

**IN THE MATTER OF** a Hearing of the Discipline Committee of the Association of Ontario Land Surveyors held in accordance with the *Surveyors Act*, R.S.O. 1990. Chapter S. 29, as revised (“the Act”)

BETWEEN:

**ASSOCIATION OF ONTARIO LAND SURVEYORS**

(“The AOLS” or  
“The Association”)

-and-

**AZIZ ABDELSHAHID, O.L.S.**

(“the Member”)

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**Reasons for Decision of the Discipline Committee Panel**

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**The Hearing**

1. The hearing of this matter took place on May 26, 2025, at 10:00 am by way of a joint submission from the parties. The hearing was conducted in-person at the AOLS head office in Toronto, Ontario.
2. The Discipline Committee Panel consisted of Peter Lamb (chair), Gary Auer, Kevin Kujala, Robert A. Fligg, and James T. Hunt.
3. The AOLS was represented by its counsel, Izaak de Rijcke. The Member was represented by Irvin Schein and Amelia Phillips Robbins of Blaney McMurtry.

4. The Panel was advised by Independent Legal Counsel, Ben Millard, and the nature of Mr. Millard's advice was made known to the parties during the hearing.

### **The Agreed Statement of Facts**

5. Counsel for both parties confirmed that they had reached an Agreed Statement of Facts ("ASF") which was signed by both parties and marked as Exhibit 6. The ASF described the admitted facts underlying the allegations as follows:

- 1) This Agreed Statement of Facts applies to the allegations and charges laid before the Discipline Committee of the Association of Ontario Land Surveyors ("AOLS"). The allegations and charges apply to Aziz Abdelshahid, O.L.S. (herein referred to as "Aziz"), in his personal capacity, and as an employee of, and the responsible OLS under the Certificate of Authorization held by, the firm A. Aziz Surveyors Inc.
- 2) On November 29, 2023, the AOLS received a complaint from Mr. Jerome Breslin, the owner of 186 Montclair Avenue, Toronto. Mr. Breslin alleged that A. Aziz Surveyors Inc., the principal of which is Aziz, removed a survey monument previously placed by Mr. Breslin's surveyor while Aziz was performing a survey of 188 Montclair Avenue under the instructions of its new owner, Parviz Bozorgmanesh. In a subsequent submission, Breslin questioned the accuracy of Aziz's survey.

- 3) Mr. Bozorgmanesh had acquired his property on December 11, 2020, and retained Aziz shortly thereafter.
- 4) After an exchange of correspondence among Mr. Breslin, Aziz and the AOLS, in the course of which Aziz denied that his personnel removed any survey monument, on May 7, 2024 the Complaints Committee of the AOLS issued an Interim Decision directing Aziz to submit his research materials, and any other information to assist in determining that appropriate research efforts and field work had taken place, including field notes.
- 5) In order to respond, Aziz conducted a search of his electronic and paper records located in his office relating to his work on the survey for 188 Montclair Avenue in late December 2020 and early January 2021.
- 6) The title searches appear to have been conducted by a then employee of his firm, one Sanaz Hamedi, on or before January 4, 2021, based on her unsworn claim that she did so, based on her memory. The searches purported to include the obtaining of property Parcel Registers for the subject property, Mr. Breslin's property, and four (4) other adjoining lots from Teranet or GeoWarehouse, for which Ms. Hamedi claims to have had her own account, as well as a Property Index Map from Service Ontario (collectively, the "Parcel Register Print-Outs").
- 7) Aziz was unable to locate the Property Parcel Print-Outs obtained by Ms. Hamedi in his office files or anywhere else.

- 8) Aziz proceeded to purchase new Property Parcel Print-Outs for the same six (6) lots and the Property Index Map from Service Ontario, on May 22, 2024. He attempted to make it appear that they were the Parcel Register Print-Outs that had been purportedly obtained by Ms. Hamedi by making certain alterations:
  - a. He changed the date on page 1 of each one of the six (6) Parcel Registers from May 22, 2024, to December 19, 2020;
  - b. He deleted entries on page 2 of one (1) of the Parcel Registers to eliminate entries that post-dated December 19, 2020;
  - c. He changed the year date on the Property Index Map from 2024 to 2020.
- 9) On May 27, 2024, Aziz submitted to the Complaints Committee the contents of his file that he was able to locate, together with the Parcel Register Print-Outs that he had altered as aforesaid on May 22, 2024.
- 10) On September 5, 2024, the Complaints Committee issued a Final Determination, which referred Aziz to AOLS Council with a recommendation that the matter be referred to the Discipline Committee for a hearing.
- 11) Aziz has had a lengthy and successful career as a surveyor. He has never before been subject to any disciplinary proceedings. However, he has been the subject of nine (9) separate complaints before, which have been dealt with by the Complaints Committee. This is the first time that the Complaints

Committee referred Aziz to Council with a recommendation that it refer Aziz to the Discipline Committee for a hearing.

12) Aziz was under supervision by a “monitor” appointed by AOLS as a result of a recent complaint. The period of supervision was scheduled from June 2024 to end in December 2024.

13) When Aziz realized that the searches that had purportedly been obtained for this engagement could not be found, he made what he now, in retrospect, fully recognizes was a profound error in judgment as described above. Aziz acknowledges that his highly inappropriate actions constitute a serious breach of trust and the Code of Ethics.

14) More specifically, the conduct of Aziz admitted to in this Agreed Statement of Facts, and described above, is a failure of Aziz to comply with Sections 33(2)(a), and 33(2)(b) of the Code of Ethics of the AOLS. Moreover, failure to comply with the Code of Ethics or the Standards of Practice constitutes Professional Misconduct within the meaning of Sections 35(1), (2), (3) and (21) of Regulation 1026, R.R.O. 1990, as amended.

15) Aziz is deeply remorseful and accepts that there will be serious consequences arising from his conduct. He attempted to mislead the Complaints Committee in submitting altered Parcel Register Print-Outs and representing that these were the original records from his file in late 2019 or early 2020.

16) The Council of the Association of Ontario Land Surveyors (AOLS) pursuant to Section 25(7)(a) of the *Surveyors Act*, by a Motion dated September 24, 2024, directed that Aziz be referred to the Discipline Committee.

17) Aziz agrees that all of the allegations set out in the Amended Formal Notice and Allegations affirmed on December 2, 2024, by William D. Buck, Deputy Registrar, [being Exhibit 4, Schedule A at the hearing of this matter] are correct and are acknowledged without further evidence or proof thereof. Aziz hereby waives any requirement for the tendering of any further documentary and viva voce evidence as proof of the facts set out in this Agreed Statement of Facts.

6. The above ASF was jointly submitted by counsel for the parties. The Member's counsel confirmed that the Member had been represented by counsel throughout the process, including with respect to the negotiation and signing of the ASF.

### **The Allegations of Professional Misconduct**

7. The allegations of professional misconduct against the Member are set out in the Amended Allegations of Professional Misconduct, which was marked as Exhibit 4, Schedule A, a copy of which is attached as Schedule A to this Decision.

8. The allegations can be summarized as follows:

1) It is alleged that the Member, in his personal capacity, and as an employee of, and the responsible OLS under the Certificate of Authorization held by, the firm A. Aziz Surveyors Inc., is guilty of professional misconduct within the meaning of Section 35 of Regulation 1026, R.R.O. 1990, as amended, made under the *Surveyors Act* R.S.O. 1990, c.S.29, as amended.

2) In particular:

a) It is alleged that the Member failed to provide sufficient records to the Complaints Committee of all pertinent information necessary to assess his work, which is a breach of section 34(2)(g), of said Regulation 1026, and the Code of Ethics at sections 33(2)(a) and (b) of said Regulation 1026;

b) It is further alleged that the dates on the Parcel Register print-outs submitted to the Complaints Committee by the Member on May 27, 2024, in response to the Interim Decision had been altered to make it appear that the Land Registry Office search for the survey of 188 Montclair Avenue, Toronto, had been conducted prior to conducting the field work, when in fact the Parcel Register print-outs were obtained in 2024, which is a breach of Section 8(a) and (c) of Ontario Regulation 216/10 made under the Surveyors Act, the Code of Ethics of the AOLS at Section 33(2)(a) of said Regulation 1026 and the Standards of Practice of the AOLS at Section 34(6)(a) of said

Regulation 1026;

- c) It is further alleged that the dates on the Parcel Register print-outs submitted to the Complaints Committee by the Member on May 27, 2024, in response to the Interim Decision had been altered by the Member to make it appear that the Land Registry Office search for the survey of 188 Montclair Avenue, Toronto, had been conducted prior to conducting the field work, when in fact the Parcel Register print-outs were obtained in 2024, which constitutes a misrepresentation, forgery and falsehood, contrary to the Code of Ethics of the AOLS at Section 33(2)(a) of said Regulation 1026 and the Standards of Practice of the AOLS at Section 34(6)(a) of said Regulation 1026;
  
- d) It is further alleged that the Parcel Register print-out for PIN 10466-0046 submitted to the Complaints Committee by the Member on May 27, 2024, in response to the Interim Decision had been further altered by the Member by deleting the entry in the said Parcel Register of two instruments that had been registered after the purported date of the Parcel Register print-out on December 19, 2020, to make it appear to the Complaints Committee in May, 2024, that the Member had conducted adequate and proper research for the survey of 188 Montclair Avenue, Toronto, when in fact the said Parcel Register print-out for PIN 10466-0046 had been intentionally altered to mislead, deceive and misrepresent to the Complaints Committee what the

Member had done, which is a breach of section 34(2)(g), and section 35(2), (3), (15) and (21) of Regulation 1026, R.R.O., as amended; and the Code of Ethics at sections 33(2), (a), (b) and (f) of said Regulation 1026;

- e) It is further alleged that the changes to first pages of six Parcel Registers in May 2024 and submitting these records to the Complaints Committee by the Member on May 27, 2024, in response to the Interim Decision and the further changes made by the Member by deleting the entry in the Parcel Register print-out for PIN 10466-0046 of two instruments that had been registered after the purported date of the Parcel Register print- out on December 19, 2020, are all alterations of a record, contrary to s. 167(1) of the *Land Titles Act*, R.S.O. 1990, c. L.5. which constitutes an offence under the Code of Ethics at section 33(2)(a) of said Regulation 1026; and
- f) It is further alleged that the Member conducted inadequate or no research in December 2020, for the survey of 188 Montclair Avenue, Toronto in that he conducted no title search whatsoever in the Land Titles Office for the parcel of land which he surveyed, which is a breach of section 8 (a) of O. Reg. 216/10, as amended and constitutes an offence under the Code of Ethics at section 33(2)(a) of said Regulation 1026.

### **The Member's Plea**

9. The Member pled guilty to all of the allegations of professional misconduct in the Amended Allegations of Professional Misconduct, as attached at Schedule A, and as summarized above.
  
10. During the Hearing, the Chair conducted a Plea Inquiry, and the Member confirmed that he understood the impact of entering a guilty plea and that his plea was entered freely and voluntarily. On the basis of the Plea Inquiry, it was clear to the Panel that the Member understood his plea, had received legal advice from his counsel, and that his plea was voluntary, informed and unequivocal.

### **The Parties' Submissions on Guilt**

11. The AOLS' counsel reviewed the relevant facts as set out in the ASF. He also filed the AOLS Book of Documents which was marked as Exhibit 3 and which contained the relevant supporting documents and records. He submitted that the facts set out in the ASF were sufficient to prove the allegations and support the Member's guilty plea.
  
12. The Member's counsel jointly submitted the ASF, but did not make any additional submissions regarding the Member's guilt.

13. The Panel's Independent Legal Counsel reviewed the applicable legal issues and advised the Panel that it could accept the Member's plea and find him guilty of the allegations in question if it was satisfied that:

- 1) the ASF contained sufficient facts to establish the allegations; and
- 2) the allegations met the definition of professional misconduct as set out in the Act and its Regulations.

### **The Panel's Decision on Guilt**

14. During the Hearing, the Panel carefully reviewed the facts and allegations of professional misconduct as set out in the ASF and the Amended Allegations of Professional Misconduct, all of which have been admitted by the Member.

15. The Panel found that the admitted facts in the ASF proved the allegations, and that those allegations met the legal definition of "professional misconduct". As such, the Panel accepted the Member's plea and found him guilty of professional misconduct.

The reasons for that decision are set out below.

16. The Panel finds the member guilty of all the allegations of professional misconduct, as set out in the Amended Allegations of Professional Misconduct, on the following basis:

- 1) Paragraphs 4-9 of the ASF establish that the Member failed to provide sufficient records to the Complaints Committee of all pertinent information necessary to assess his work. The Panel finds that this was a

breach of s.34(2)(g) of Regulation 1026, and the Code of Ethics at s. 33(2)(a) and (b) of Regulation 1026;

- 2) Paragraphs 8-9 of the ASF establish that the dates of the parcel register printouts submitted to the Complaints Committee by the Member on May 27, 2024, in response to the interim decision of the Complaints Committee had been altered by the Member to make it appear that the Land Registry Office search for the survey of 188 Montclair Avenue, Toronto, had been conducted before conducting the field work, when in fact the parcel register printouts were obtained in 2024. The Panel finds that the Member's actions constitute a breach of section 8(a) and (c) of Ontario Regulation 216/10, the Code of Ethics of the AOLS at s.33(2)(a) of Regulation 1026 and the Standards of Practice of the AOLS at s.34(6)(a) of Regulation 1026;
- 3) The Panel finds that the Member's conduct in altering the dates on the parcel register printouts, as admitted at paragraphs 8-9 of the ASF, also constitute a misrepresentation, forgery and falsehood, contrary to the Code of Ethics of the AOLS at s.33(2)(a) of Regulation 1026 and the Standards of Practice of the AOLS at s.34(6)(a) of Regulation 1026.
- 4) Paragraphs 8-9 of the ASF establish that the parcel register printouts that the Member submitted to the Complaints Committee were further altered by the Member by deleting entries that post-dated December 19, 2020. The Panel concludes that the Member's alterations of these records were

an attempt to mislead, deceive and misrepresent to the Complaints Committee. The Panel finds that the Member's conduct in this regard is a breach of s.34(2)(g), and s.35(2), (3), (15) and (21) of Regulation 1026, R.R.O., as amended; and the Code of Ethics at s.33(2), (a), (b) and (f) of Regulation 1026;

- 5) The Panel finds that the Member's conduct in altering the parcel registers, as admitted at paragraphs 8-9 of the ASF, are all alterations of a record, contrary to s.167 (1) of *the Land Titles Act* RSO 1990, cL5, which constitutes an offence under the Code of Ethics at s. 33(2)(a) of Regulation 1026;
- 6) The facts and admissions at paragraphs 4-9 of the ASF establish that Mr. Abdelshahid conducted inadequate research in December 2020, for the survey of 188 Montclair Avenue, Toronto. The Panel finds that this is a breach of s.8(a) of O.Reg.216/10, as amended and constitutes an offence under the Code of Ethics at s.33(2)(a) of said Regulation 1026.

17. On the basis of the above, the Panel finds that Mr. Abdelshahid failed to comply with s. 33(2)(a) and s.33(2)(b) of the Code of Ethics of the AOLS. This failure to comply with the Code of Ethics and the Standard of Practice constitutes professional misconduct within the meaning of s. 35(1), (2), (3) and (21) of Regulation 1026.

### **The Joint Submission on Penalty**

18. The AOLS' counsel and the Member's counsel confirmed that they had reached a joint submission on penalty ("JSP") which was signed by both parties and marked as Exhibit

7. The penalty requested jointly by the parties in the JSP can be summarized as follows:

- a. The licence of the Member shall be suspended for a period of three months;
- b. The Member shall be reprimanded by the Discipline Committee Panel;
- c. The member shall pay costs, fixed in the sum of \$20,000, to AOLS within three months of the date of this Decision;
- d. Following the reinstatement of the Member's licence in three month's time, a monitor shall be appointed to supervise the Member's survey practice for a period of twelve months, and at the Member's expense;
- e. There shall be publication of the decision of the Discipline Committee in the InSight newsletter on the AOLS website, with the Member's name.

### **The Parties' Submissions on Penalty**

19. The AOLS' counsel reviewed the JSP for the Panel and submitted that the requested penalty was reasonable and appropriate. He requested that the Panel issue an order in accordance with the JSP.

20. The Member's counsel advised that, should the Panel accept the JSP and impose the requested penalty, the Member had made arrangements for the period of suspension. In particular, he had arranged for another OLS to take over as the responsible OLS under the Certificate of Authorization held by the Member's firm A. Aziz Surveyors Inc. during the period of the Member's suspension. However, the Member's counsel advised that the other OLS was only available to take over starting June 2, 2025. As such, the Member's counsel requested that any suspension commence on June 2<sup>nd</sup>, 2025, rather than on the date of the hearing.

21. The AOLS' counsel agreed to this request.

22. The Panel's Independent Legal Counsel advised the Panel of the applicable legal issues, including the high legal standard that must be met before a Panel could consider departing from a JSP that has been jointly requested by the parties.

### **The Panel's Decision on Penalty**

23. The Panel carefully considered the JSP that was signed and filed by the parties. At the hearing, the Panel accepted the JSP and issued a penalty order as requested in the JSP. The following are the reasons for the Panel's Decision.

24. The Panel notes that the penalty was negotiated and jointly requested by both parties, both of whom are represented by experienced counsel. In the JSP agreement, the

parties stipulate that the penalty being requested is fair and reasonable and that it protects the public interest.

25. The Panel considered the applicable aggravating factors, including the Member's history of complaints (as set out at paragraphs 11-12 of the ASF) and the fact that the allegations included intentional alterations of records for the purpose of misleading the Complaints Committee, as set out above.

26. The Panel also considered the applicable mitigating factors, including the Member's long and successful career as a surveyor, the fact that he has never before been the subject of a disciplinary proceeding, and the fact that he pled guilty, took responsibility for his actions and expressed remorse for his conduct (see paragraphs 13 and 15 of the ASF).

27. On the basis of the above, the Panel accepts that the JSP is a fair, reasonable and proportionate penalty for the allegations to which the Member has pled guilty. The JSP, which includes a three-month suspension as well as ongoing monitoring, achieves the goals of specific and general deterrence and it also protects the public interest.

28. On the basis of the above, the Panel accepts the JSP and orders the following penalty, which is effective as of the date of the hearing:

- 1) The licence of the Member shall be suspended for a period of three months commencing on June 2, 2025.
- 2) The Member will be reprimanded by the Discipline Committee Panel in writing, by way of the written Reprimand which is attached as Schedule B to this Decision.

- 3) The Member shall pay costs, fixed in the sum of \$20,000 to AOLS within three months of the date of this decision.
- 4) Following the reinstatement of the Member's licence after the suspension, a monitor shall be appointed to supervise the Member's survey practice for a period of twelve months, at the member's expense.
- 5) There shall be publication of this Decision of the Discipline Committee in the InSight newsletter and on the AOLS website, with the Member's name.

**Decision and Order effective the 26<sup>th</sup> day of May, 2025.**

**Reasons for Decision released this 17<sup>th</sup> day of June, 2025.**

*Peter Lamb*

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Peter Lamb

*Robert A. Fligg*

Robert A. Fligg (Jun 17, 2025 10:43 EDT)

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Robert A. Fligg

*Kevin Kujala*

Kevin Kujala (Jun 18, 2025 10:43 EDT)

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Kevin Kujala

*Gary Auer*

Gary Auer (Jun 19, 2025 11:21 EDT)

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Gary Auer

*James T. Hunt*

James T. Hunt (Jun 18, 2025 10:50 EDT)

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James T. Hunt

**SCHEDULE “B”**

File No. D-23-13

**IN THE MATTER OF** a Hearing of the Discipline Committee of the Association of Ontario Land Surveyors held in accordance with the *Surveyors Act*, R.S.O. 1990. Chapter S. 29, as revised (“the Act”)

BETWEEN:

**ASSOCIATION OF ONTARIO LAND SURVEYORS**

(“The AOLS” or  
“The Association”)

-and-

**AZIZ ABDELSHAHID, O.L.S.**

(“the Member”)

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**REPRIMAND**

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TO: AZIZ ABDELSHAHID

In its Decision and Order, effective May 26, 2025, the Panel of the Discipline Committee of the Association, consisting of Peter Lamb, Robert A. Fligg, Kevin Kujala, Gary Auer, and James T. Hunt, found you guilty of all the allegations of professional misconduct contained in the Amended Allegations of Professional Misconduct (Exhibit 4, Schedule A). The Panel declared that you should be reprimanded for your professional misconduct. This is that Reprimand.

The Panel was troubled and disappointed by your misconduct, which included the intentional alteration of records for the purpose of misleading the Association's Complaints Committee. These actions were dishonest and in breach of the Code of Ethics and the Standards of Practice that apply to all members. Your conduct was unacceptable and will not be tolerated in the future.

The Panel hopes that you will learn from this Discipline Committee process, including the Panel's Decision and this Reprimand, and that you will ensure that you comply with the standards of conduct, practice and ethics required of an Ontario Land Surveyor at all times going forward.

This Reprimand is attached to the Panel's Decision and Order, which will be published in the InSight newsletter and on the AOLS website.

**Dated this 17<sup>th</sup> day of June, 2025.**

*Peter Lamb*

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Peter Lamb

*Robert A. Fligg*

Robert A. Fligg (Jun 17, 2025 15:44:01)

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Robert A. Fligg

*Kevin Kujala*

Kevin Kujala (Jun 18, 2025 10:43 EDT)

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Kevin Kujala

*Gary Auer*

Gary Auer (Jun 19, 2025 11:21 EDT)

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Gary Auer

*James T. Hunt*

James T. Hunt (Jun 18, 2025 10:50 EDT)

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James T. Hunt