



ARCHITECTURAL INSTITUTE OF BRITISH COLUMBIA

# Draft Complaints, Investigation and Discipline Bylaws

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*Note to Readers:*

*Some references to Bylaws and Professional Standards included in this document are shown with an X, as the final Bylaw number has not yet been finalized.*

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## Definitions

1.1 The following definitions apply in these Bylaws:

**“Administrative Guidelines”** means guidance documents to assist the AIBC in decision-making and related regulatory functions, as approved by Council under these bylaws;

**“AIBC”** means Architectural Institute of British Columbia;

**“Applicant”** has the same meaning as in Section 1(1) of the PGA;

**“Citation”** has the same meaning as in Section 1(1) of the PGA;

**“Client”** means the person or entity identified as such in a Client-Architect Contract, and any individual(s) designated by the client;

**“Client-Architect Contract”** means a contract with a Client for the provision of architectural services as required under Bylaw X;

**“Committee”** has the same meaning as in Section 1(1) of the PGA;

**“Complaint”** means information, assertion or allegation provided by a Complainant about a Registrant or Former Registrant who may have committed a Discipline Violation.

**“Complainant”** means any person or entity, including the AIBC, who submits a Complaint.

**“Conduct Unbecoming a Registrant”** has the same meaning as in Section 1(1) of the PGA.

**“Completed Alternative Complaint Resolution”** means an agreement under Section 74 of the PGA and these bylaws whose terms have been satisfied by the Respondent.

**“Council/Board Rules”** means procedural or administrative rules approved by Council as permitted under these Bylaws;

**“Costs”** means a monetary amount agreed to or ordered under the PGA and these Bylaws in relation to costs of an investigation, Reprimand or Remedial Action by Consent, Consent Order, Alternative Complaint Resolution, or a Discipline Hearing;

**“Discipline Committee”** means the Committee established pursuant to Bylaw X;

**“Discipline Record”** means any admission or determination of a Discipline Violation by a Registrant;

**“Discipline Violation”** means an admission or determination that a Registrant has committed one or more of Professional Misconduct, Conduct Unbecoming a Registrant, Incompetent Performance of Duties, or a breach of the PGA, Regulations or these Bylaws;

**“Discipline Hearing”** is a hearing pursuant to Section 75 of the PGA;

**“Discipline Hearing Panel”** means a panel of at least three members of the Discipline Committee, including at least one lay member, established for the purpose of conducting a Discipline Hearing;

**“Final Investigation Report”** means the report prepared by the Investigator(s) at the conclusion of the investigation;

**“Incompetent Performance of Duties”** has the same meaning as incompetent as defined in Section 1(1) of the PGA;

**“Intake Process”** means the process of receiving and collecting information for the Investigation Committee to determine how to proceed with a Complaint;

**“Intake Report”** means the report prepared by the Registrar for the Investigation Committee following the Intake Process;

**“Lead Investigator”** means the Investigator assigned to lead the investigation under Bylaw 10.17;

**“Investigation Committee”** means the committee established pursuant to Bylaw X;

**“Investigator”** means an individual appointed to such role under Section 68 of the PGA;

**“Lay Committee Member”** has the same meaning as Section 21 of the PGA;

**“Motion”** means an application for relief or direction from a Discipline Hearing Panel with respect to an issue brought before or during the Discipline Hearing that is not a final determination of the whole matter;

**“Practice Guideline”** means AIBC guidance documents that support the understanding of and compliance with Professional Standards and provide interpretations of regulatory requirements;

**“Proceeding”** means an application, pre-hearing conference, or Discipline Hearing;

**“Professional Standards”** means the standards of competence and professional ethical conduct for Registrants established and Published by the AIBC in the Code of Ethics and Professional Conduct under these Bylaws;

**“Professional Misconduct”** has the same meaning as Section 1(1) of the PGA;

**“Project”** means a commission of engagement for the provision of architectural services;

**“Registrant”** has the same meaning as Section 1(1) of the PGA and includes former registrants of the AIBC;

**“Respondent”** means the Registrant who is the subject of a Complaint;

**“Supplementary Report”** means the report prepared by the Investigator(s) at the direction of the Investigation Committee pursuant to Bylaw 10.14;

## Complaints

### Form of Complaint

- 10.1 All Complaints provided to the AIBC must be confirmed in writing.
- 10.2 In accordance with Section 65 of the PGA, a Complaint must allege conduct or practice that, if admitted or proven, would constitute one or more of:
  - 10.2.1 Incompetent performance of duties or services undertaken by a Registrant while engaged in the regulated practice of architecture;
  - 10.2.2 Professional Misconduct;
  - 10.2.3 Conduct Unbecoming a Registrant; or
  - 10.2.4 A breach of the PGA, Regulations or Bylaws.

### Intake Process

- 10.3 The Registrar may request further information from the Complainant, Respondent or another source.
- 10.4 The Registrar must provide a copy of a Complaint, or a summary describing the concerns or allegations, to the Respondent.
- 10.5 The Respondent must provide a written response to the AIBC within 14 days of receipt of the Complaint or summary or within such extended period as the Registrar may allow.

- 10.6 The Registrar may choose not to disclose the identity of the Complainant to the Respondent if such disclosure would expose the Complainant to an undue risk of harm or prejudice, including but not limited to a risk of reprisal as described in Section 103 of the PGA.
- 10.7 Information provided during the Intake Process by the Complainant and Respondent may be disclosed to the other party, unless there are privacy or safety considerations that warrant otherwise.
- 10.8 Following the Intake Process, the Registrar must provide an Intake Report to the Investigation Committee.
- 10.9 The Registrar must inform the Investigation Committee, in an Intake Report, if in the Registrar's view the Complaint:
- 10.9.1 is trivial, frivolous, vexatious, an abuse of process, or made in bad faith;
  - 10.9.2 does not allege facts that, if proved, would amount to a Discipline Violation; or
  - 10.9.3 does not include sufficient information or particulars to allow an investigation to proceed.

### **Extraordinary Action to Protect the Public**

- 10.10 The Investigation Committee or the Discipline Committee may initiate an action under Section 67 of the PGA, when considered necessary to protect the public interest.
- 10.11 Procedures and processes for initiating and issuing Section 67 orders must be conducted in accordance with Schedule XI: Extraordinary Action to Protect the Public.

### **Investigation Committee Action**

- 10.12 Within 45 days of receiving the Intake Report from the Registrar pursuant to Bylaw 10.9, the Investigation Committee must:
- 10.12.1 initiate an investigation;
  - 10.12.2 decline to investigate the Complaint;
  - 10.12.3 forgo an investigation and direct a Citation be issued pursuant to Section 66(1)(d) of the PGA; or
  - 10.12.4 take any action in Bylaw 10.14.1 and 10.14.2.
- 10.13 If within 45 days of receiving the Intake Report the Investigation Committee does not take action as required in Bylaw 10.12, the parties must be notified in writing of the delay and provided with an estimated time for a decision.
- 10.14 Upon receiving a Final Investigation Report, Supplementary Report, and any submissions from the Respondent, the Investigation Committee must do one or more of the following:

- 10.14.1 initiate an Extraordinary Action to Protect the Public in accordance with Section 67 of the PGA;
- 10.14.2 proceed by way of Sections 72 (RRAC), 73 (Consent Order), 74 (ACR), or 66(1)(d) (Citation) of the PGA; or
- 10.14.3 close the Complaint file if it determines any of the following apply:
  - 10.14.3.1 the Complaint is frivolous, vexatious, or made in bad faith;
  - 10.14.3.2 the charges, if proved, would not amount to a Discipline Violation;
  - 10.14.3.3 the charges relate to a private dispute between the Registrant and a third party and there is no public interest in authorizing an investigation; or
  - 10.14.3.4 the charges would be better addressed through a letter of recommendation to the Respondent on how to improve their practice or conduct.
- 10.15 Following review and consideration of the Final Investigation Report and any submissions from the Respondent, the Investigation Committee may direct the Lead Investigator to conduct further investigation and to prepare a Supplementary Report.
- 10.16 The Investigation Committee must inform the Complainant and Respondent of the disposition of the matter in writing.

### **Assignment of Investigator**

- 10.17 The chair or vice chair of the Investigation Committee has the authority to assign a Lead Investigator to lead the investigation of a Complaint.
- 10.18 The chair or vice chair of the Investigation Committee has the authority to assign one or more additional Investigator to assist the Lead Investigator with the investigation.

### **Notice of Investigation**

- 10.19 Within 30 days of an investigation being authorized, the Registrar must provide written notice to the Respondent and the Complainant with the identity of the Lead Investigator and any additional investigator(s).
- 10.20 Any new information that is discovered during the Intake Process or during the investigation of a Complaint that raises new concerns will become part of the original Complaint or may be opened as a new Complaint at the Investigation Committee's discretion.

### **Conduct of Investigation**

- 10.21 The Investigator(s) assigned to a Complaint has all the powers and duties provided pursuant to Section 69 of the PGA to investigate the matter, including:

- 10.21.1 obtaining from the parties, and third parties relevant evidence, including files, records, drawings, or other material;
  - 10.21.2 interviewing the parties or third parties;
  - 10.21.3 obtaining a search and seizure order pursuant to Section 70 of the PGA; or
  - 10.21.4 any other investigative steps deemed necessary.
- 10.22 The Investigator(s) assigned to a Complaint may issue a written notice to the Respondent to:
- 10.22.1 co-operate with the investigation and respond to any written requests;
  - 10.22.2 produce files, records, drawings or other material in the Registrant's possession or control, requested under Bylaw 10.21.1; or
  - 10.22.3 appear, either in person or by electronic means, before the Investigator(s) to discuss the conduct and competence of the Respondent, which may be recorded by AIBC by audio and/or video and may be transcribed by a court reporter.
- 10.23 The Respondent must fully cooperate with the investigation, including;
- 10.23.1 respond completely to any written request from an Investigator within the specified time-frame;
  - 10.23.2 attend for an interview, in-person or by electronic means, if requested by an Investigator; and
  - 10.23.3 produce requested documents and information, including files, records, drawings, or other material in the Respondent's possession or control.
- 10.24 The Lead Investigator must:
- 10.24.1 provide written updates to the Complainant and Respondent with the progress of the investigation;
  - 10.24.2 provide written interim reports on the progress of the investigation to the Investigation Committee, as requested by the Investigation Committee or deemed necessary by the Lead Investigator;
  - 10.24.3 prepare a Final Investigation Report at the conclusion of the investigation; and
  - 10.24.4 provide written notice to the Respondent if a Supplementary Report is requested by the Investigation Committee.
- 10.25 The Final Investigation Report and any Supplementary Report must be provided to the Respondent before it is forwarded to the Investigation Committee.

- 10.26 The Respondent may provide a response to the Final Investigation Report and any Supplementary Report within 14 days or within such extended period of time as agreed to with the Lead Investigator.
- 10.27 The Final Investigation Report, Supplementary Report, if requested, and any submissions from the Respondent must be provided to the Investigation Committee for review and deliberation.
- 10.28 Any Investigators involved with the investigation of the Complaint must not participate in the Investigation Committee's review and deliberations pursuant to Bylaw 10.27 or in the decision-making process pursuant to Bylaw 10.14.

## **Discipline Resolutions**

### **Reprimand Or Remedial Action by Consent (“RRAC”)**

- 10.29 Following an investigation, the Investigation Committee or Discipline Committee may propose a consent or undertaking pursuant to Section 72 of the PGA to the Respondent.
- 10.30 The Investigation Committee or Discipline Committee makes a final determination as to whether all terms of the consent or undertaking have been satisfied.
- 10.31 The consent or undertaking reached pursuant to Section 72 of the PGA must be Published and recorded on the register pursuant to Bylaw X [information to be publicly available].
- 10.32 If a consent or undertaking is reached pursuant to Section 72 of the PGA the Respondent may be required to reimburse the AIBC for expenses reasonably incurred in accordance with Bylaw 10.70 or Bylaw 10.71.
- 10.33 If a consent or undertaking is not reached pursuant to Section 72 of the PGA, the time spent during this process does not constitute a delay.

### **Alternative Complaint Resolution (“ACR”)**

- 10.34 The Registrar, Investigation Committee or Discipline Committee may propose an Alternative Complaint Resolution pursuant to Section 74 of the PGA if the matter against the Respondent is connected to physical, emotional, social or occupational conditions that would be better resolved through a process intended to reduce the likelihood the Respondent's conduct will escalate or reoccur or provide better public interest benefits.
- 10.35 The Alternative Complaint Resolution must be confirmed in an agreement in writing pursuant to Section 74(2) of the PGA and must describe the actions required, including but not limited to:
- 10.35.1 educational action, such as coursework;
  - 10.35.2 an oral conduct review as may be established by the AIBC by Council rule or bylaw;
  - 10.35.3 a practice review as may be established by the AIBC by Council rule or bylaw;

- 10.35.4 seeking assistance, assessment or counselling from a professional, such as a financial professional, registered social worker or health professional; and/or
- 10.35.5 such other reasonable remedial measures as may be appropriate to the circumstances.
- 10.36 Any new information provided to the Investigation Committee by any party during the Alternative Complaint Resolution that raises new concerns may become a new Complaint.
- 10.37 The Investigation Committee or Discipline Committee makes a final determination as to whether all terms of the Alternative Complaint Resolution agreement have been satisfied.
- 10.38 If a Completed Alternative Complaint Resolution is not achieved the investigation or discipline process continues pursuant to Section 74 of the PGA.
- 10.39 If an agreement is not reached pursuant to Section 74 of the PGA, the time spent during this process does not constitute a delay.
- 10.40 Anonymous summaries of Completed Alternative Complaint Resolutions must be Published for the purpose of educating Registrants regarding professional conduct and ethics pursuant to Bylaw X [information to be publicly available].
- 10.41 A Completed Alternative Complaint Resolution does not constitute a Discipline Violation.
- 10.42 If an Alternative Complaint Resolution process is unsuccessful, there is no internal appeal from the decision of the Investigation Committee or Discipline Committee.
- 10.43 If an agreement is reached pursuant to Section 74 of the PGA the Respondent may be required to reimburse the AIBC for expenses reasonably incurred in accordance with Bylaw 10.70 or Bylaw 10.71.

### **Consent Orders**

- 10.44 The Investigation Committee or Discipline Committee may propose a Consent Order to the Respondent at any time before the start of a discipline hearing pursuant to Section 73 of the PGA.
- 10.45 The Investigation Committee or Discipline Committee makes a final determination as to whether all terms of the Consent Order have been satisfied.
- 10.46 A Consent Order accepted by the Registrant must be Published pursuant to Bylaw X [information to be publicly available] and Bylaw X [Information on Register].
- 10.47 If a Consent Order is made pursuant to Section 73 of the PGA, the Respondent may be required to reimburse the AIBC for expenses reasonably incurred in accordance with Bylaw 10.70 or Bylaw 10.71.
- 10.48 If a consent order is not reached pursuant to Section 73 of the PGA, the time spent during this process does not constitute a delay.

## Citation

- 10.49 The Investigation Committee may direct the Registrar to issue or rescind a Citation pursuant to Section 66(1)(d) and (e) of the PGA and pursuant to Section 72(3) of the PGA.
- 10.50 The Registrar may retain and instruct legal counsel to assist with the drafting of the Citation and prosecution of charges.
- 10.51 The Citation must:
- 10.51.1 Name the Respondent who is the subject of the Discipline Hearing;
  - 10.51.2 Describe the charges that are the subject of the Discipline Hearing;
  - 10.51.3 Advise the Respondent that the Discipline Hearing Panel is entitled to proceed with the Discipline Hearing in the Respondent's absence; and
  - 10.51.4 specify the date, time and location of the Discipline Hearing
- 10.52 The Citation must be delivered to the Respondent and Complainant at least 30 days before the date of the Discipline Hearing.
- 10.53 After the issuance of a Citation, and at least 14 days before the commencement of the Discipline Hearing, the Investigation Committee may direct the Registrar to:
- 10.53.1 amend the Citation:
  - 10.53.2 join one or more matters that will be the subject of the Discipline Hearing;
  - 10.53.3 sever one or more charges that will be the subject of the Discipline Hearing; or
  - 10.53.4 rescind the Citation.
- 10.54 Notwithstanding Bylaw 10.53.1, if the Investigation Committee directs an amendment to the Citation to add one or more charges the Citation must be delivered to the Respondent and Complainant at least 30 days before the date the Discipline Hearing.
- 10.55 At any time before the Discipline Hearing is completed, the Discipline Hearing Panel may:
- 10.55.1 amend the Citation;
  - 10.55.2 join one or more matters that will be the subject of the Discipline Hearing;
  - 10.55.3 sever one or more charges that will be the subject of the Discipline Hearing; or
  - 10.55.4 rescind the Citation.
- 10.56 Notwithstanding Bylaw 10.55, the Discipline Hearing Panel is not authorized to amend the Citation to add a charge.

- 10.57 The Registrar must deliver the Citation to the Respondent by personal service and/or substituted service, consisting of delivery of a copy of the Citation by email to the address provided by the Registrant to the AIBC.
- 10.58 At least 30 days in advance of the Discipline Hearing, the Citation must be publicly available on the AIBC'S website.

### **Appointment of Discipline Hearing Panel**

- 10.59 The chair or vice chair of the Discipline Committee must appoint a Discipline Hearing Panel of at least three committee members, including at least one lay member.
- 10.60 A member of the Discipline Committee is not eligible to be appointed to a Discipline Hearing Panel respecting a matter in which they had any prior involvement, including any involvement with the matter through an AIBC process.
- 10.61 The Discipline Hearing must be conducted in accordance with the PGA, Bylaws, Schedule X: Discipline Hearing Practice and Procedures.
- 10.62 The entire Discipline Hearing Panel must be present at the Discipline Hearing.

### **Discipline Hearing Process**

- 10.63 A Discipline Hearing must be open to the public except for the Hearing Panel's *in camera* deliberations and in any circumstances where the Discipline Hearing Panel deems it appropriate to exclude some or all non-parties.
- 10.64 A Discipline Hearing may be held either in person, by electronic means, in writing, or any combination as the Discipline Hearing Panel determines.
- 10.65 A Discipline Hearing must be conducted in accordance with Schedule X: Discipline Hearing Process and Procedures of these Bylaws.

### **Decision and Reasons**

- 10.66 The Discipline Hearing Panel must provide written reasons for a determination pursuant to Section 75(4) of the PGA.
- 10.67 The Registrar must Publish the written reasons for a determination.

### **Registrant Under Suspension**

- 10.68 During any period of a suspension of a Registrant's registration pursuant to Sections 67(1)(b) or 75(6)(d) of the PGA, Bylaw 5.2 (Indictable Offences), or otherwise, the Registrant:
- 10.68.1 ceases to be in Good Standing;

- 10.68.2 must not engage in the practice of the profession of architecture, including supervision of another Registrant or individual or any practice under supervision of another Registrant;
- 10.68.3 must not use any title or initials reserved for the use of Registrants of AIBC under Section 52 of the PGA and Section X of the *Architects Regulation* and Bylaw 5.84;
- 10.68.4 must not sign any document or use a seal under Bylaw 5.93 (Use of Architect's Seal);
- 10.68.5 must not promote, or be held out as being able to practice or use any reserved titles;
- 10.68.6 must not hold any office in the AIBC, including membership on Council pursuant to Section 30 of the PGA, any Committee pursuant to Section 32 of the PGA, or any operational advisory groups and related bodies;
- 10.68.7 must pay, when due, any Fee, special assessment, penalty, Costs or other debt payable to AIBC; and
- 10.68.8 must continue to comply with all other applicable obligations of Registrants under the PGA, the *Architects Regulation* and the Bylaws.
- 10.69 No Registrant is entitled to any refund of any Fee, special assessment, penalty, Costs or other amount paid to AIBC solely on the basis that it was paid during or in relation to a period of suspension.
- 10.70 Subject to the Registrar's approval, a suspended Registrant may employ or permit another Registrant to carry on the Registrant's practice of professional architecture, provided that the suspended Registrant complies with Bylaw 10.68.

## Costs

### Assessment of Costs before a Citation is Issued

- 10.71 An agreement reached or made with a Respondent pursuant to Sections 72, 73 or 74 of the PGA, may include partial recovery of AIBC's Costs related to the investigation as per Schedule X: Costs Guidelines.

### Assessment of Costs after a Citation is Issued

- 10.72 The Discipline Committee or Discipline Hearing Panel may require a Respondent to pay the Costs of an investigation or Discipline Hearing pursuant to Section 81 of the PGA, and must assess the amount of Costs payable by the Respondent in accordance with Schedule X: Costs Guidelines.
- 10.73 For the purposes of Section 81(2) and (3) of the PGA, recoverable costs may include:
- 10.73.1 the actual costs incurred by AIBC during the course of the investigation and the Discipline Hearing, including any motions, applications or pre-hearing conferences, or any other applications associated with a discipline matter, which may include some or all of the following:

- 10.73.1.1 costs incurred to retain contractors who are engaged in the investigation and the Discipline Hearing, including contractors who are appointed as officers;
- 10.73.1.2 expenses incurred by persons appointed as Investigators for AIBC pursuant to Section 68 of the PGA;
- 10.73.1.3 fees charged and expenses incurred by legal counsel retained by AIBC, including independent legal counsel for the Discipline Hearing Panel;
- 10.73.1.4 fees charged and expenses incurred by expert witnesses retained by AIBC or AIBC's legal counsel;
- 10.73.1.5 expenses incurred by witnesses called to testify by AIBC;
- 10.73.1.6 the cost of recording interviews, and any Proceedings or part thereof;
- 10.73.1.7 the cost of a court reporter for to cover all Proceedings and interviews;
- 10.73.1.8 the cost of preparing a transcript of interviews and Proceedings;
- 10.73.1.9 the cost of an interpreter for interviews and Proceedings;
- 10.73.1.10 costs incurred to rent facilities at which interviews and Proceedings are held;
- 10.73.1.11 costs incurred to conduct interviews and Proceedings, whether conducted in person, by electronic means, in writing or by any combination thereof; and
- 10.73.1.12 any other reasonable costs, fees, or expenses paid or payable by AIBC as a result of the investigation or Proceeding.

### **Payment of Costs**

- 10.74 A Respondent must pay the full amount of a Costs order within 30 days, unless the Discipline Hearing Panel orders an extension.
- 10.75 A Discipline Hearing Panel has discretion to make a Costs award in favour of a Respondent, payable by the AIBC, after a Discipline Hearing. Such award must include a timeline for payment and other reasonable directions.

### **Request for Extension of Time for Payment due to Hardship**

- 10.76 The Respondent may make a written request for an extension of time to pay costs due to hardship and must provide suitable documentation to support the claim.

### **Transition Bylaws**

- 10.77 Definitions

**“Complaint Notification Letter”** means the written notice provided by the AIBC to the Registrant of a Complaint.

**“Consensual Resolution Review Panel”** means the panel established under former Act and bylaws tasked with reviewing and approving proposed consensual resolution agreements that set out the facts of the case, contain admission(s) of unprofessional conduct by the Respondent, and an appropriate sanction, to ensure that the proposed agreement is in the public interest.

**“Remedial Review Panel”** means the panel established under the bylaws made under the former Act tasked with receiving remedial recommendations and monitoring and assessing the Respondent’s compliance with the recommendation, and determining whether the Respondent has satisfied the remedial recommendation.

**“Remedial Recommendation”** means the process established under the bylaws made under the former Act where at the conclusion of an investigation the Investigations Committee determines that a Respondent’s conduct, competency or fitness to practise would be better resolved through a remedial process intended to improve a Respondent’s practice or otherwise protect the public, rather than referral to a disciplinary inquiry.

- 10.78 For the purposes of Section 7(2) of the *Architects Regulation*, the date of commencement of a hearing or inquiry is the date by which Council orders an inquiry under Section 46 of the *Architects Act*.
- 10.79 For the purposes of Section 7(3) of the *Architects Regulation*, the date of commencement of an investigation is the date by which the AIBC issues its Complaint Notification Letter to the Registrant.
- 10.80 For the purposes of Section 7(5) of the *Architects Regulation*, the Consensual Resolution Review Panel may continue to exercise its powers and duties established under the *Architects Act* and bylaws under that Act in respect of any matter for which the Registrant has agreed to enter into consensual resolution.
- 10.81 In the event a matter in consensual resolution under Bylaw 10.79 does not result in a consensual resolution agreement and is referred to discipline, the matter must be resolved under the processes established under the PGA and these bylaws.
- 10.82 For the purposes of Section 7(5) of the *Architects Regulation*, the Remedial Review Panel may continue to exercise the powers and duties established under the bylaws to the *Architects Act* in respect of any matter for which the investigations committee under the *Architects Act* made a Remedial Recommendation.
- 10.83 In the event that a Remedial Recommendation is:
- 10.83.1 rejected by a Respondent; or
  - 10.83.2 the remedial review panel provides a report to the Registrar that the Remedial Recommendation was not satisfied by the Respondent,
- The matter must be referred to the Investigation Committee established under these Bylaws.