



January 17, 2007

Lloydminster Alberta Man Loses Licence to Practice as a Professional Engineer

Edmonton – The suspension of Mr. Terry D. Mulvey was overturned by the appeal board of The Association of Professional Engineers, Geologists and Geophysicists of Alberta in favour of cancellation of his licence to practice as a professional engineer. Mulvey was under suspension effective February 1, 2005 after a ruling by the association's discipline committee.

The Engineering, Geological and Geophysical Professions Act authorizes APEGGA to discipline and sanction members found guilty of unprofessional conduct.

The original decision also called for Mulvey to pay half the costs of the original discipline board hearing (\$24,293.23) and a \$5,000 fine. The appeal board upheld those sanctions and prohibited Mulvey from filing builders' liens, without doing so through legal counsel, for a period of 10 years should his licence ever be reinstated.

The APEGGA appeal board, a group of Mulvey's peers, reviewed the original decision of the APEGGA discipline committee, also consisting of a group of Mulvey's peers. In the appeal board's written decision it upheld the discipline committee's finding that Mulvey was "...guilty of a significant number of charges which involved false sworn statements, the filing of false liens, (and) defying a Court Order..." The written decision notes that the discipline committee found that these were not isolated matters but constituted a pattern of behaviour or "way of doing business" and that "such conduct goes to the heart of the concept of professional integrity." The discipline committee also characterized Mulvey's conduct as "dishonourable and disgraceful" and found that he "...caused financial and emotional stress to his clients, he interfered with the completion of projects, and he interfered with his clients' proprietary rights." Given all of this, the appeal board decided to substitute cancellation of Mulvey's licence for the original licence suspension.

The largest self-governing professional association in Alberta, APEGGA was established in 1920. Empowered by the Government of Alberta through legislation, APEGGA registers, sets practice standards and determines disciplinary action for over 47,000 members.

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Note: The Engineering, Geological and Geophysical Professions Act is available at <http://www.apegga.org/About/ACT/preface.htm>

The APEGGA Appeal Board's decision is available at

<http://www.apegga.org/members/Publications/peggs/Web01-07/appealboard.html>

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