

# Registrar's Report

## for the year 2021

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

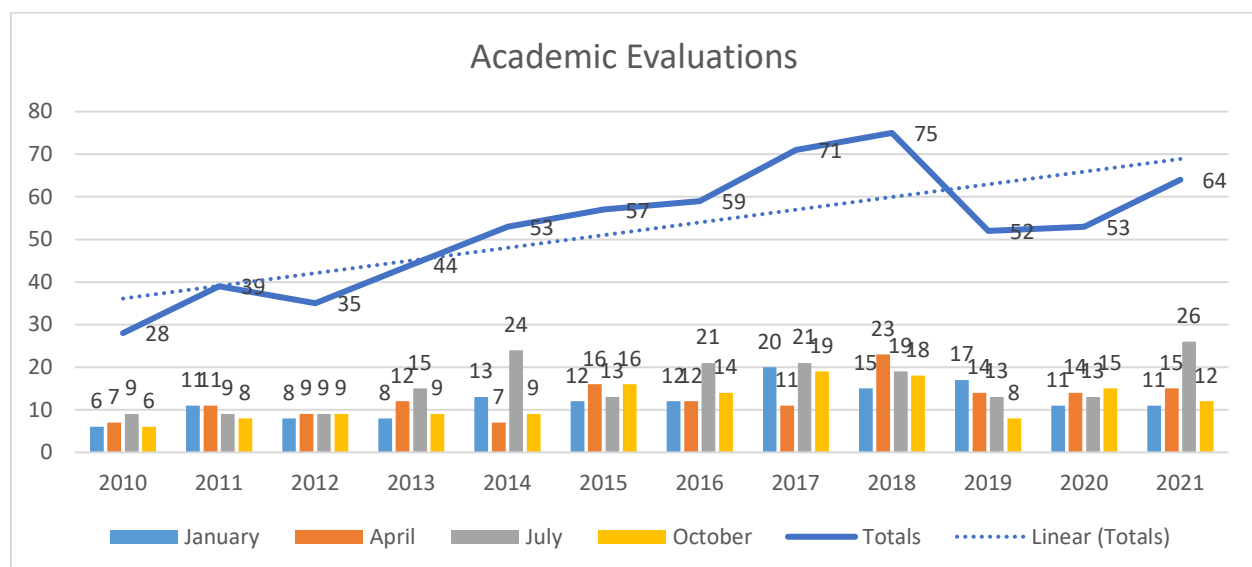
The Registrar is appointed by Council under Section 3.(8) of the *Surveyors Act* and is responsible for overseeing the statutory responsibilities of the Association of Ontario Land Surveyors.

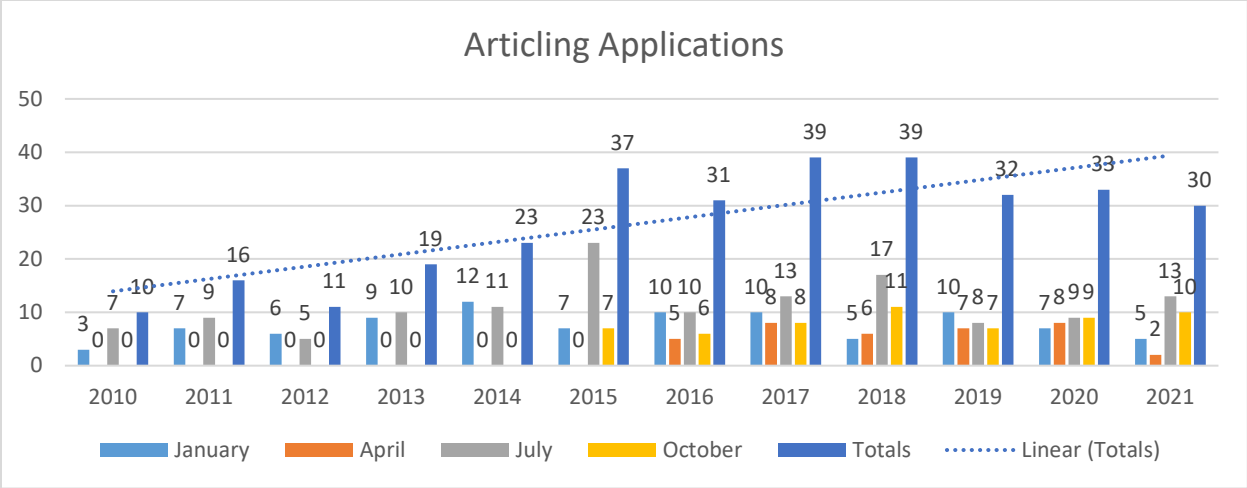
The Registrar's activities are concentrated primarily in the areas of Academic and Experience Requirements, Public Inquiries, Licences, Certificates of Registration, Certificates of Authorization, Complaints and Discipline.

### 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 2021, 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.

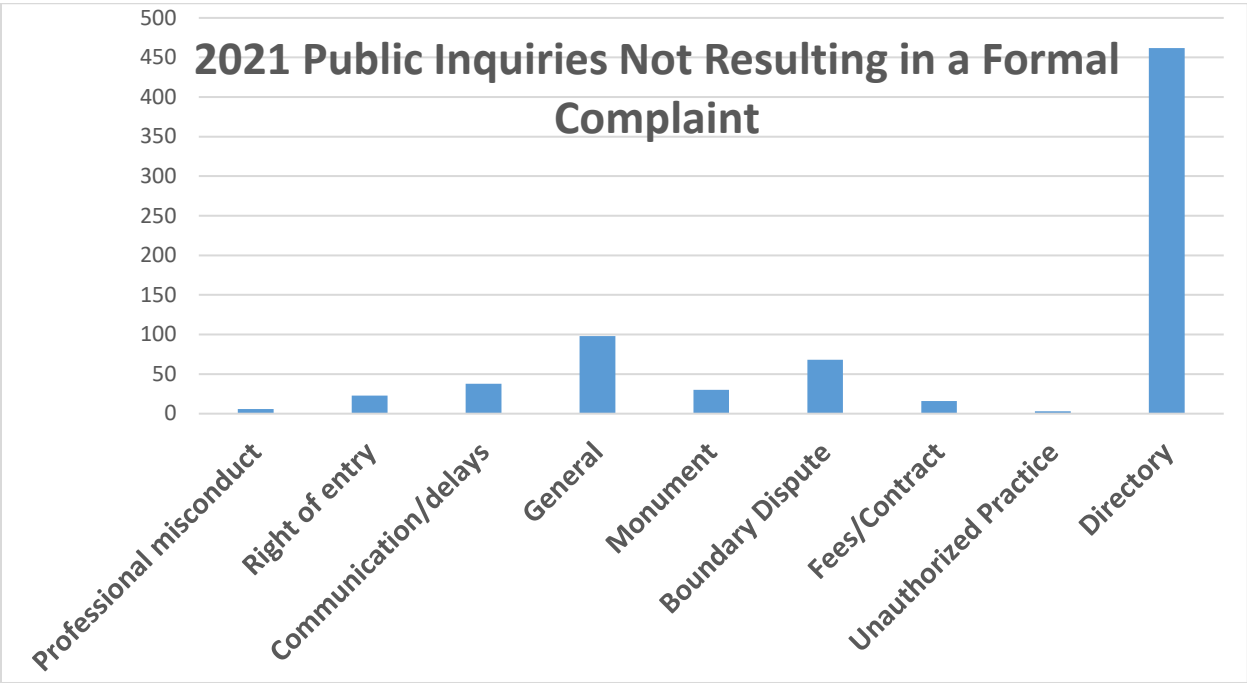
Thirty (30) new students entered into articles during 2021, and nine (9) students' articles expired or were cancelled. As of February 3, 2022, there are ninety-three (93) articling students, an increase of three (3) over last year. Four (4) of the thirty (30) articling applications approved were submitted by females. The Academic and Experience Requirements Committee also approved sixty-four (64) academic evaluations during 2021. Nineteen (19) of the 2021 evaluations (29.7%) were internationally educated applicants. Eight (8) of the 64 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 2021:



## **Compensation Fund**

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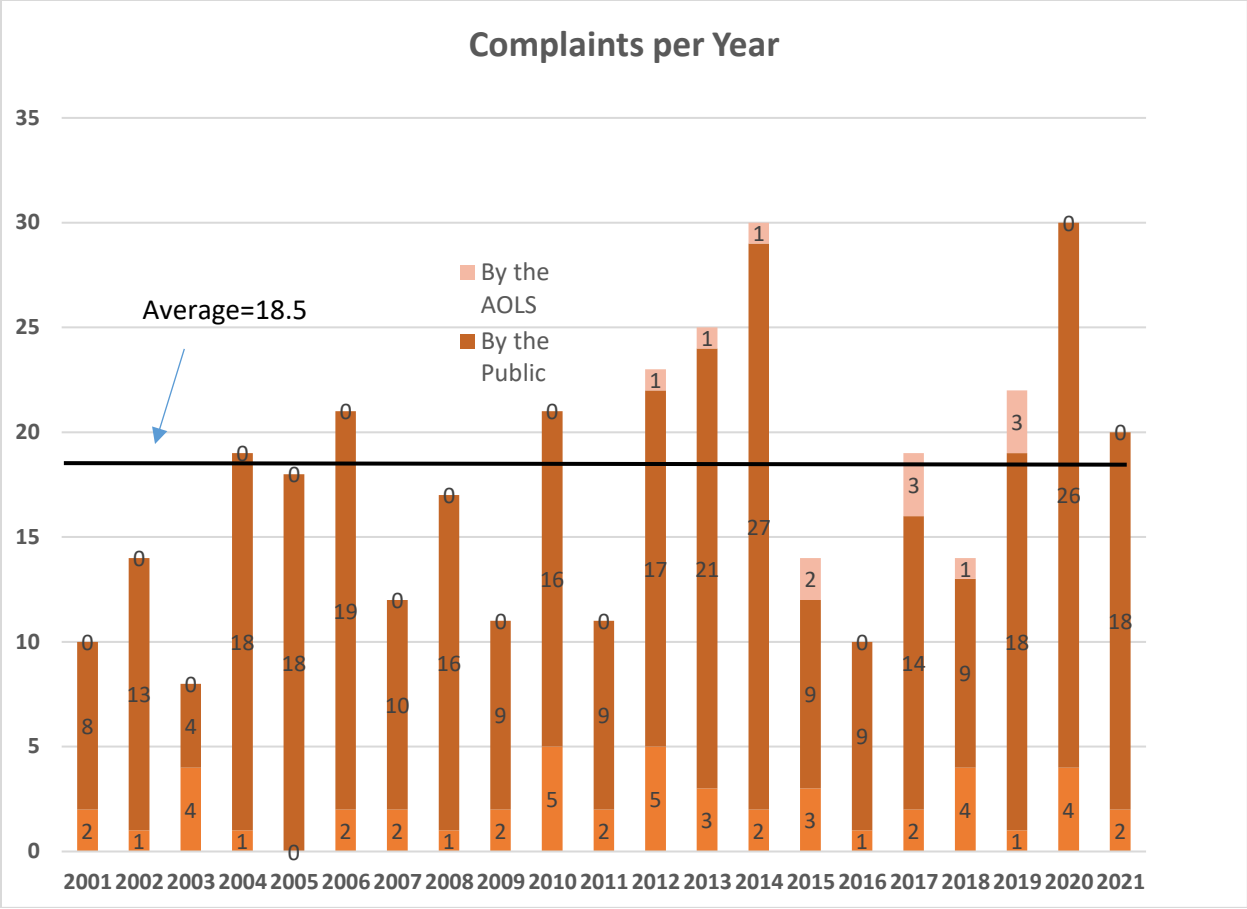
One application to the Compensation Fund was received during 2021. The Compensation Fund is set out under *Section 33* of the *Surveyors Act*. Council established a Compensation Fund Committee in 1998, and delegated its powers pursuant to Section 33 (10) of the *Surveyors Act* to this Committee, made 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 Zoom, allowing members from all areas of the province to easily participate.

Twenty (20) new complaint files were opened in 2021, compared to thirty (30) in 2020. The Committee held ten (10) teleconference meetings during 2021. Eighteen (18) of the twenty complaints originated from members of the public and two (2) from Association members. The Committee issued fifteen (15) final and two (2) interim decisions during 2021. 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 fifteen (15) final decisions issued in 2021, 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 2021, the average number over that period being 18.5 per year.



### Discipline Committee

One new discipline hearing was completed in 2021. The hearing was concluded when the panel accepted a joint submission agreed to by both parties. The decision in this case was published in 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.

### 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 2021.

## **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. Five applications were made during 2021.

## **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 2021 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). Since the 2021 AGM, twenty-three (23) 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 1.3% in the overall number of professional members, an increase of 1.6% in the number of licensed members and a decrease of 6.5% in the number of Certificates of Authorization as of February 3, 2022.

## **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-law 2021-01 and 2021-02 were approved by secret vote of the membership since the 2021 AGM, and elections for the two 2022 Junior Councillor positions were organized.

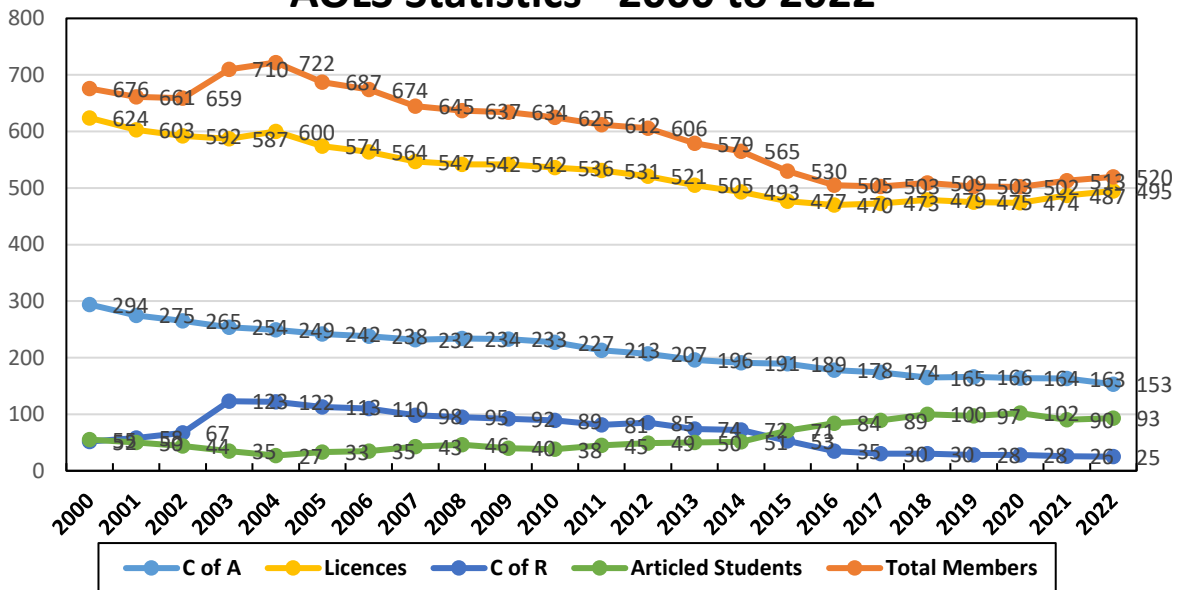
For the 2021 Council, Vice-President Victor Shelp was acclaimed as President and Councillor Dave Kovacs was acclaimed as Vice-President. Four members were nominated as candidates for the two Junior Councillor positions. At the time of writing this report the election results have not been determined.

## Statistics

Below are some relevant statistics of the Association, current to February 3, 2022.

	As of February 3, 2022	last year	change	% change
Total Membership	520	513	+7	+1.3%
Licences	495	487	+8	+1.6%
Certificates of Registration	25	26	-1	-4.0%
Certificates of Authorization	153	163	-10	-6.5%
Members who have passed away	12	1		
Retired Members	133	139	-6	-4.3%
Newly commissioned members since the last AGM	23	34	-11	-32.0%
Articling Students	93	90	+3	+3.3%
Associate Members	29	36	-7	-19.4%

## AOLS Statistics - 2000 to 2022



The above chart illustrates the trends in our membership over the past 22 years, during which we have seen a decline of 20.7% in the number of licensed members. Total membership during this period has decreased by 156, a drop of 23.1%. The number of Certificates of Authorization has declined from 294 in 2000 to 153 as of February 3, 2022, a drop of 48%. 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 93, an increase of 344%.