

# Registrar's Report

## for the year 2020

Kevin Wahba, O.L.S., B. Eng.

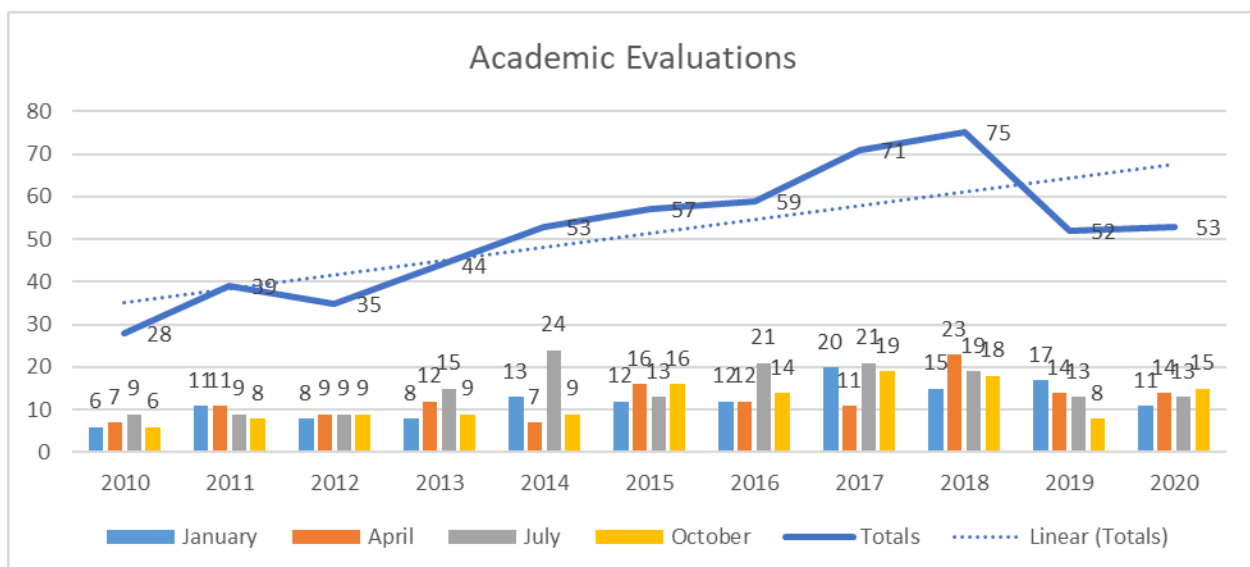
The Registrar is appointed by Council under Section 3.(8) of the *Surveyors Act* and is responsible for overseeing the statutory responsibilities of the Association of Ontario Land Surveyors.

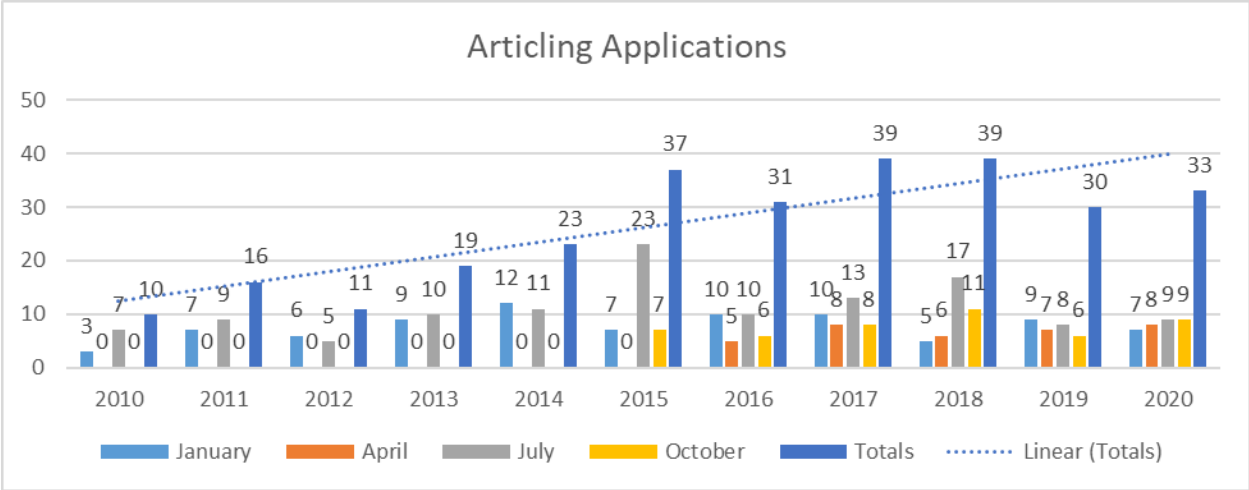
The Registrar's activities are concentrated primarily in the areas of Academic and Experience Requirements, Public Inquiries, Licences, Certificates of Registration, Certificates of Authorization, Complaints and Discipline.

### Academic and Experience Requirements Committee (AERC)

The Registrar is not a voting member of the Academic and Experience Requirements Committee, but carries out its administrative activities, including preparation of the agendas, motions and minutes for each meeting. On behalf of the Committee, the Registrar also responds to requests for information regarding academic evaluations, requirements for membership, articling, monitoring, and examinations. Deputy Registrar Maureen Mountjoy assists in coordinating the activities of the Committee, in consultation with the Registrar and the AERC Chair, ensuring that all relevant issues are brought to the Committee's attention. In 2020, the Registrar presented four articling information sessions, assisted with the Statutes, Oral and Written Professional Examinations, organized and participated in the annual Professional Lecture Course.

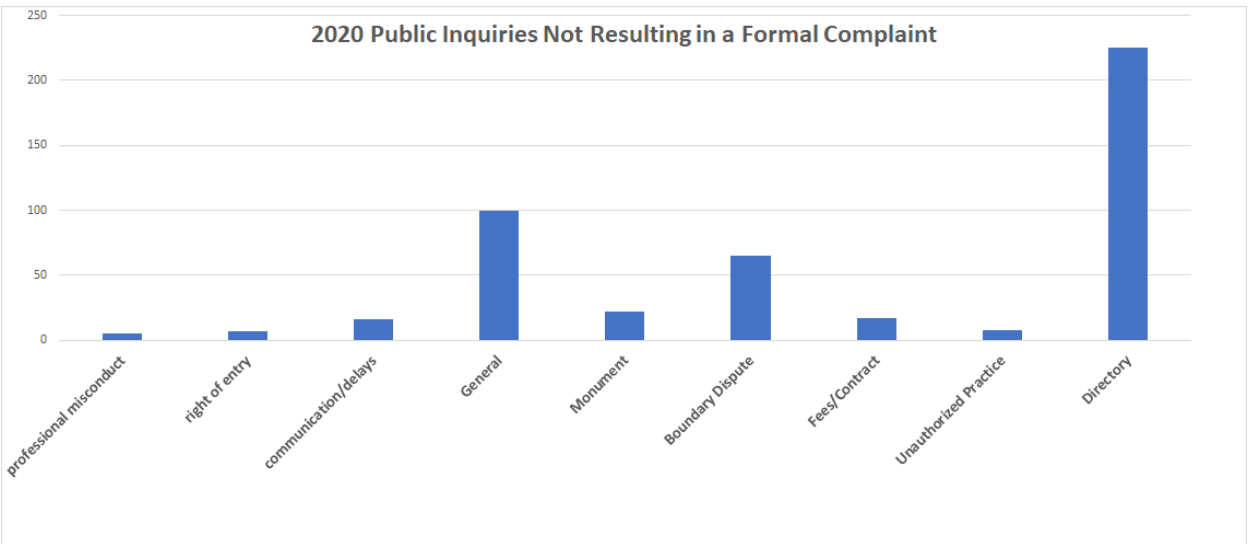
Thirty (33) new students entered into articles during 2020, and six (6) students' articles expired or were cancelled. As of January 29<sup>th</sup>, 2021 there are ninety (90) articling students, a decrease of seven (7) over last year. Fourteen (14) of the current articling students are females. The Academic and Experience Requirements Committee also approved fifty-three (53) academic evaluations during 2020. Fifteen (15) of the 2020 evaluations (28.3%) were internationally educated applicants. Ten (10) of the 53 were female applicants. The following charts provide a graphical illustration of these statistics.





### Educational Services

The Registrar responds to inquiries from both the membership and the public. Many requests for information are satisfied during the initial contact, but others require research and written responses after appropriate discussions with other surveyors, staff and occasionally Council. Typical issues included non-OLS activity in cadastral surveying, right-of-entry inquiries from the public, concerns from the public regarding lack of response from members for various reasons, and requests from the public to assist in encouraging members to honour their business and/or financial responsibilities. It is often possible to resolve issues at this level and avoid a formal written complaint, which by statute, must be directed to the Complaints Committee. The following chart provides a graphical illustration of the various inquiries received by the AOLS during the year of 2020:



## **Compensation Fund**

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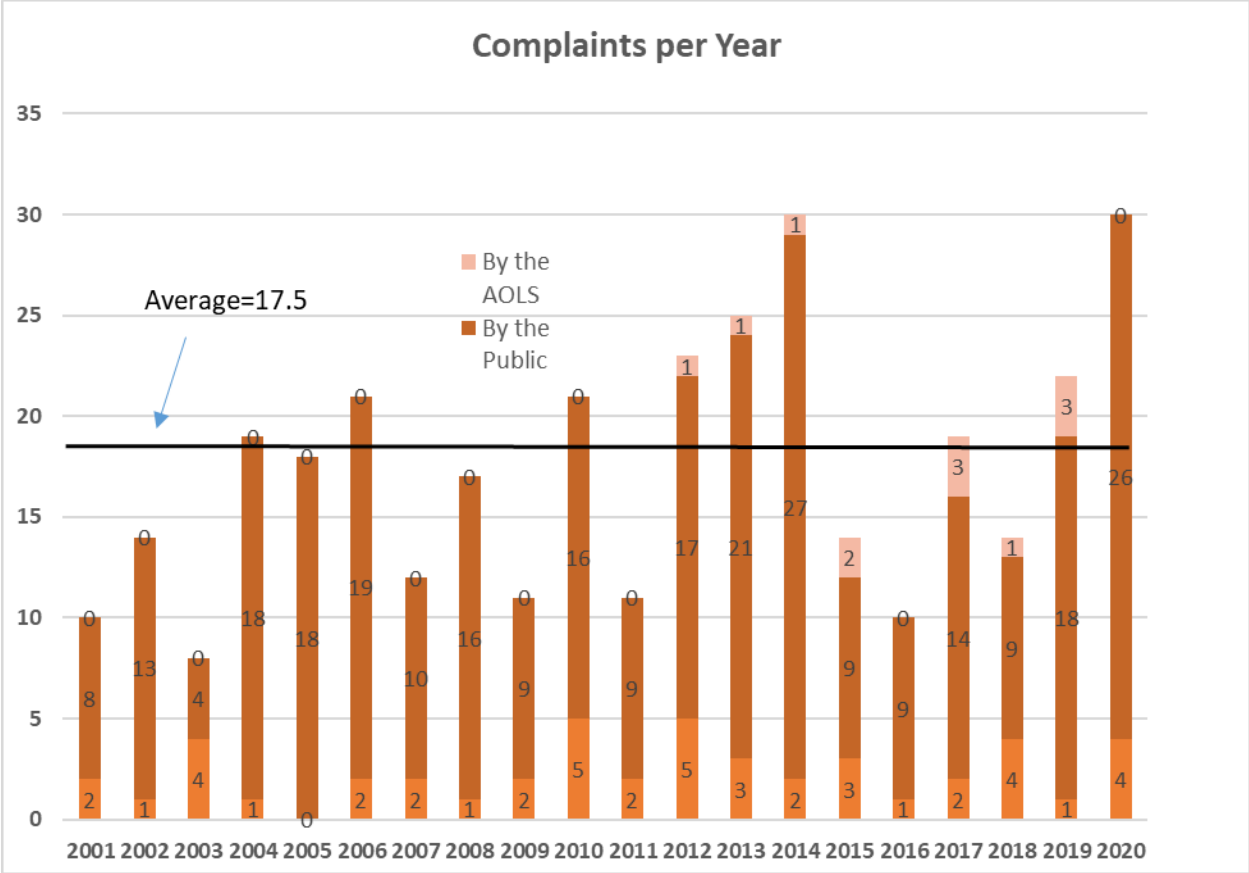
One application to the Compensation Fund was received during 2020. The Compensation Fund is set out under *Section 33* of the *Surveyors Act*. Council established a Compensation Fund Committee in 1998, and delegated its powers pursuant to *Section 33 (10)* of the *Surveyors Act* to this Committee, made up of the Executive Director, Registrar and Finance Councillor, for any application up to \$5,000.

## **Complaints Committee**

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Formal complaints regarding the actions or conduct of a member of the Association must be filed in writing with the Registrar. The Registrar acknowledges receipt of the complaint and notifies the member who is the subject of the complaint. The member is provided with a copy of the complaint letter and materials and is given at least two weeks to provide an explanation and supporting documentation in response. The member's response is provided to the complainant, who is also allowed two weeks to make any further response, and the member is also provided with the complainant's second response and allowed to make a final submission. The Registrar compiles all of the information submitted by both the complainant and the surveyor and presents the file, without comment, to the Complaints Committee in a timely fashion. The Registrar also acts as the recording secretary of the Complaints Committee and distributes all correspondence and decisions resulting from the Committee meetings. The Registrar is not a member of the Committee and attends meetings at the request of the Committee to provide information and administrative support. This committee makes extensive use of their secure area of the AOLS website for the exchange of information, and committee meetings are held using GoToMeeting, allowing members from all areas of the province to easily participate.

Thirty (30) new complaint files were opened in 2020, compared to twenty-one (21) in 2019. The Committee held nine (9) teleconference meetings during 2020. Twenty-six (26) of the thirty complaints originated from members of the public and four (4) from Association members. The Committee issued twenty-six (26) final and five (5) interim decisions during 2020. Interim decisions usually request specific action on the part of the surveyor. If the surveyor complies, the interim decision becomes final and no further action is required. If the surveyor does not comply, the Committee must reconsider the matter and determine an appropriate course of action. Of the twenty-six (26) final decisions issued in 2020, three (3) referred a member to AOLS Council for further action. The following chart shows the total number of complaints per year from 2000 to 2020, the average number over that period being 17.5 per year.



**Discipline Committee**

Three new discipline hearings were completed in 2020. The hearings were concluded when the panel accepted a joint submission agreed to by both parties. The decisions in these cases were published in several editions of the Ontario Professional Surveyor magazine and were also posted on the AOLS website. One Mediation Agreement resulting from a Council referral was also published to the AOLS website.

A hearing that began in January 2016 was concluded in 2018 and a decision was issued on December 18, 2018. The hearing for submissions on penalty concluded in 2019. The member filed an appeal to Divisional Court and a decision was rendered on February 10, 2020. The Divisional Court decision is posted on the AOLS website.

**Registrar's Investigations**

Section 30 of the *Surveyors Act* allows the Registrar to undertake an investigation where the Registrar believes that there are reasonable and probable grounds that a member of the Association has committed an act of **professional misconduct** or **incompetence**, or that there is cause to refuse to issue, or to suspend or revoke a Certificate of Authorization. No Registrar's Investigations were initiated during 2020.

## **Registration Committee**

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The Registration Committee is a statutory committee, created under Section 9 of the *Surveyors Act*, having a Statutory Power of Decision that allows it to hold a hearing under the *Statutory Powers Procedure Act*. When the Registrar proposes to revoke or refuse to issue a licence, Certificate of Registration or Certificate of Authorization, or proposes to issue one of these subject to conditions, the member or applicant may appeal to the Registration Committee, who must then hold a formal hearing.

Regulation 1026 of the Surveyors Act requires that this committee approve applications from members who wish to be in charge of more than one survey office. Eight applications were made during 2020.

## **Survey Review Department Referrals**

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During the past year, several firms were referred to the Registrar from the Survey Review Department pursuant to Regulation 1026, S.40(8), subsequent to a Comprehensive Review. Most referred files are closed after the firms provide satisfactory explanations and/or implement remedial procedures to address the concerns identified in the review report. Some may undergo a follow up review to assess progress in addressing the concerns. No members were referred to the Complaints Committee during 2020 as a result of a Survey Review Department referral to the Registrar.

## **Licences, Certificates of Registration and Certificates of Authorization**

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The Registrar is responsible for the issuance and renewals of Licences, Certificates of Registration and Certificates of Authorization (C of A). As of January 29, 2021, thirty-four (34) new Licences and several new or revised Certificates of Authorization were issued. As detailed in the Statistics section below, there has been an increase of 1% in the overall number of professional members, an increase of 5.6% in the number of licensed members and a slight increase of 1.8% in the number of Certificates of Authorization as of January 29, 2021.

## **Elections and By-Laws**

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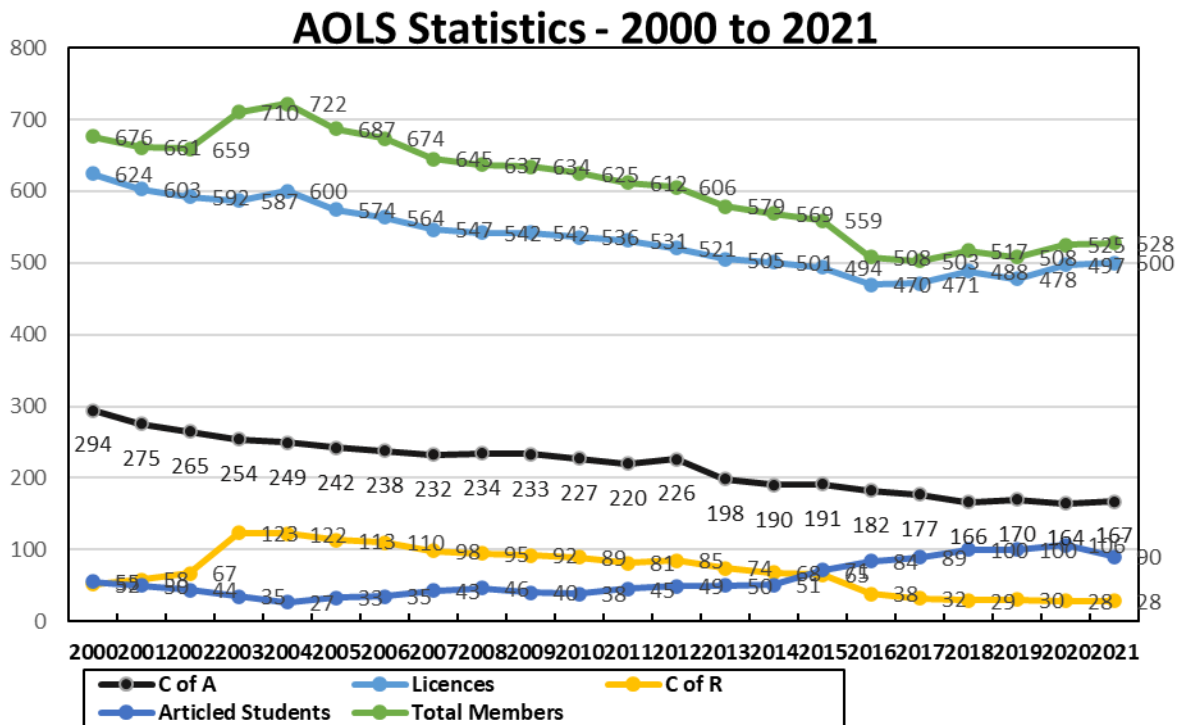
The Registrar oversees the distribution and counting of ballots for voting on By-laws, Regulations and elections to Council. By-laws 2020-1, 2020-02 and 2020-03 were approved by secret vote of the membership since the 2020 AGM, and one new Junior Councillor for 2021 was acclaimed.

For the 2020 Council, Vice-President Gavin Lawrence was acclaimed as President and Councillor Andrew Shelp was acclaimed as Vice-President. Two members were nominated as candidates for the two Junior Councillor positions and one withdrew their name prior to election. Mr. Sasa Krcmar was acclaimed as Junior Councillor. Senior Councillor Anna Aksan did not pursue the position of Vice-President and retired from Council.

## Statistics

Below are some relevant statistics of the Association, current to January 29, 2021.

	As of January 29, 2021	last year	change	% change
Total Membership	528	525	+3	+1.0%
Licences	497	469	+28	+5.6%
Certificates of Registration	28	28	0	0%
Certificates of Authorization	167	164	+3	+1.8%
Members who have passed away	1	10		
Retired Members	139	124	+17	-12.0%
Newly commissioned members since the last AGM	34	15	+19	+44.0%
Articling Students	90	97	-7	-7.3%
Associate Members	36	57	-21	-37.0%



The above chart illustrates the trends in our membership over the past 21 years, during which we have seen a decline of 19.9% in the number of licensed members. Total membership during this period has decreased by 148, a drop of 21.9%, however the good news is that these trends have had a slight upward trend over the past several years. The number of Certificates of Authorization has declined from 294 in 2000 to 167 as of January 29, 2021, a drop of 43.2%. This, in part, may be because many firms have been

bought out and amalgamated with others over the past few years. The number of articling students has risen steadily from a low of 27 in 2004 to the current number of 90, an increase of 333%.