

**THE ASSOCIATION OF PROFESSIONAL ENGINEERS AND GEOSCIENTISTS OF
THE PROVINCE OF MANITOBA**

IN THE MATTER OF:

Mohamed I. Matar, P.Eng., a Professional
Engineer registered in the Province of Manitoba

AND IN THE MATTER OF:

*The Engineering and Geoscientific Professions
Act, C.C.S.M. c. E120*

CHARGE

ENGINEERS GEOSCIENTISTS MANITOBA
870 PEMBINA HIGHWAY
WINNIPEG, MANITOBA
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IN THE MATTER OF: Mohamed I. Matar, P.Eng., a Professional Engineer registered in the Province of Manitoba

AND IN THE MATTER OF: *The Engineering and Geoscientific Professions Act*, C.C.S.M. c. E120 (the “**Act**”)

CHARGE

TAKE NOTICE that the Investigation Committee of the Association of Professional Engineers and Geoscientists of the Province of Manitoba (“**EGM**”) formulates the following charge pursuant to section 35(1)(b) of the Act.

Mohamed I. Matar, while registered as a professional engineer in the Province of Manitoba, displayed conduct which constitutes professional misconduct or unskilled practice in that:

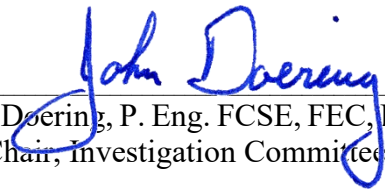
In the course of providing engineering services for structural renovations at 18 Bowhill Lane, Winnipeg, MB., Dr. Matar displayed a lack of knowledge of, or lack of skill or judgment, in the practice of professional engineering in violation of s. 46(1)(d) and (e) of the Act and violated Canons 2 and 5 of EGM’s *Code of Ethics* (adopted October 18, 2018).

Particulars

1. On or about May 19, 2020, Dr. Matar sealed a plan for structural renovations to the residence at [REDACTED] in Winnipeg (the “**Plan**”).
2. The Plan provided for the extension and reframing of the house floor to replace a secondary set of stairs to the basement, and framing to create an access door (the “**Door**”) between the reframed house floor and the garage.
3. Given the relative differences in elevation between the house floor and garage, the Door could not be functionally created as contemplated by the Plan, either at all or not without significant additional structural work within the Garage (the “**Additional Work**”);
4. In the course of providing structural engineering services and developing the Plan, Dr. Matar:
 - (i) failed to field verify the site conditions before sealing the Plan, including the elevation differences between the main level, garage level and underside of the garage roof structure;
 - (ii) provided a Plan with an insufficient level of detail that failed to include relevant considerations, including as it relates to elevations, such that the Plan was not feasible and could not be effectively carried out to meet the requests of the client;

- (iii) failed to identify any limitations associated with the work requested by the client and the Additional Work required to overcome the limitations, prior to proposing fees the work; and
- (iv) failed to accept responsibility for issuing a Plan that would not support a functional design and failed to provide a feasible solution to rectify the problems with the Plan.

DATED at Winnipeg, Manitoba, this 7th day of October 2021.



John Doering, P. Eng. FCSE, FEC, FCAE
Chair, Investigation Committee