

**PRACTICE OF LAW BOARD
STATE OF WASHINGTON**

1325 Fourth Avenue, Suite 600, Seattle, WA 98101-2539
(206) 727-8252 ■ Fax (206) 727-8314

Members

Stephen Crossland
Chairperson
Cashmere

March 28, 2007

Hon. Paul A. Bastine
Vice-Chairperson
Spokane

Doug Bruketta

██████████
Seattle, WA ██████████

Rita L. Bender
Seattle

Margaret Bridewell
Walla Walla

RE: Complaint About the Unauthorized Practice of Law, File #07-09

Brian J. Dano
Moses Lake

Dear Mr. Bruketta:

Jeanne J. Dawes
Spokane

The Practice of Law Board was created by order of the Washington State Supreme Court, General Rule (GR) 25. The Board is charged with the investigation of individuals in Washington allegedly engaging in the unauthorized practice of law. Revised Code of Washington (RCW) 2.48.180 states that a nonlawyer practicing law or holding himself out as entitled to practice law constitutes the unauthorized practice of law. Court rule GR 24 defines the practice of law. The unauthorized practice of law is a crime in Washington.

Stephanie Delaney
Seattle

Nancy C. Ivarinen
Burlington

Cheryl D. Kringle
Seattle

Howard H. Marshack
Vancouver

J██████ V██████ has filed a complaint against you alleging that you engaged in the unauthorized practice of law by offering advice to others regarding their legal rights. In November 2006, Ms. V██████, a code compliance analyst with the City of Seattle's Planning and Development Department, received a copy of a solicitation letter that you sent to D██████ S██████. Mr. S██████ is the owner of property being reviewed by Ms. V██████ for alleged code violations.

Daniel Pérez
Seattle

Hon. Jane M. Smith
Nespelem

Administrator
Julie Shankland

Investigator
Sandra Schilling

In a February 2007 interview, you told our investigator that in the previous five or six weeks, you sent out 13 solicitation letters similar to the one received by Mr. S██████. You stated that you found the names and addresses of the person to whom you sent the letters in the foreclosure section of the Daily Journal of Commerce. In these letters, you offer to answer property owners' questions about the code violation process and to advise them what the King County Department and Environmental services can and cannot do legally to collect their money. In addition, you incorrectly inform letter recipients that they could be charged with misdemeanor penalties and offer to "[u]se

Washington law to prolong the penalties starting.” You told our investigator that you copied the format of your letter from a letter you received at a real estate investment seminar. You indicated that your main focus was on offering to purchase the real property. You also told the investigator that only one of the thirteen people responded to your letter. You did not contact that person. After you received this complaint, you met with a “lawyer friend”, whose name you could not remember, and changed your letter. You sent a copy of the new letter to our investigator. The new letter focuses on offers to purchase real estate.

You are not a lawyer authorized to practice in Washington State. RCW 2.48.180(2)(a) states that a non-lawyer practicing law or holding himself out as entitled to do so constitutes the unauthorized practice of law. Giving advice or counsel to others as to their legal rights or the legal rights or responsibilities of others is included in the GR 24 definition of the practice of law. By offering to give property owners advice on legal options relating to their property, you are you are holding yourself out as competent to analyze their legal problems and exercise legal judgment on their behalf. This is the unauthorized practice of law.

At this time, pursuant to GR 25(f)(4)(B), we request that you enter into a written agreement with this Board, to refrain from the following conduct:

- ◆ Holding yourself out as capable of giving advice or counsel to others as to their legal rights or the legal rights or responsibilities of others;
- ◆ Any activity which is defined as the practice of law in GR 24.

We further ask you to stipulate that in the event you violate this agreement, you agree that this stipulation, evidence of your further violation, the investigative report to the Board of your past violations, the original complaint, your response, and all other evidence of such violations shall be turned over to the appropriate County Prosecutor’s Office with a request from the Board that that office institute a criminal proceeding against you.

In the event you do not return this stipulation as signed and agreed to within 15 days of the mailing of this letter, the Board will issue its report and consider turning over its investigation along with a request for prosecution to the County Prosecutor’s Office.

We are hopeful that we will be able to resolve these matters by stipulation. If you are willing to so stipulate, please sign and date your signature and have your signature witnessed by a person over the age of eighteen, who will also sign as the witness. The signed letter should be returned to the Board within 15 days.

Thank you in advance for your anticipated cooperation.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Steve Crossland', written in a cursive style.

Steve Crossland, Chair
Practice of Law Board

JS:as

cc: [REDACTED]