

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 99-183-GA; 99-189-FA

Issued: February 25, 2000

Robert L. Tank, P-46545, Livonia, Michigan by the Attorney Discipline Board Tri-County Hearing Panel #13.

- 1) Revocation;
- 2) Effective February 24, 2000.

The respondent failed to answer the formal complaints and failed to appear before the hearing panel. Based upon respondent's default, the hearing panel found that the misconduct alleged in the complaint had been established, to wit: with regard to a probate estate, respondent occupied decedent's home without the personal representative's knowledge or consent and without any compensation to the estate or personal representative; presented the personal representative with a copy of a check in the amount of \$74,137.41 falsely representing that he had located a buyer for the house, that the house had been sold and that he had placed the proceeds from the sale in his trust account; failed to take appropriate action in the administration of the estate; failed to communicate adequately with his client; failed to turn over the client file to successor counsel; and failed to appear at a show cause hearing. Respondent also failed to perform services for which he was retained or prepared documents which were incompetently drafted; presented a client with a billing statement which falsely represented that he had provided services which had not been provided; failed to refund unearned fees; failed to respond to an opposing counsel's offer of settlement; failed to file a complaint or otherwise take action on behalf of a client after being retained; failed to provide written notification to opposing counsel of respondent's suspension from the practice of law and continued to hold himself out as an attorney; failed to inform a client and insurance company of his suspension; abandoned his representation of numerous clients; and failed to answer numerous requests for investigation served by the Attorney Grievance Commission

Respondent's conduct was deemed to be in violation of MCR 9.104(1)-(4), (7) and (9); MCR 9.113(A); MCR 9.113(B)(2); MCR 9.119(A) and Michigan Rules of Professional Conduct 1.1(a)-(c); 1.2(a); 1.3; 1.4(a); 1.5(a); 1.7(b); 1.15(a) and (b); 1.16(a) and (d); 3.2; 3.3(a); 3.4(b); 5.5(a); 8.1(b) and 8.4(a)-(c).

The hearing panel considered the nature of respondent's misconduct, his failure to participate in the proceedings and his prior discipline, which included a reprimand and a one year suspension, in arriving at its decision to order a revocation of respondent's license. Respondent was ordered to make restitution to the complainants in the amount of \$5,000.00. Costs were assessed in the amount of \$208.97.