OF  
Mr. Koffi Deku, P.Eng. (#89518)

Investigation Case: #22-32

**APEGA  
Recommended Order  
to the  
Discipline Committee**

**In the matter of the Engineering and Geoscience Professions Act  
and**

**In the matter of the conduct of  
Mr. Koffi Deku, P.Eng.**

The Investigative Committee of the Association of Professional Engineers and Geoscientists of Alberta (APEGA) has conducted an investigation into the conduct of Mr. Koffi Deku, P.Eng. (the “Registrant”) with respect to a complaint initiated by [REDACTED] the “Complainant”) dated November 21, 2022 (the “Complaint”).

**A. The Complaint**

The Investigative Committee conducted an investigation with respect to the following allegation outlined in the Complaint:

*That the Registrant engaged in unprofessional conduct by engaging in the practice of engineering in Manitoba while his membership with Engineers Geoscientists Manitoba (“EGM”) was cancelled as of February 1, 2021. However, EGM was made aware of two occasions where you have applied your EGM stamp [REDACTED] after cancellation:*

- *A House Weeping Tile Installation Review report, stamped and dated June 10, 2022, and;*
- *A set of 21 design drawings stamped and dated June 16, 2022.*

**B. Agreed Statement of Facts**

As a result of the investigation, it is agreed by and between the Investigative Committee and the Registrant that:

**(a) Background:**

1. The Registrant obtained a bachelor of science in civil engineering from the University of Ottawa (2007)

2. The Registrant has been an APEGA member in good standing since 2012 with no previous findings of unprofessional conduct and/or unskilled practice.
3. The Registrant was a member of EGM from September 25, 2019, until February 1, 2021, when his membership was written off for non-payment.
4. The Registrant acknowledged his error and fully co-operated with the investigation.

**(i) Facts Relating to Allegation #1:**

5. The Complainant is the Standards Coordinator with Engineers Geoscientists Manitoba (“EGM”). In June 2022, the Registrant came to the attention of EGM from one of their professional members regarding an engineering report submitted by MBC Engineering Group (“MBC Eng.”) of Calgary, AB. The report was authenticated with the Registrant’s EGM stamp [REDACTED] on June 10, 2022.
6. When the EGM member noticed the Registrant and MBC Eng. were based outside Manitoba, he queried EGM’s public directory and learned the Registrant’s membership status in Manitoba was listed as “written off” since February 1, 2021, for non-payment of dues.
7. EGM was also contacted by an Authority Having Jurisdiction (“AHJ”) reporting similar concerns over an unrelated set of twenty-one design drawings authenticated with the Registrant’s EGM stamp [REDACTED] on June 16, 2022.
8. On June 24, 2022, EGM sent the first Cease and Desist letter by mail to the Registrant directing him to cease engaging in the practice of engineering in Manitoba until his membership issue was resolved. After receiving no response, EGM sent a second Cease and Desists letter via mail and email on July 14, 2022. The Registrant acknowledged his infraction, stating he was unaware his EGM membership had been cancelled. Evidence provided by the Complainant confirmed that EGM sent several notifications to the Registrant prior to cancellation that his membership required renewal. However, it could not be confirmed if the Registrant received these notifications.
9. The Registrant is registered with professional associations in six provinces and acknowledged it is challenging to stay on top of them all.
10. Upon notification, the Registrant took steps to reinstate his EGM membership but experienced delays due to technical difficulties with EGM’s online registration process. EGM assisted the Registrant with his

application process to ensure their requirements were met and the Registrant's EGM membership was reinstated on February 22, 2023.

### C. Conduct

11. The Registrant freely and voluntarily admits that:
12. At all relevant times the Registrant was an APEGA professional member and was thus bound by the *Engineering and Geoscience Professions Act* and the APEGA Code of Ethics.
13. The Registrant acknowledges that the conduct described above constitutes unprofessional conduct.

Section 44(1) of the Act states:

*44(1) Any conduct of a professional member, licensee, permit holder, certificate holder or member-in-training that in the opinion of the Discipline Committee or the Appeal Board*

*(a) is detrimental to the best interests of the public;*

***(b) contravenes a code of ethics of the profession as established under the regulations;***

*(c) harms or tends to harm the standing of the profession generally;*

*(d) displays a lack of knowledge of or a lack of skill or judgment in the practice of the profession or;*

*(e) displays a lack of knowledge or lack of skill or judgment in the carrying out of any duty or obligation undertaken in the practice of the profession.*

*Whether or not that conduct is disgraceful or dishonorable, constitutes either unskilled practice of the profession or unprofessional conduct, whichever the Discipline Committee or the Appeal Board finds.*

14. The Registrant also acknowledges that the conduct described above breaches Rules of Conduct #4.

The Rules of Conduct of the APEGA Code of Ethics state:

1. *Professional engineers and geoscientists shall, in their areas of practice, hold paramount the health, safety and welfare of the public and have regard for the environment.*

2. *Professional engineers and geoscientists shall undertake only work that they are competent to perform by virtue of their training and experience.*
3. *Professional engineers and geoscientists shall conduct themselves with integrity, honesty, fairness and objectivity in their professional activities.*
4. ***Professional engineers and geoscientists shall comply with applicable statutes, regulations and bylaws in their professional practices.***
5. *Professional engineers and geoscientists shall uphold and enhance the honour, dignity and reputation of their professions and thus the ability of the professions to serve the public interest.*

#### **D. Recommended Orders**

15. On the recommendation of the Investigative Committee, and by agreement of the Registrant with that recommendation, and following a discussion and review with the Discipline Committee Case Manager, the Discipline Committee hereby orders that:
  - a. The Registrant shall be reprimanded for their conduct and this order shall serve as the reprimand.
  - b. The Registrant shall pay a fine in the amount of \$750.00. The fine is a debt owing to APEGA and shall be paid within six (6) months of the date this order is approved by the Discipline Committee Case Manager.
  - c. The Registrant shall provide written confirmation (copies of disclosures) to the Director, Enforcement, within one (1) month of the date this order has been approved by the Discipline Committee Case Manager, that they have disclosed they were the subject of an APEGA disciplinary procedure (provide each regulator with a copy of this Order) to all other engineering regulatory bodies in which the Registrant holds membership.
  - d. The Registrant shall provide the Director, Enforcement, within six (6) months of the date this order is approved by the Discipline Committee Case Manager, written confirmation that they have reviewed the following APEGA publication(s) and that the Registrant will comply with the requirements therein:
    - i. *Ethical Practice* guideline (August 1, 2022)

ii. *Authenticating Professional Work Products* standard (January 1, 2022)

16. If the Registrant fails to provide the Director, Enforcement, with proof that they have completed the requirements noted above in Paragraph 15 (b)(c) & (d) within the timelines specified, or any extended timeline granted, the Registrant shall be suspended from the practice of engineering until the Registrant has provided the Director, Enforcement, with proof of successful completion. If the requirements with respect to Paragraph 15(c) & (d) are not completed within 6 months of the suspension date, the Registrant shall be cancelled. In the event the Registrant is cancelled he will be bound by APEGA's reinstatement policy.
17. If there are extenuating circumstances, the Registrant may apply in writing to the Director, Enforcement, for an extension prior to the deadlines noted in Paragraph 15 (b)(c) & (d). The approval for extending a deadline is at the discretion of the Director, Enforcement. If such an application is made, the Registrant shall provide the Director, Enforcement, the reason for the request, a proposal to vary the deadline, and any other documentation requested by the Director, Enforcement.
18. This matter and its outcome will be published by APEGA as deemed appropriate and such publication will name the Registrant.

I, Mr. Koffi Deku, P.Eng., acknowledge that before signing this Recommended Discipline Order, I consulted with legal counsel regarding my rights or that I am aware of my right to consult legal counsel and that I hereby expressly waive my right to do so. I confirm that I agree to the facts and admissions as set out above in this Recommended Discipline Order, and that I agree with the Orders that are jointly proposed.

Further to the above, I acknowledge that I have reviewed APEGA's "Good Standing Policy." I understand that I will not be considered to be a member "in good standing" until I have fully complied with the Orders set out above, and I understand that good standing status may affect membership rights or benefits, or the ability to volunteer with APEGA in any capacity.

IN WITNESS WHEREOF the undersigned agrees with the Agreed Statement of Facts and Acknowledgement of Unprofessional Conduct in its entirety.



Signed by Koffi Deku, P.Eng. (2023/06/22)  
Verify with [verifio.com](https://verifio.com) or Adobe Reader.



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**Mr. Koffi Deku, P.Eng.**

**Donald Vokey, P.Eng.**

Signed with ConsignO Cloud (2023/06/22)  
Verify with [verifio.com](https://verifio.com) or Adobe Reader.



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**Mr. Donald Vokey, P.Eng.**  
**(Panel Chair)**  
**APEGA Investigative Committee**

**APEGA Discipline Committee**

**Diana Purdy**

Signed with ConsignO Cloud (2023/10/31)  
Verify with [verifio.com](https://verifio.com) or Adobe Reader.



By:

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Case Manager