



1 services by non-lawyers and other unauthorized persons can have a profound effect on  
2 immigrant consumers' ability to "reside and work within the United States and to establish and  
3 maintain stable families and business relationships." RCW 19.154.010.

4 1.2 Defendants engaged in precisely the type of conduct proscribed by the ISFPA  
5 and the Consumer Protection Act ("CPA"), RCW 19.86, when they placed advertisements in  
6 Russian-language magazines which represented they could provide legal assistance in  
7 immigration matters, including obtaining visitors, fiancée, and family reunion visas, work  
8 permits, political asylum, and US Citizenship, though Mr. Bendzar was not licensed to practice  
9 law or accredited with the U.S. Citizenship and Immigration Services to represent others in  
10 immigration matters.

11 1.3 Based on this conduct, Plaintiff seeks a permanent injunction, civil penalties,  
12 attorney's fees, and such other relief that the court deems appropriate.

## 13 II. PARTIES

14 2.1 The Plaintiff is the State of Washington.

15 2.2 The Attorney General is authorized to commence this action pursuant to  
16 RCW 19.86.080, RCW 19.86.140, and RCW 19.54.090.

17 2.3 Defendant Michael's Office LLC is a Washington limited liability company,  
18 which is owned and operated by a sole member, Mykhaylo Bendzar a/k/a Michael Bendzar.  
19 Defendant's principle place of business is 6115 East Drive, Everett, WA 98203.

20 2.4 Defendant Mykhaylo Bendzar a/k/a Michael Bendzar ("Bendzar") is the  
21 founder and sole owner of Michael's Office LLC and has managerial responsibility for and  
22 daily control over the operations of the company, including all of its advertising and  
23 promotional activities. Bendzar personally participated in, or with knowledge approved of, all  
24 actions of Michael's Office LLC which violate the ISFPA and CPA as described below.  
25 Defendant's principle place of business is 6115 East Drive, Everett, WA 98203.

26 2.5 Prior to registering Michael's Office as a limited liability company in June

1 2015, Bendzar advertised the unauthorized immigration law services he offered, at all times  
2 relevant to the allegations in this Complaint, in his individual capacity and sometimes doing  
3 business as Michael's Office.

### 4 III. JURISDICTION & VENUE

5 3.1 Plaintiff files this complaint and institutes these proceedings under the ISFPA,  
6 RCW 19.154 and the CPA, RCW 19.86.

7 3.2 Defendants have engaged in the conduct set forth in this complaint in  
8 Snohomish County and elsewhere in the state of Washington.

9 3.3 Venue is proper in Snohomish County pursuant to RCW 4.12.020,  
10 RCW 4.12.025, and Court Rule 82 because Defendants' principle place of business is in  
11 Snohomish County.

### 12 IV. FACTS

13 4.1 Michael Bendzar is not licensed to practice law or accredited with the U.S.  
14 Citizenship and Immigration Services to provide representation in immigration matters.

15 4.2 Michael's Office LLC has no employees or staff except for Bendzar.

16 4.3 Bendzar placed advertisements, promoting immigration law services, in  
17 Russian-language magazines, Souz, Kanon, and Nashi Vesti, on at least 73 occasions since  
18 December 9, 2013. Before June 2015, Bendzar placed these advertisements in his individual  
19 capacity, and sometimes doing business as Michael's Office. After June 2015, Bendzar  
20 directed and controlled the placement of these advertisements on behalf of Michael's Office  
21 LLC.

22 4.4 These magazines are distributed at grocery stores, bakeries, clinics, pharmacies,  
23 community centers, churches, libraries, and law firms frequented by Russian and Ukrainian  
24 immigrants across Western Washington.

25 4.5 Bendzar, either personally, doing business as Michael's Office, or providing  
26 direction and control for Michael's Office LLC, published advertisements in Kanon on at least

1 18 occasions since December 9, 2013. The advertisement Bendzar published in the February,  
2 2015 edition of Kanon stated that Michael's Office offer assistance with "immigration to the  
3 USA;" visitors, fiancée, and family reunion visas; submitting documents and applying for US  
4 citizenship; receiving, renewing, and applying for green cards.

5 4.6 This advertisement also stated that Michael's Office offer "notarius" services.

6 4.7 The Russian word "notarius" translates to "notary" in English, but the word  
7 bears a different connotation in Russian-speaking countries, where one must be an attorney or  
8 complete advanced legal training in order to become a notary. As such, consumers of  
9 Defendants' advertisements from Russian-speaking countries would reasonably assume  
10 Mr. Bendzar was an attorney or possessed advanced legal training.

11 4.8 A translated copy of the advertisement Bendzar published in the February, 2015  
12 edition of Kanon is attached as Exhibit A. Plaintiff asserts on information and belief that the  
13 remainder of the advertisements published by Defendants in Kannon are substantially similar to  
14 this advertisement.

15 4.9 Similarly, Bendzar, either personally, doing business as Michael's Office, or  
16 providing direction and control for Michael's Office LLC, published 9 advertisements in Souza  
17 since December 9, 2013. The advertisement Bendzar published in Edition No. 60 of Souza, in  
18 2014, indicates that Michael's Office offers "immigration services;" fiancé/fiancée, family  
19 reunification visas; submission of documents for US citizenship; and, "notarius" services.

20 4.10 A translated copy of the advertisement Bendzar published in Edition No. 60 of  
21 Souza, in 2014 is attached as Exhibit B. Plaintiff asserts on information and belief that the  
22 remainder of the advertisements published by Defendants in Souza are substantially similar to  
23 this advertisement.

24 4.11 In addition, Bendzar, either personally, doing business as Michael's Office, or  
25 providing direction and control for Michael's Office LLC, published 46 advertisements in Nashi  
26 Vesti, since December 9, 2013. The advertisement published by Defendants in April, 2015

1 states that Michael's Office offers assistance with "immigration to the USA;" visas: visitor,  
2 fiancé/fiancée, family reunification; submission of documents for US Citizenship; political  
3 asylum in the USA; receiving/exchange/applying for green cards; and, "notarius" services.

4 4.12 A translated copy of the advertisement Defendants published in the April, 2015  
5 edition of Nashi Vesti is attached as Exhibit C. Plaintiff asserts on information and belief that  
6 the remainder of the advertisements published by Defendants in Nashi Vesti are substantially  
7 similar to this advertisement.

## 8 V. CAUSE OF ACTION

### 9 **Count I: *Per Se* Violation of the Consumer Protection Act, RCW 19.186 (Violation of the Immigration Services Fraud Prevention Act, RCW 19.154)**

10 5.1 The Plaintiff incorporates Paragraphs 1.1 through 4.12 herein as if set forth in their  
11 entirety.

12 5.2 The CPA prohibits unfair or deceptive acts or practices in the conduct of any trade  
13 or commerce. RCW 19.86.020.

14 5.3 Pursuant to RCW 19.154.090, violations of the ISFPA are *per se* unfair and  
15 deceptive acts or practices in the conduct of trade or commerce, substantially affecting the public  
16 interest, in violation of the CPA, RCW 19.86.

17 5.4 The ISFPA prohibits any person who is not licensed to practice law or accredited  
18 to represent "others in an immigration matter" from "soliciting to prepare documents for or  
19 otherwise representing the interests of, another in a judicial or administrative proceeding in an  
20 immigration matter." RCW 19.154.060(2)(d).

21 5.5 Non-lawyers and other unauthorized persons are also prohibited from  
22 "representing, in any language, either orally or in any document, letterhead, advertisement,  
23 stationery, business card, website, or other comparable written material, that he or she can or is  
24 willing to provide services in an immigration matter, if such services would constitute the practice  
25 of law." RCW 19.154.060(3)(b).

1 5.6 Non-lawyers and other unauthorized persons are also prohibited from  
2 representing, either orally or in any document that they are an “immigration assistant, immigration  
3 consultant, immigration specialist,” or utilizing any other “designation or title” that “conveys or  
4 implies that he or she possesses professional legal skills in the area of immigration.”  
5 RCW 19.154.060(3)(a).

6 5.7 Defendants committed 73 *per se* violations of the CPA by publishing 73  
7 advertisements in Russian-language magazines which represent that Bendzar, Michael’s Office, or  
8 Michael’s Office LLC provide assistance with obtaining visas, green cards, political asylum, work  
9 permits, and applying for citizenship, when Bendzar is not an attorney or accredited with U.S.  
10 Citizenship and Immigration Services to provide representation in immigration matters. The  
11 provision of the services Defendants advertised would constitute the practice of law.

12 5.8 Defendants also committed *per se* violations of the CPA by representing that  
13 Bendzar was a “notarius,” a designation reserved for attorneys or individuals with advanced legal  
14 training in Russian- speaking countries.

15 **Count II: Violation of Consumer Protection Act, RCW 19.86**

16 5.9 The Plaintiff incorporates Paragraphs 1.1 through 5.8 herein as if set forth in their  
17 entirety.

18 5.10 The CPA prohibits unfair or deceptive acts or practices in the conduct of any trade  
19 or commerce. RCW 19.86.020.

20 5.11 Defendants violated the CPA by publishing 73 advertisements indicating that  
21 Bendzar, Michael’s Office, or Michael’s Office LLC could provide assistance in immigration  
22 matters, even though Mr. Bendzar is not an attorney or accredited with U.S. Citizenship and  
23 Immigration Services to provide representation in immigration matters.

24 5.12 Defendants representations were unfair and deceptive. Their publication of  
25 advertisements in magazines distributed at grocery stores, bakeries, clinics, pharmacies,  
26 community centers, churches, libraries, and law firms frequented by Russian and Ukrainian

1 immigrants across Western Washington had the capacity to deceive a substantial portion of the  
2 public into believing that Defendants are authorized to provide assistance with immigration legal  
3 matters, when they are not.

4 5.13 Defendants' actions also affect the public interest because the advertisements were  
5 numerous, were distributed widely over the course of several years, and had the capacity to  
6 deceive and injure numerous Russian-speaking Washingtonians in need to assistance or  
7 representation in immigration matters.

8 5.14 Defendants' actions constitute unfair or deceptive acts or practices in trade or  
9 commerce that are contrary to the public interest and are not reasonable in relation to the  
10 development or preservation of business in violation of RCW 19.86.020.

11 **VI. PRAYER FOR RELIEF**

12 Wherefore, the State prays for the following relief:

13 6.1 A declaration that Defendants have engaged in the conduct described above;

14 6.2 A declaration that Defendants' acts described above violate the ISFPA,  
15 RCW 19.154, and, therefore, constitute a *per se* violation of the CPA, RCW 19.86;

16 6.3 A declaration that Defendants' acts described above violate the CPA, RCW 19.86;

17 6.4 An award of a civil penalty in the amount of \$2,000 for each and every violation  
18 of the CPA, pursuant to RCW 19.86.140;

19 6.5 A permanent injunction preventing Defendants, or anyone acting in concert with  
20 them, from continuing the unlawful conduct described above;

21 6.6 An award of the State's reasonable costs and attorney's fees incurred in this action,  
22 pursuant to RCW 19.86.080;

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