

# **Registrar's Report**

**for the year 2016**  
**William D. Buck, O.L.S., C.L.S., P. 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.

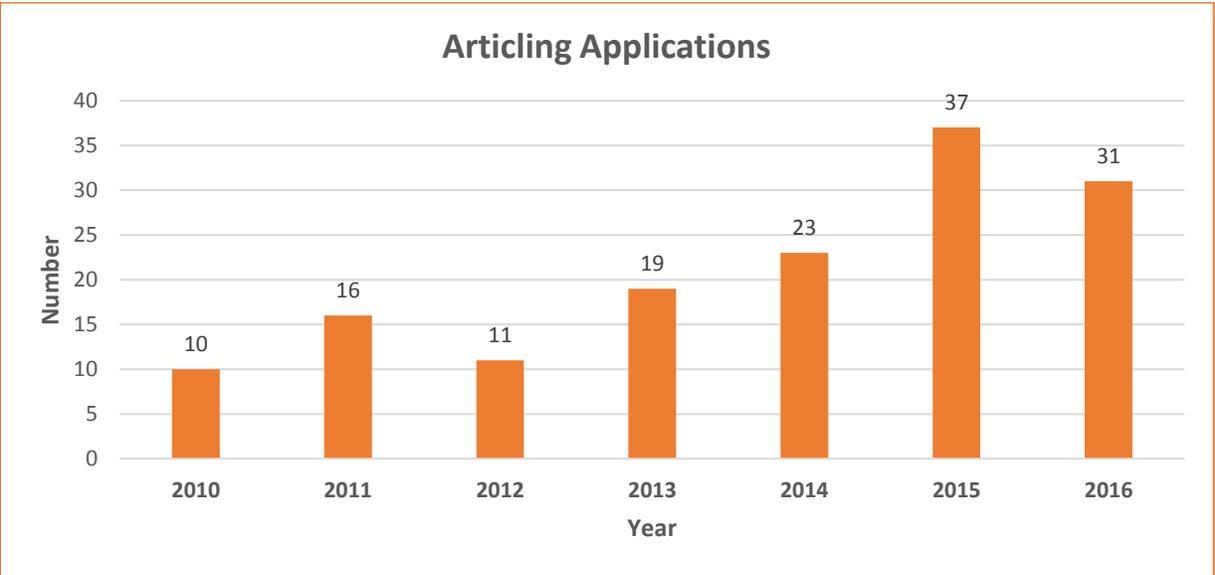
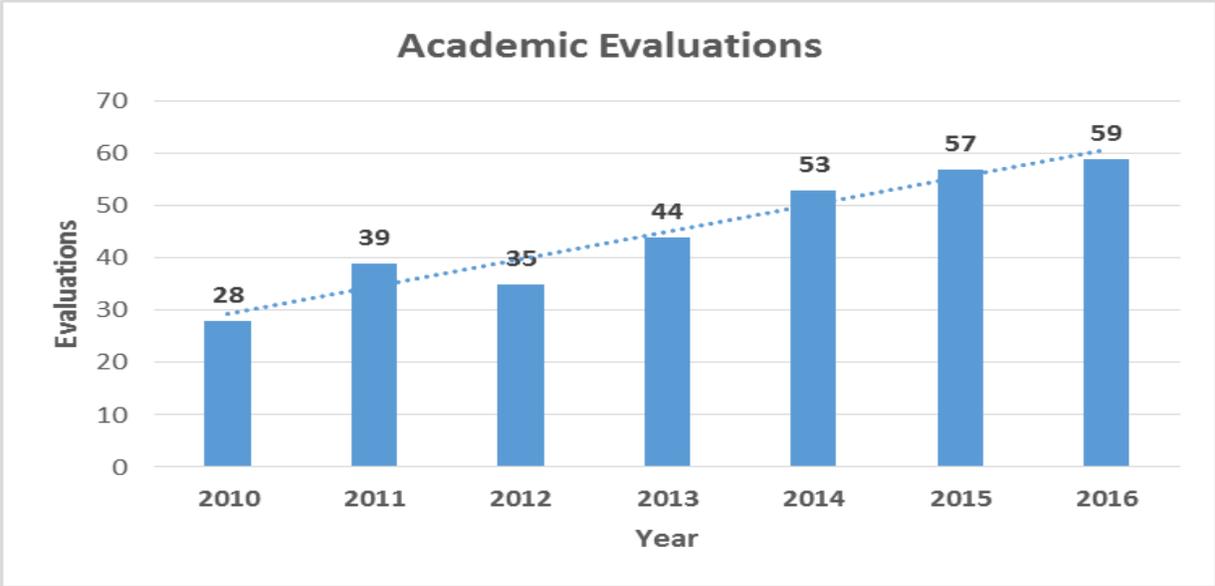
The Registrar's activities are concentrated primarily in the areas of Academic and Experience Requirements, Public Inquiries, Licences, Certificates of Registration, Certificates of Authorization, Complaints and Discipline.

## **Academic and Experience Requirements Committee (AERC)**

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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 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 also 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 2016, the Registrar also presented four articling information sessions, assisted with the statutes, oral and written professional examinations, organized and participated in the annual Professional Lecture course, and participated in the swearing-in of 10 new Ontario Land Surveyors.

Thirty-one (31) new students entered into articles during 2016, compared to thirty-seven (37) in 2015, and three (3) student's articles expired or were cancelled. As of January 30th, 2017 there were eighty-four (84) articling students, an increase of thirteen (13) over this date last year, and the most we have had since 1993. Eleven of the current articling students are females. The implementation of the new articling system removed the requirement for work reports and one- on-one monitoring and allows the Academic and Experience Requirements Committee members to track student progress using our web-based Learning Management system. The Statutes examination is now fully on-line and is available throughout the year and may be written in a remote location if more convenient for the student. The Academic and Experience Requirements Committee also approved fifty-nine (59) academic evaluations during 2016, two (2) more than last year. The number of evaluations has increased by more than 100% over the past 5 years. Twenty-one (21) of the 2016 evaluations (36%) were internationally educated applicants, which is nine (9) more than in 2015 and five (5) were female applicants. The following charts provide a graphical illustration of these statistics.



**Educational Services**

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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. No individual Educational Services file were opened in 2016, however numerous inquiries were dealt with without opening files. 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.

## **Compensation Fund**

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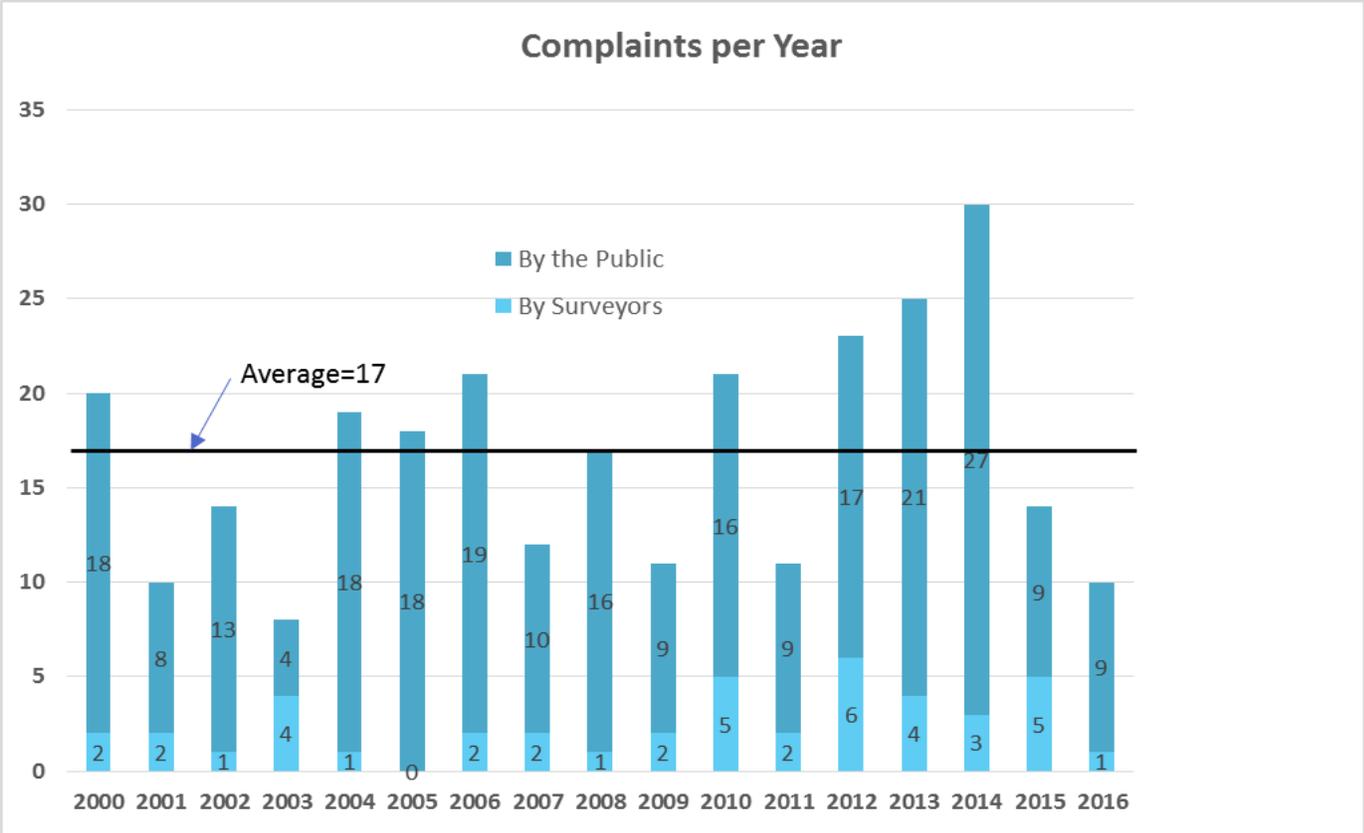
No applications to the Compensation Fund was received during 2016. The Compensation Fund is set out under *Section 33* of the *Surveyors Act*. Council established a Compensation Fund Committee in 1998, and delegated its powers pursuant to Section 33 (10) of the *Surveyors Act* to this Committee, made 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 Go To Meeting, allowing members from all areas of the province to easily participate.

Ten (10) new complaint files were opened in 2016, compared to fourteen (14) in 2015. The Committee held nine (9) teleconference meetings during 2016 and one face to face meeting. Nine (9) of the ten complaints originated from members of the public, and one (1) from an Association member. The Committee issued sixteen (16) final and twelve (12) interim decisions during 2016. 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-eight (28) decisions issued in 2016, two (2) referred members to AOLS Council for further action. Two files were referred to the Complaints Review Councillor at the request of the complainants. The following chart shows the total number of complaints per year from 2000 to 2016, the average number over that period being 17 per year.



**Discipline Committee**

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Two discipline hearings were commenced 2016. One hearing was concluded during the first day when the panel accepted a joint submission submitted by both parties.

The second hearing began in January 2016 and following several days of hearings in which the member’s motions to dismiss on procedural grounds were heard, the panel issued a decision that it wished to proceed with hearing the merits of the case before ruling on these motions. The member requested a Judicial Review of this decision, which was heard in Divisional Court on January 5, 2017. A three judge panel held that the decision was valid and that the discipline hearing should continue. Tentative dates have been established to continue the hearing in June 2017.

The Complaints Committee referred one member to Council in 2016 as he had refused to cooperate with the committee’s interim decision. Council was able to resolve the issue through correspondence with the member’s employer without referring the member to the Discipline Committee.

**Registrar's Investigations**

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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 2016.

## **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. No hearings were held during 2016.

A secondary function of this committee requires that it approve applications from members who wish to be in charge of more than one survey office, as is required by our Standards of Practice. During 2016 the committee approved one such application.

## **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 2016 as a result of Survey Review Department referrals 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). During 2016 twelve (12) new licences and several new or revised Certificates of Authorization were issued. As detailed in the Statistics section below, there has been a decrease of 4.7% in the number of professional members and a decrease of 5.8% in the number of Certificates of Authorization since the end of 2015.

## **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. There were no new By-laws or Regulations requiring votes during 2016, and all new Council positions for 2017 were filled by acclamation.

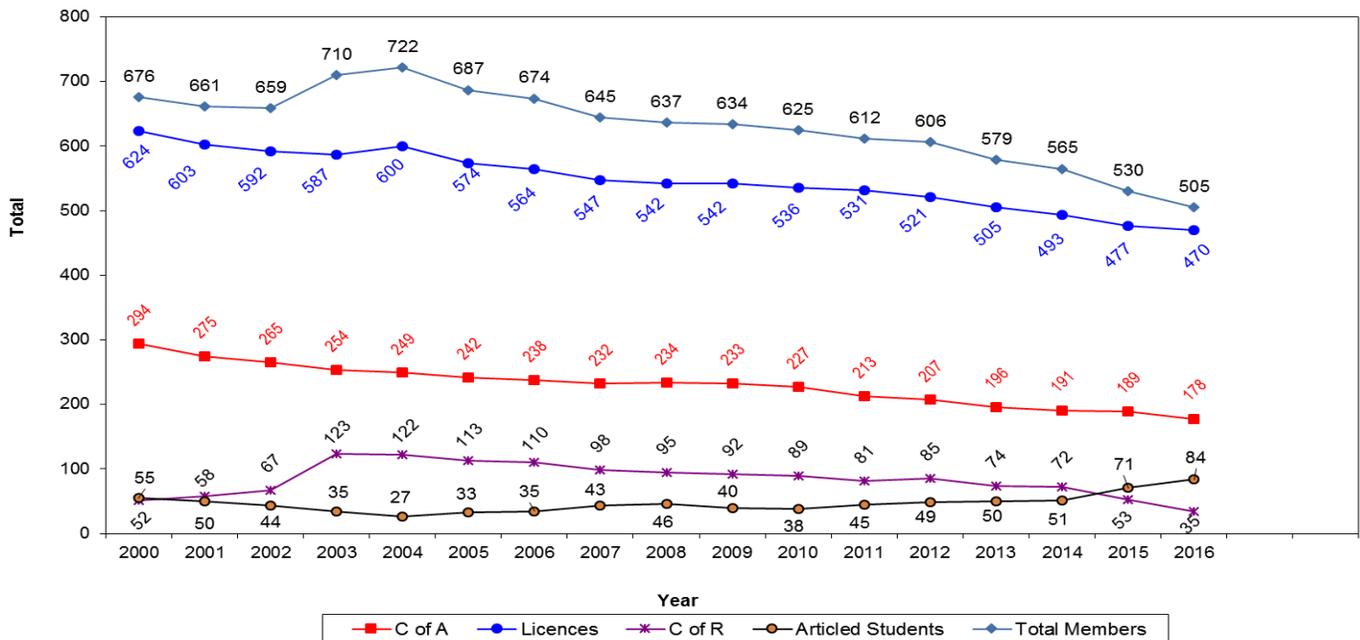
For the 2017 Council, Vice-President Russ Hogan was acclaimed as President and councillor Dan Dzaldov was acclaimed as Vice-President. Former president Eric Ansell was acclaimed as Senior Councillor to fill the vacancy left by Dan Dzaldov, and Gavin Lawrence and Trevor McNeil were acclaimed as Junior Councillors. Senior Councillors Jeff Fee and Wikar Bhatti did not pursue the position of Vice-President and have retired from Council.

## Statistics

Below are some relevant statistics of the Association, current to January 31, 2017.

	As of Jan. 31, 2017	last year	change	% change
Total Membership	505	530	-25	-4.7%
• Licences	470	477	-7	-1.5%
• Certificates of Registration	35	53	-18	-34%
Certificates of Authorization	178	189	-11	-5.8%
Members who have passed away since the last AGM	14	12		
Retired Members	204	173	+31	+17.9%
Newly commissioned members since the last AGM	13	15	-2	-13%
Articling Students	84	71	+13	+18%
Associate Members	124	88	+36	+40.9%

## AOLS Statistics - 2000 to 2016



The above chart illustrates the trends in our membership over the past 16 years, during which we have seen a decline of 24.7% in the number of licensed members. Total membership during this period has decreased by 171 a drop of 25.3%. The number of Certificates of Authorization has declined from 294 in 2000 to 178 as of January 31, 2017, a drop of 39.5%. The number of articling students has risen steadily from a low of 27 in 2004 to the current number of 84, an increase of 211%.