

**CANADIAN BOARD OF EXAMINERS FOR PROFESSIONAL SURVEYORS**

**C11 – BUSINESS PRACTICES & THE PROFESSION**

**October 2022**

**Note: This examination consists of 10 questions on 3 pages.**

**Marks**

**Q. No**

Time: 3 hours

Value   Earned

1.	<p>A frequent contractor client calls and requests a crew to be on-site at 8am the next day to check the elevation of the top-of-forms before a concrete pour scheduled for 9am. You agree.</p> <p>The next day your crew leaves the office on time but is stuck behind a multi-vehicle pile-up and doesn't arrive onsite until 10am and doesn't complete the grade checks until 11am. The contractor states, "You promised to be here at 8am. Who is going to pay for the ten-person concrete pouring crew's two hours of downtime at \$500 per hour and the concrete truck standby charge of \$300 per hour?"</p> <p>In the context of contract law and insurance; Are you liable? Did the contractor incur "damages"? Does your insurance policy cover this event? Should the contractor pay your invoice? Add any other matters you deem significant.</p>	10	
2.	<p>The phrase "Conflict of Interest" (CI) often appears in the Terms of Contracts you sign or is defined by your relationship to the client(s).</p> <p>a) Define the term Conflict of Interest.</p> <p>b) Explain the concept of CI as it applies to the work of a professional land surveyor by describing three possible CI situations that could arise in the course of your business and professional activities.</p>	3 7	
3.	<p>In July your crew laid out pins for the exterior walls of a beer store. You return to the site after the block walls are erected to perform a Surveyors Real Property Report (Building Locate or whatever it is called in your jurisdiction) and determine your layout was incorrect and the walls were erected 0.3m too close to the streetline. You suggest to the owner "We will apply to the Municipality for a Minor Variance, the costs of which will be paid for by our survey" firm. The owner declines the offer and states "The building will be demolished and re-erected in the correct position all at your cost". What will you do?</p>	10	
4.	<p>A survey is often referred to as an "opinion". Explain.</p>	5	

5.	A client calls and says, “I like your proposal for survey services on the lakeside resort mixed use condominium development. However, your price of \$95,000 is significantly higher than the second place bidder. If you can reduce your price by 10% the job is yours.” How will you respond? Explain why.	10	
6.	You have completed the retracement of an original township lot/section and the project costs are \$11,500. Before you started the project you gave the client a written cost estimate of \$9,500 and accepted a \$5,000 deposit. How much will you invoice the client? Explain why.	10	
7.	<p>During a phone call pursuing business development with the Director of a Hospital you are told to invite the Director and his two assistants to lunch at a very expensive restaurant. During lunch, when you raise the matter of the pending hospital expansion survey work, the Director states, “How much you will donate to the hospital building fund?”. As you attempt to hedge your answer you are told point blank, “no donation, no contract”.</p> <p>a) Is this a criminal offence or just aggressive fund raising?  b) What further questions should you ask?  c) Will you participate?</p> <p>To each answer provide your reasons.</p>	3 3 4	
8.	<p>Define the following terms and if appropriate provide an example.</p> <p>a) Collusion  b) Code of Ethics  c) Partnership  d) Sunset clause (in a contract)  e) Retainer</p>	3 3 3 3 3	

9.	<p>While commencing a survey of a rural property you are confronted by the owner of the abutting parcel who parks his vehicle over the property corner survey evidence and challenges you about trespassing on “his” property. The discussion gets heated and threats are made.</p> <p>Outline the actions you should/can take to get the survey completed.</p>	10	
10.	<p>A land owner calls your office and states, “The area shown on the survey plan your firm prepared in 1992 for the vendor before I purchased the property is incorrect. Consequently, I have been overpaying my property taxes based on your area error. You owe me \$30,500.00.” Are you liable? Provide reasons for your answer.</p>	10	
<b>Total Marks:</b>		100	