



Suite 210, Building 151,
10090 - 152 Street,
Surrey, British Columbia V3R 8X8
Telephone: (604) 468-8324
Facsimile: (604) 552-7909
Email: tech@firetechs.net
url: www.firetechs.net

“PUBLICATION IS ENCOURAGED
ON THE INTERNET OR ELSEWHERE”

WITHOUT PREJUDICE

BY SNAIL MAIL AND EMAIL (alan@libelandprivacy.com)

January 19, 2014

McConchie Law Corporation
Suite 290, 889 Harbourside Drive
North Vancouver, British Columbia V7P 3S1

ATTENTION: Mr. Alan McConchie

Dear Mr. McConchie:

**RE: Mircom Group of Companies' Libel Allegation
Your File Number 000687**

Thank you for your letter of January 17, 2014.

Since 2007, Frank Kurz and the Fire Protection Technicians Network have dedicated considerable time and resources towards helping to improve the standards of practice for technicians engaged in the testing, service, and maintenance of building life safety equipment in Canada. The Fire Protection Technicians Network has become one of the largest informational resources on the World Wide Web, tasked to achieving this purpose. It is my fervent hope that *knowledge*, *vigilance*, and *integrity* will eventually serve to empower fire equipment service technicians in Canada (and North America) to be able to say “no” when asked to accept a substandard installation (or cut corners on an annual inspection) by either their immediate supervisors, or a third party. I look forward to the day.

My goal and mission is very simply expressed:

I never wish to see another family suffer the loss of a loved one to a fire.

I acknowledge unequivocally that the Mircom Group of Companies has demonstrated singular dedication towards producing innovative and robust Life Safety equipment, components and solutions that serve to safeguard people all over the world. They have an enviable and stellar record for doing so. I have no hesitation in recommending their equipment to electrical contractors, fire equipment service providers, property managers, building owners, and end-users alike.

..... 2

“PUBLICATION IS ENCOURAGED
ON THE INTERNET OR ELSEWHERE”

What makes your correspondence of January 17, 2014 so troubling is that you seem to suggest that my motives are not only contrary to the public good and the stated goals of the organization I founded, but impugn a company that I have a great deal of respect for (and for the very reasons I mention in the opening paragraphs of this response). It is the poor practices of their technicians in the field, no doubt fostered by the culture of indifference and complacency so rampant within our industry, that has resulted in the publication of the articles you refer to as Schedules “C” through “H”. How else would you explain what has occurred (and continues to affect the practice of technician employees of other companies working in Jurisdictions across North America)?

I have carefully reviewed the Schedule items you provided and wish to point out that they contain factual information backed by photographic evidence, and provide specific references to Mircom’s own published installation instructions, as well as the Codes and Standards which apply in each individual case. These items have also served to formulate the basis from which a number of complaints have been advanced to the various Jurisdictional Authorities involved. These have, without exception, resulted in the issuance of appropriate corrective instructions to the installing contractors involved as well as much closer scrutiny of Mircom provided Verification Appendix “C” documentation within those Jurisdictions.

I take exception to your accusation (and your client’s repeated inferences) that I have libelled Mircom in the Schedule items you indicate. While they do employ strong language (“botched”, “bogus” as examples), they also present an honest, objective assessment of failed inspection “work” (performed by factory trained technicians no less) and are held up as examples of what individuals engaged in the performance of a Verification (or an annual inspection) should remain vigilant against. Let us take Schedule “E” as an example:

When Mircom’s SENIOR technician in Vancouver is seen to perform an annual inspection of a suppression releasing panel mounted twelve feet from the floor (located above a “T-Bar” ceiling), I find myself harbouring sincere reservations over his ability to satisfy the professional credentials expressed in both Appendix “A’s” of CAN/ULC-S536 and CAN/ULC-S537. This stands out as one of the worst examples of a botched inspection that I’ve seen in my thirty (30) year career. It’s particularly troubling because he was performing this work within a community subject to a Bylaw requiring ASTTBC certification in the specific discipline (Special Suppression), which he DID NOT possess.

I have also, in no way, damaged Mircom's reputation. Their technicians' substandard work is entirely responsible for that. I am simply the conveyor of a *special mention* which I have dubbed the Burning Brick Award. I had hoped that Mircom (given the concern so recently and eloquently expressed over their reputation) would have responded sooner and in similar fashion to Levitt Safety's and Acme Fire and Safety's Stirling examples. It is indeed unfortunate that certain individuals at Mircom (you could also including a number of other *Brickee* recipients) have chosen to adopt a more belligerent and confrontational attitude toward my efforts in *raising the bar* rather than focussing on addressing the issues that have frequently put them at odds with many Lower Mainland Jurisdictional Authorities and two important Canadian Standards.

**“PUBLICATION IS ENCOURAGED
ON THE INTERNET OR ELSEWHERE”**

The FireLink II article you mention (reference [Schedule “A”](#)) does in no way impugn Mircom’s reputation as an innovator (even though, in this case, I’ve been informed that Mircom actually bought Signalink and had no hand in the product’s actual conception or genesis), neither does it falsely or recklessly allege that the product is unsuitable for a retro-fit application. On the contrary, it urges caution and careful contemplation before it’s blindly accepted as the ONLY method of insuite notification (it is, after all, a “supplemental signalling component”). Furthermore, the article was conceived, in part, as a response to the concerns raised by a number of contractors regarding the proposed use of FireLink II to satisfy the requirements of North Vancouver’s Bylaw which makes upgrading the entire fire alarm system in certain types of buildings whose construction pre-dates a certain year, mandatory. The comments posted to the LinkedIn article you reference, both prior to and following David Sylvester’s lengthy diatribe (a copy of which I have, incidentally, also posted to the relevant page you reference as [Schedule “A”](#)) provides further clarification into the purpose of the article as well as my positive affirmation as to its suitability for use as a “supplemental signalling component”. The very public “call to action” it elicited by Mr. Sylvester (with your client’s full knowledge, no doubt) is the sort of response one would expect from someone that reads what they want to see, and not what is actually written.

In closing, I consider myself to be a reasonable, logical, and intelligent individual willing to work with your client to render what assistance it is within my ability to provide in fostering their mission of advancing Life Safety in Canada (this also happens to coincide nicely with my own). Toward this end, I invite your client to provide us with factual, documentary evidence that their “trained and employed technicians” are no longer engaged in the kind of “bogus and/or botched Verifications of Mircom fire alarm systems” that form such stunning examples of malpractice and unprofessional conduct in the referenced Schedules you enclosed with your demands. I am also open, and more than willing, to work with both your client and your office to identify any specific “false or reckless impressions” which you have suggested are expressed in the referenced articles to ensure that appropriate editorial changes are made forthwith. We do strive for accuracy in reporting such bad practice examples, but if there are any mistakes in the published articles of which I have not been made previously aware, your client has my unreserved apologies and can rest assured will receive a full, public retraction.

You have indicated that the publication of your letter “on the Internet or elsewhere” is prohibited. I’m curious as to what you will cite as the legal basis for such a broad (and far reaching) statement. As to your office copying, printing and disseminating articles from our website, I have given you no permission to do so and would venture to suggest that an equal measure of caution on your part applies. In the interim, I will be publishing this reply to the page in question (as part of my response to Mr. Sylvester), and trust that you will govern yourself accordingly.

Yours very truly,

The Fire Protection Technicians Network

Frank Kurz
Executive Director