



PRACTICE ADVISORY

PERMIT TO PRACTICE REQUIREMENTS FOR LETTERS OF ASSURANCE

Version 1.1, Published March 21, 2022

This practice advisory has been issued for registrants (engineering professionals and firms) of Engineers and Geoscientists BC to provide clarity on permit to practice requirements for letters of assurance (LOAs) in the *BC Building Code* and *Vancouver Building By-law* (collectively referred to herein as the “Building Code”). The permit to practice requirements for Engineers and Geoscientists BC registrants became mandatory as of October 1, 2021 and include applying the permit to practice number to all authenticated (sealed, signed, and dated) documents.

This practice advisory provides guidance on how the permit to practice number should be applied to LOAs, and how the permit to practice number impacts situations where an engineering professional of record, or a firm, changes during the course of a building project. This practice advisory should be read in conjunction with the *Guide to the Letters of Assurance in the BC Building Code* (Province of BC 2022).

Note that although LOAs are used by both architects and engineering professionals, the guidance within this document applies solely to engineering professionals and firms registered with Engineers and Geoscientists BC.

BACKGROUND

LOAs are uniform, mandatory documents that are intended to clearly identify the responsibilities of key individuals in a building project. They are set out in Subsection 2.2.7. of Part 2 of Division C of the Building Code and are used to confirm and assure Building Code-compliant design and commitment to perform required field reviews by engineering professionals. LOAs are referred to in the Building Code as Schedules A, B, C-A, and C-B.

Under the *Professional Governance Act*, Engineers and Geoscientists BC now regulates firms. Any firm practicing engineering in British Columbia (BC) must register and obtain a permit to practice. Each permit to practice bears a unique permit to practice number that must be included when engineering professionals authenticate (seal, sign, and date) documents on behalf of the firm (see Section 7.3.7(14) of the Engineers and Geoscientists BC Bylaws).

LOAs are documents that are required to have a permit to practice number applied, as are all other documents authenticated by engineering professionals.

PROFESSIONAL PRACTICE

APPLYING THE PERMIT TO PRACTICE NUMBER TO LETTERS OF ASSURANCE

A permit to practice number must be visibly applied to all documents that are authenticated by an engineering professional on behalf of a firm. Engineers and Geoscientists BC does not have specific requirements for how or where the permit to practice number is applied to a document; the only requirements are that:

- firms establish policies and procedures in their Professional Practice Management Plan for applying the permit to practice number to authenticated documents;
- engineering professionals follow their firm's policies and procedures; and
- the permit to practice number is applied by a firm's responsible registrant, or by an individual employed by or under contract with the firm who is authorized to apply the permit to practice number in accordance with the firm's Professional Practice Management Plan.

LOAs range in length from one page to four pages, and although authentication is required on every page, the permit to practice number is only required to be applied once to each LOA.

Some options for the location of the permit to practice number on an LOA include:

- next to the allocated space for "print name of firm"; and
- next to one of the locations where the engineering professional of record's authentication is required.

Authenticated documents that do not include the firm's permit to practice number should not be relied upon. If an LOA is submitted without a permit to practice number, Engineers and Geoscientists BC recommends that a new LOA be requested that includes the permit to practice number. If this request is refused, Engineers and Geoscientists BC recommends that the LOA be rejected, because the authentication of documents on behalf of a firm, without a permit to practice number, contravenes the Engineers and Geoscientists BC Bylaws.

GUIDANCE FOR ONGOING PROJECTS

Regardless of whether or not a permit to practice number was included on previously submitted LOAs for the same project, the permit to practice number must be included on all LOAs submitted as of October 1, 2021.

For example, if a Schedule B was submitted before firms were required to hold a permit to practice (i.e., before October 1, 2021) and therefore no permit to practice number was included, but a Schedule C-B is to be submitted on or after October 1, 2021, then the permit to practice number must be included on the Schedule C-B.

Engineers and Geoscientists BC does not expect schedules and supporting documents that were submitted prior to October 1, 2021 to be reissued solely on account of not having a permit to practice number.

DOCUMENTING A CHANGE OF FIRM

The *Guide to the Letters of Assurance in the BC Building Code* (Province of BC 2022) provides guidance on how to appropriately change coordinating registered professionals and registered professionals of record during the course of a building project. However, the guide does not provide direction on how a change of firm should be handled.

To clearly define and document the boundaries of firm responsibility according to the new permit to practice requirements, Engineers and Geoscientists BC requires that whenever an engineering firm is changed on a building project, the original (outgoing) firm must notify the authority having jurisdiction (AHJ) in writing of the date of the original firm's termination, and retain a record of this communication in the firm's project files. The notification is the responsibility of the firm's responsible registrant (or delegate). A single written notification from a firm may be used when both the engineering professional of record and the firm change simultaneously during the course of a project.

See [Table 1: Examples of LOA Requirements if the Engineering Professional of Record and/or Firm Must Change During a Project](#) below for the various combinations of changes in engineering professionals of record and/or firms, and the requirements in each situation.

APPLICABILITY TO OTHER ACCOUNTABILITY DOCUMENTS

Accountability documents that are similar to LOAs are used in many different industries and areas of practice, particularly those that are building related. Engineers and Geoscientists BC recommends that the guidance provided in this practice advisory be applied, as necessary, to other accountability documents, to deal with the application of permit to practice numbers and changes in engineering professionals of record and firms.

Examples where this guidance could apply include, but are not limited to:

- Schedules S-B and S-C for supporting registered professionals;
- Model Schedules D and C-D for building enclosure engineers;
- Elevating Device Assurance Statements for mechanical engineers; and
- Retaining Wall Assurance Statements for structural and geotechnical engineers.

The Government of BC has updated the *Guide to the Letters of Assurance in the BC Building Code* to mention the permit to practice number, and Engineers and Geoscientists BC understands that they will be working to update the actual LOAs (Schedules A, B, C-A, and C-B) to include consideration for permit to practice requirements under the *Professional Governance Act*. Until those updates are fully implemented, Engineers and Geoscientists BC recommends that engineering professionals, firms, and AHJs follow the guidance in this practice advisory.

Table 1: Examples of LOA Requirements if the Engineering Professional of Record and/or Firm Must Change During a Project

CHANGE OF ENGINEERING PROFESSIONAL OF RECORD	CHANGE OF FIRM	EXAMPLES	NOTIFY AHJ	NEW LOA REQUIRED
No	No	<ul style="list-style-type: none"> The engineering professional of record moves to a different firm, and the project stays with the original firm. The original engineering professional of record continues to be involved with the project by contract to the original firm. 	No	No
Yes	No	<ul style="list-style-type: none"> The engineering professional of record resigns, retires, or is terminated from the firm and has no further involvement with the project. A new engineering professional of record within the firm takes over the project. The engineering professional of record is no longer available due to death or incapacity. A new engineering professional of record within the firm takes over the project. Note that this situation is covered in the <i>Guide to the Letters of Assurance in the BC Building Code</i> (Province of BC 2022). 	Yes	Yes
No	Yes	<ul style="list-style-type: none"> The engineering professional of record changes firms, or becomes a sole practitioner, and the project is taken to the new firm. The firm is merged, rebranded, and/or amalgamated into a different firm. The original engineering professional of record remains on the project. 	Yes	No
Yes	Yes	<ul style="list-style-type: none"> The engineering professional of record and the firm resign or are terminated from the project. A new engineering professional of record and a new firm take over the project. The engineering professional of record, who is a sole practitioner, retires or becomes unavailable due to death or incapacity. A new engineering professional of record and firm take over the project. 	Yes	Yes

NOTES: Abbreviations: AHJ = Authority Having Jurisdiction; LOA = Letter of Assurance

REFERENCES

Province of BC. 2022. Guide to the Letters of Assurance in the BC Building Code 2018 and Vancouver Building By-law 2019. Version 6.1 (February 11, 2022). Victoria, BC: Building & Safety Standards Branch, Office of Housing and Construction Standards. [accessed: 2022 Mar 15]. <https://www.bccodes.ca/assurance/2018GuideLoA.pdf>.

VERSION HISTORY

VERSION NUMBER	PUBLISHED DATE	DESCRIPTION OF CHANGES
1.1	March 21, 2022	Minor revision to clarify who can apply a permit to practice number based on recent revisions to the Engineers and Geoscientists BC Bylaws; and to include an updated reference to the <i>Guide to the Letters of Assurance in the BC Building Code</i> .
1.0	October 18, 2021	Initial version.

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