

Board of Professional Engineers v F

This was a disciplinary proceeding brought by the Board of Professional Engineers of Queensland (“**Board**”) against a registered professional engineer (deidentified as “**F**”) in the Queensland Civil and Administrative Tribunal (“**Tribunal**”).

Disciplinary Ground

The Board alleged that F had behaved in a way that constituted unsatisfactory professional conduct by issuing an inspection certificate when there were serious defects with the structural framing of the subject dwelling.

F’s Background

F was a registered professional engineer.

Conduct of Engineer

F was engaged to provide the following professional engineering services in respect of a single unit dwelling:

- inspect frame, lintels, bracing and tie downs; and
- provide a Form 16 Inspection Certificate (“**Form 16**”), certifying that the frame, lintels, bracing and tie downs complied with the relevant Australian Standards.

F provided the Form 16 in circumstances where the following aspects were incomplete or defects apparent in the structural framing of the house:

- inadequate support and potentially dangerous subsequent propping of floor bearer;
- none of the steel rod cross-bracing sets required had been installed;
- the steel stumps were not cast into the footing piers as required but were lightly attached to their tops, posing a risk to wind loading racking stability;
- there was a lack of any bolts or connections between steel stump cap plates and floor bearers in many locations, including stumps that continued up the building as columns forming part of the major framework of the east wall of the upper floor level of the house.

F did not re-inspect the house once works were completed prior to producing the Inspection Certificate.

What the Tribunal Said

The Tribunal found that a competent engineer exercising proper knowledge, skill, judgment and care would re-inspect incomplete work before issuing a Form 16 or alternatively would exclude the components from the certificate with words such as: “excluding the steel diagonal bracing rods below the ground level timber floor”. Such exclusion would alert other parties that the certificate did not cover all structural beaming and bracing and tie down.

Consequences for F

F admitted to the disciplinary charges and came to an agreement with the Board that F be formally reprimanded, pay a monetary penalty, and pay the Board’s costs.