

**DISCIPLINE COMMITTEE OF THE
ONTARIO COLLEGE OF TRADES**

Ann Corbold, Chair

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) Friday, the 17th day of May, 2019
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BETWEEN:

ONTARIO COLLEGE OF TRADES (the “College”)

-and-

HUTTON PEARCE (the “Member”)
(Member No. 13244095)

ORDER

PURSUANT TO AN ORDER dated February 4, 2019 by a Panel of the Discipline Committee, and **PURSUANT TO A PRE-HEARING CONFERENCE ORDER** made on March 25, 2019, this matter was heard and determined on May 17, 2019 in accordance with section 46(1)(a) of the *Ontario College of Trades and Apprenticeship Act* (the “Act”) by a one-member panel of the Discipline Committee;

UPON OBTAINING the parties’ consent that this hearing may proceed before a one-member panel in accordance with section 4.2.1(2) of the *Statutory Powers Procedure Act*, as well confirming that an Agreed Statement of Facts in this matter had been provided to the panel prior to the hearing, on the consent of the parties;

AND UPON CONSIDERING the Member’s admission to allegations (c) and (d) in the Amended Notice of Hearing issued on February 21, 2019; an Agreed Statement of Facts signed in counterparts on March 25, 2019; and oral submissions on the agreed facts;

AND UPON PERMITTING the College to withdraw allegations (a), (b) and (e) in the Amended Notice of Hearing, as requested by College Counsel with the consent of the Member;

THIS PANEL OF THE DISCIPLINE COMMITTEE, pursuant to section 46(2) of the Act, found the Member guilty of professional misconduct as set out in allegations (c) and (d) of the Amended Notice of Hearing;

AFTER MAKING A FINDING of professional misconduct against the Member, the panel heard joint submissions with respect to penalty and costs, as a result of which;

THIS PANEL OF THE DISCIPLINE COMMITTEE made the following orders:

1. The Member shall pay, within six (6) months of the order, a fine in the amount of \$500 to the Minister of Finance for payment into the Consolidated Revenue Fund, pursuant to paragraph 46(5)(2) of the *Ontario College of Trades and Apprenticeship Act* (the "Act");
2. The Member shall be reprimanded by the Discipline Panel, in person, at the conclusion of the hearing and the fact of the reprimand shall be recorded on the Public Register for a period of six (6) months thereafter, pursuant to paragraph 46(5)(1) of the *Act*;
3. The finding and order of the Panel shall be published in summary, with the name of the Member, in the official publication of the College and on the website of the Ontario College of Trades, pursuant to paragraph 46(5)(3) of the *Act*;
4. The Registrar shall be directed to impose the following terms, conditions and limitations on the Member's Certificate of Qualification, pursuant to paragraph 46(4)(3) of the *Act*:

"In addition to any other related obligations imposed on the Member by the *Act*, its regulations, the College's General By-law or any other statutory framework, the Member shall:

- (i) maintain current email and postal addresses with the College and with any authority having jurisdiction over the Member's work in his trade, including but not limited to communicating any address change to the College and to such other authority within ten (10) calendar days of such change; and
- (ii) respond fully, in relation to work in the scope of practice of his trade, to any written or

email communication from the College and from any authority having jurisdiction, including a municipal building department, within twenty (20) calendar days of the date such communication is sent to him at his then current email or postal address.”

5. The Member shall pay to the College costs in the amount of \$3,120, pursuant to paragraph 46(5)(4) of the *Act*; and the Member shall pay the above costs in six equal instalments, payable respectively within 60, 120, 180, 240 and 300 days of the date of the order, in such manner as the Hearings Coordinator directs.

Date: May 17, 2019

“Ann Corbold”
Ann Corbold, Panel Chair
On behalf of the Discipline Committee

End.