

10-08

For Immediate Release  
January 20, 2010

## **T.K.S. Holdings Inc. And Supervisor Fined \$55,000 Total After Partial Building Collapse**

Ottawa, Ont. – T.K.S. Holdings Inc., an Ottawa real estate and construction company, pleaded guilty and was fined \$50,000 on January 15, 2010, for a violation under the Occupational Health and Safety Act (OHSA) after a partial building collapse. The owner of the building and the company, Tony Shahrsebi, pleaded guilty and was fined \$5,000.

On October 19, 2007, T.K.S. Holdings Inc. was renovating the historic Somerset House in Ottawa. Mr. Shahrsebi was supervising the project. Workers were using motorized construction equipment to underpin walls in the building's basement when a section of the basement wall rotated and collapsed, bringing part of the building down with it. No one was injured.

A Ministry of Labour investigation revealed the underpinning work was being done against the advice of a soils engineer. The collapse was caused by the load and vibration of the equipment being used, combined with bad soil conditions due to recent rain.

T.K.S. Holdings Inc. pleaded guilty, as a constructor, to allowing use of the construction equipment when weather or other conditions were such that its use could endanger a worker. Tony Shahrsebi pleaded guilty, as a supervisor, to failing to advise his workers of the dangerous conditions in the building.

The fine was imposed by Justice of the Peace Claudette Cain. In addition to the fines, the court imposed a 25-per-cent victim fine surcharge, as required by the Provincial Offences Act. The surcharge is credited to a special provincial government fund to assist victims of crime.

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### **For further information:**

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Court Information at a Glance

<b>Location:</b>	Ontario Court of Justice 100 Constellation Cres. Ottawa, Ont.
<b>Judge:</b>	Justice of the Peace Claudette Cain
<b>Date of Conviction:</b>	January 15, 2010
<b>Defendant:</b>	T.K.S. Holdings Inc. Tony Shahrsebi
<b>Matter:</b>	Occupational Health and Safety
<b>Conviction:</b>	<a href="#">Ontario Regulation 213/91, Section 93(2)(b)</a> <a href="#">OHSA, Section 27(2)(a)</a>
<b>Crown Counsel:</b>	David McCaskill



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