



**RECOMMENDED ORDER
to the
DISCIPLINE COMMITTEE**

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

AND

IN THE MATTER OF THE CONDUCT OF
Abdelfattah Abaker Ahmed, P.Eng. (#113047)

Investigation Case: #23-21

**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
Abdelfattah Abaker Ahmed, P.Eng.**

The Investigative Committee of the Association of Professional Engineers and Geoscientists of Alberta (APEGA) has conducted an investigation into the conduct of Abdelfattah Abaker Ahmed, P.Eng., (the “Registrant”) with respect to a complaint in [REDACTED] (the “Complainant”) dated June 20, 2023 (the “Complaint”).

A. The Complaint

The Complainant alleged that the Registrant engaged in unprofessional conduct as defined in Section 44(1) of the *Engineering and Geoscience Professions Act*, RSA 2000, c E-11 (“EGP Act”) after failing to properly respond to the Complainant’s concerns over the Registrant’s basement access door design that was to be installed at the Complainant’s residence in Calgary, AB.

This matter was to be resolved informally; however, upon review of the Registrants’ design (S1.0 drawing) by members of APEGA’s Investigative Committee, numerous deficiencies, inconsistencies, and missing information were identified that warranted further investigation.

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

Allegation #1

Whether the Registrant’s structural design (S1-0) drawing is in compliance with acceptable structural engineering practices in Alberta.

The Investigative Committee then expanded its investigation with respect to the following specific allegations:

Allegation #2

Whether the Registrant's Professional Work Product (S1.0 drawing) contains errors, omissions, and deficiencies, and does not meet acceptable standard of engineering practice in Alberta.

Allegation #3

Whether the Registrant's Professional Work Product does not meet acceptable standards required for issuance for construction.

Allegation #4

Whether the Registrant failed to demonstrate sufficient knowledge and impact of the frost action on structures.

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. 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.
2. The Registrant holds a bachelor of technology degree in civil engineering from Sudan University of Science & Technology (1989).
3. The Registrant holds a master's degree in structural engineering from Universiti Putra, Malaysia (1999).
1. The Registrant is the sole proprietor of AA Structural Engineering. AA Structural Engineering is not a permit holder (no permit required).
2. The Registrant has been a member of APEGA since 2013 and is licensed to practise engineering in Alberta.
3. The Registrant cooperated with the investigation.

(i) Facts Relating to Allegation #1 through #4:

4. The Complainant hired the Registrant, who is the owner of AA Structural Engineering, to provide a design drawing for the installation of an exterior basement access door (36"x80"), a retaining wall, and stairs at her residence. The Registrant was provided with blueprint drawings (he did

not attend the site beforehand) and was paid \$500 for his services.

5. After receiving the Registrant's authenticated design drawing ("S1.0 drawing"), a contractor hired by the Complainant raised concerns as they could not properly install the entry door based on the specifications in the Registrant's design. When requested to attend the site by the Complainant, the Registrant refused unless paid an additional \$150.00.
6. This matter was to be resolved informally. However, it was learned that AA Structural Engineering did not possess a valid APEGA permit to practice engineering, and the complaint was referred to APEGA Unlicensed Practice Dept. for follow up. It was subsequently determined that the Registrant was operating AA Structural Engineering as a sole practitioner and therefore a permit to practice was not required.
7. However, upon further examination of the S1.0 drawing by APEGA's Deputy Chief Regulator Officer (a structural engineer), questionable aspects of the Registrant's design were noted which prompted a request to APEGA's Investigative Committee ("IC") for further review. Ultimately, two separate reviews of the S1.0 were conducted by structural engineers on the IC who identified numerous deficiencies, inconsistencies, and information missing from the Registrant's S1.0 drawing.
8. The Panel found that proper authentication practices were not being followed as plans, sections, and details in the S1.0 drawing were deficient and failed to properly illustrate the design and contained major errors, omissions, and inaccuracies.
9. The Registrant had relied on an "architectural drawing" that had been provided by the Complainant which the Panel found to be a rather poorly marked up original main floor layout plan. This drawing did not indicate the location of the access door to the basement and associated stairs and was not referenced in the Registrant's S1.0 drawing.
10. The Registrant's S1.0 drawing, as submitted to APEGA, was deficient in many aspects of engineering design and it was clear that QA/QC reviews were not completed prior to issuance and stamping of the drawing. At best, this drawing could be considered "for review only."
11. The Registrant displayed some understanding of how frost action travelled from grade downward into the soil but failed to recognize that frost can also travel sideways horizontally into a retaining wall if the front of the wall is exposed to the elements. In this case, the access stair and associated retaining wall would be subjected to cold temperatures and the soil behind the retaining wall and footing below would freeze if protection was not provided.

12. The Panel referenced Clause 9.12.2 *Minimum Depths of Foundations* and diagrams illustrated on Note A-9.12.2.2(2) of the *National Building Code – 2019 Alberta Edition Volume 2 / Division B B-9-527* in making their determination.

C. Conduct

13. The Registrant freely and voluntarily admits that the conduct described in the allegations constitutes unprofessional conduct as defined in Section 44(1) of the EGP Act:

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 Rule 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 \$500.00. 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 the Discipline Manager, within twelve (12) months of the date this Order is approved by the Discipline Committee Case Manager, written confirmation/proof of successful completion (a passing grade) of the National Professional Practice Exam (NPPE). The Registrant shall be responsible for all costs associated with completing the NPPE.
 - d. The Registrant shall provide the Discipline Manager, within twelve (12) months of the date this order is approved by the Discipline Committee Case Manager, written confirmation/proof of successful completion (passing grade) of two post-secondary level courses in structural engineering, that are satisfactory to the Discipline Manager, such as
 - i. [Key Updates Included in the 2020 National Building Code - Online | EPIC Training Webinar Course](#) (October 21-22, 2024)

- ii. [Analysis and Design of Earth Retaining Structures - EPIC Civil Engineering Training Course \(epictraining.ca\)](http://epictraining.ca) (February 4-5, 2025)
- e. If the noted courses are no longer available on approval of this order, at the discretion of the Discipline Manager, another course in soil mechanics and/or Compliance with Part 9 (small building) of the National Building Code may be authorized for substitution. The Registrant shall be responsible for all costs associated with the completing the course.
- f. The Registrant shall provide the Discipline Manager, 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. *Authenticating Professional Work Products* practice standard (January 2022);
 - ii. *Ethical Practice* guideline (August 2022);
- g. If there are extenuating circumstances, the Registrant may apply to the Discipline Manager for an extension prior to the noted deadlines. If such an application is made, the Registrant shall provide the Discipline Manager the reason for the request, a proposal to vary the schedule, and any other documentation requested by the Discipline Manager.
- h. If the Registrant fails to provide the Discipline Manager with proof that they have completed the requirements noted above within the timelines specified, or any extended timeline granted, the Registrant shall be suspended from the practice of engineering for a minimum of thirty (30) days. If the non-monetary requirements in this Order are not completed within six (6) months of the suspension date, the Registrant shall be cancelled. In the event of cancellation, the Registrant will be bound by APEGA's reinstatement policy.
- i. This matter and its outcome will be published by APEGA as deemed appropriate and such publication will name the Registrant.

I, Abdelfattah Abaker Ahmed, 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.

Further to the above, I acknowledge that a copy of this Order and my identity will be disseminated to all provincial and territorial engineering and geoscience regulators in Canada.

Further to the above, I acknowledge that a copy of this Order and my identify shall be provided to the APEGA Practice Review Board.

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


Signed by Abdelfattah Abaker Ahmed, P.Eng. (2024/10/16)
Verify with verifio.com or Adobe Reader.



Abdelfattah Abaker Ahmed, P.Eng.

Peter Bozic, P.Eng.
Signed with ConsignO Cloud (2024/10/17)
Verify with verifio.com or Adobe Reader.



Peter Bozic, P.Eng.
(Panel Chair)
APEGA Investigative Committee

APEGA Discipline Committee

Douglas Cox
Signed with ConsignO Cloud (2025/03/14)
Verify with verifio.com or Adobe Reader.



By: _____
Case Manager