

ATTORNEY SUMMARY LETTER

For Immediate Intake – Civil and Criminal Claims Overview

Prepared by: Michael Gassio

Date: [Insert Date of Submission]

Dear Counsel,

I am seeking representation in an active and documented civil-criminal case involving a wrongful eviction, forged lease contracts, concealed payments, and retaliatory conduct by a landlord and his affiliated real estate agents. The case spans violations of California tenant law, real estate licensing code, and federal statutes including RICO and mail fraud.

I am pro se to date, but the entire case—over 1,000 evidence files—is organized and compiled. This includes:

- A full narrative of events spanning 2022 to 2025
 - Payment proofs and financial loss tables
 - Emails, texts, and photos indexed and labeled
 - Legal arguments cross-referenced with California and Federal Code
 - A formal appellate package already submitted
 - Evidence of elder abuse, fraud, concealment, forgery, unlawful surveillance, and intimidation
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HIGHLIGHTS FOR COUNSEL:

- Landlord (Phat Tran) accepted lease payments and later returned them falsely claiming non-receipt. Attempted to force private payments outside of contract.
 - Real Estate Agent (Hanson Le) took the Fifth Amendment, resigned mid-contract, and received payment before invoking silence. He concealed funds and misrepresented contract terms.
 - Eviction Law Firm (Silverstein Evictions) filed on behalf of a party with no standing. Did not verify contract authority or payment receipt.
 - Emails to Berkshire Hathaway show 30+ days' notice and active warnings of fraud, which were ignored by the corporate office.
 - Police Report and Photos show harassment and misconduct, including a truck driven onto the lawn to intimidate tenant.
 - Bar Complaint Filed against prior attorney for abandonment after \$8,000 payment and submission of case materials.
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LEGAL TARGETS & STRATEGY:

We have a clear civil RICO pattern, with:

- **Wire fraud**
- **Mail fraud**
- **Elder financial abuse**
- **Real estate license violations**
- **Constructive eviction**
- **Triple damages (CC §1942.5)**

We are pursuing:

- **Civil reversal and restitution of all financial damages**
 - **Potential small claims bifurcations for specific violations**
 - **Full criminal referral (HBPD + DOJ + IRS) already initiated**
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NEXT STEPS

I am prepared to engage counsel immediately. The case is well-organized, and I have maintained a Google Drive folder with all documentation. ChatGPT has been used to summarize and structure all evidence into legal formats.

If interested, you may request:

- **Access to the full digital binder**
- **PDF of all indexed exhibits and documents**
- **Narrative summary with legal advisory annotations**

I'm available to meet virtually or in person in Southern California. Time-sensitive due to ongoing appeal and damages.

Sincerely,

Michael Gasio

gasio77@yahoo.com

[Google Drive/ Chat GPT Access: available upon request]

PART 0: Cover Letter to Court of Appeal

Michael Gasio NEED TO FILE AN APPEAL in 10 days under protest. He cites concealed payments, a forged lease, and retaliatory legal actions. Despite submitting a cashier's check marked "new contract," confirmed received by agent Hanson Le, and demonstrating performance under lease terms, the court proceeded with eviction on false grounds. The letter outlines procedural violations and denial of due process.

PART 1: Chronological Narrative & Key Actors

This narrative opens in December 2021 with the original lease. It details:

- Multiple renewals via Anna Ly (Berkshire Hathaway), including a confirmed DocuSign extension.
- April 2024 payment via cashier's check, confirmed received by agent.
- Coercion to sign a new lease under false terms.
- Concealment of July rent payment.
- Agent Hanson Le resigns on May 13, takes the Fifth when contacted by police.
- Owner fails to deliver promised appliances and refuses resolution offers.
- A fraudulent 3-day notice is served despite consistent payments.

This chapter establishes early misconduct, outlines the timeline of coercion and concealment, and identifies the roles of Phat Tran, Hanson Le, Anna Ly, and Silverstein Evictions.

PART 2: Statutory Violations Summary

Documented violations include:

- CA Penal Code:
 - §470: Forgery (false lease)
 - §118: Perjury (court filings)
 - §487: Grand Theft (withheld payments)
 - §368: Elder Abuse (displacement of mother-in-law)
 - §519: Extortion (coercion into lease signing and private payments)
- CA Civil Code:
 - §1942.5: Retaliation after complaints
 - §1950.5: Deposit misappropriation

- **Federal:**
 - 18 U.S.C. §1341: Mail Fraud
 - 18 U.S.C. §1343: Wire Fraud
 - 18 U.S.C. §1962: RICO
 - ADA/Fair Housing Act: Disability targeting
-

PART 3: Exhibit Binder Index

Full catalog of:

- Leases (2021–2024)
 - April cashier’s check with USPS receipt
 - Agent text stating “Hanson has the check”
 - Dishwater installation receipt
 - Surf City mold inspection
 - eCheck history, returned July payment
 - Photos and communications proving no pet damage and habitability violations
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PART 4: Witness Statement Log

Witnesses include:

- Yulia Gasio (wife): Received lease renewal from Anna Ly.
 - Mother-in-law: Evicted without notice or translation.
 - Officer Shawn Randall (HBPD): Reviewed documentation but declined intervention.
 - Neighbor: Witnessed drone usage, confirmed lack of HOA compliance.
 - Inspector: Verified mold, no pet damage.
 - Richard Rosiak: Received all evidence but failed to file.
-

PART 5: Financial Damages Summary

Damages calculated as follows:

- \$150,300 – Rental losses (deposit, concealed payments, unlawful increase)
- \$49,500 – Property and relocation (downsize, studio loss, furniture)
- \$53,500 – Legal fees, medical treatment, emotional harm

Total: \$253,300

Includes triple damages under §1942.5 and lost square footage claims.

PART 6: Legal Argument Framework

Establishes:

- Silverstein Evictions lacked legal standing (not contracted with Berkshire)
 - Phat Tran concealed multiple payments, including the cashier's check
 - Hanson Le acted without authorization after resignation
 - Lease was materially altered without notice
 - Eviction timed with financial hardship and tenant complaints
 - Case supports both civil and criminal claims, including RICO
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PART 7: Closing Advisory Notes

Advises:

- Do not mediate—pattern shows bad faith, concealment, retaliation
- Insist on full discovery
- File cross-claims for fraud, emotional distress, and ADA violations
- Consider bar complaints, IRS referrals, and DRE licensing challenges

Prepared by: Michael Gassio Contact: [Phone] | [Email] | [Address]

L CASE NARRATIVE – 28 CHAPTERS

Michael Gasio v. Phat Tran et al.

Prepared for: Legal Review, Court Filing, and Agency Submission

 Chapter 1: Lease Origination and Pet Terms  Chapter 2: First Lease Renewal and DocuSign Evidence  Chapter 3: Dishwasher Negotiation and Verbal Agreements  Chapter 4: Mold Discovery and Habitability Concerns  Chapter 5: Second Renewal Terms and Rent Consistency  Chapter 6: Notice of Intent to Vacate and Owner Response  Chapter 7: Verbal Confirmation “We Want to Keep You”  Chapter 8: Payment via Cashier's Check and USPS Delivery  Chapter 9: “Hanson Has the Check”

Text Confirmation ■ Chapter 10: Agent Hanson Le's Resignation on May 13 ■ Chapter 11: Owner Refuses to Acknowledge Received Funds ■ Chapter 12: July Payment Returned Despite Proper Labeling ■ Chapter 13: Coercion to Sign New Lease With Fraudulent Terms ■ Chapter 14: Dishwater Installation and Payment Subsidy ■ Chapter 15: Medical Impact of Stress and Legal Pressure ■ Chapter 16: Police Visit and Officer Randall's Inaction ■ Chapter 17: Neighbor Witness of Drone and HOA Avoidance ■ Chapter 18: Surf City Inspector Verifies Mold and No Pet Damage ■ Chapter 19: Unauthorized Entry and Threats on Lawn ■ Chapter 20: Lease Misrepresentation – 13 Months Not 12 ■ Chapter 21: Silverstein Eviction Filing Without Standing ■ Chapter 22: Rosiak Abandons Case After Full Payment ■ Chapter 23: Emails and Evidence Mailed to Berkshire and Police ■ Chapter 24: Owner's Stated Motive: Rent Increase and Financial Pressure ■ Chapter 25: Rent Raised to \$7,500 Post-Eviction ■ Chapter 26: Real Estate Licensing and DRE Ethics Violations ■ Chapter 27: Formal Complaints Sent to DOJ, IRS, State Bar ■ Chapter 28: Filing Under Protest and Demand for Discovery

CASE NO.: 30-2024-01410991-CL-UD-CJC

DATE: February 3, 2025

COURT: Orange County Superior Court

DEFENDANT: Michael Gasio

PLAINTIFF: Phat Tran

TABLE OF DAMAGES SUMMARY

Category	Amount (\$USD)	Multiplier Applied	Total (\$USD)
Unlawful Rent Increases	25,000	x2	50,000
Misappropriated Rent Payments	15,700	x3	47,100
Attorney Fees (Unfulfilled Contract)	7,000	x2	14,000
Moving Costs Due to Fraudulent Eviction	12,500	x3	37,500

Loss of Art Studio & Equipment	90,000	x2	180,000
Damages to Personal Property	10,000	x2	20,000
Storage Costs Due to Eviction	7,500	x3	22,500
Medical Bills (Physical & Psychological)	6,340	x3	19,020
Psychological & Emotional Distress	5,000	x4	20,000
Breach of Contract & Fraudulent Documents	50,000	x3	150,000
Trespassing & Surveillance Violations	30,000	x3	90,000
Landscaping & Contracted Labor Loss	7,000	x2	14,000
Legal Malpractice (Silverstein & Rosiak)	100,000	x2	200,000
Punitive Damages (Fraud & Misconduct)	400,000	x3	1,200,000
TOTAL DAMAGES SOUGHT	\$765,040	-	\$2,064,120

JUSTIFICATION FOR DAMAGES & MULTIPLIERS

1. **Fraudulent Inducement & Misrepresentation** – Plaintiff knowingly fabricated contracts to deceive legal authorities, necessitating increased punitive measures.

2. **Financial & Emotional Distress** – The defendant suffered extreme psychological stress, relocation costs, and unlawful eviction, justifying an emotional damages multiplier.
3. **Corporate Negligence & Malpractice** – The involvement of Berkshire Hathaway and Silverstein Evictions in knowingly aiding fraudulent eviction proceedings requires significant financial penalties.
4. **Breach of Fiduciary Duty by Legal Representatives** – Attorneys failed to act in their client's best interest, amplifying the financial burden on the defendant.
5. **Repeated Violation of Tenant Protection Laws** – Continuous fraudulent actions, lack of proper notices, and deliberate misinformation warrant substantial punitive damages.

REQUESTED JUDICIAL RELIEF

1. **Total Compensation Award of \$2,064,120** – Inclusive of financial losses, legal fees, and punitive damages.
2. **Judicial Sanctions Against the Plaintiff** – For knowingly submitting fraudulent documents and testimony in court.
3. **Permanent Injunction Against the Plaintiff & Associated Agents** – Preventing further fraudulent real estate practices.
4. **Legal Fees Reimbursement** – Recovery of all defendant-incurred legal expenses.
5. **Investigation into Berkshire Hathaway & Silverstein Evictions** – To determine systemic fraud within real estate operations.

CONCLUSION

The defendants engaged in **calculated fraudulent schemes** to extract financial resources from the defendant and manipulate legal proceedings. The documented **pattern of misconduct, wire fraud, counterfeiting, and corporate negligence** warrants the full application of **damages and punitive measures** outlined in this table.

Submitted by:

Michael Gasio

9432 Pier Dr, Huntington Beach, CA 92646

Email: gasio77@yahoo.com

Phone: 559-287-9955

This folder contains the full legal and evidentiary package for the civil and criminal claims arising from the wrongful eviction, real estate fraud, and retaliatory conduct initiated against Michael Gassio and his household.

All documents are court-formatted, evidentiary-ready, and organized for agency intake, attorney review, or formal discovery.

CONTENTS INCLUDED

- 1. FINAL_CASE_PACKAGE_V1.pdf**
 - **Parts 0–7: Cover letter, full narrative, legal argument, damages, and violations**
 - **Summary: Each chapter documents escalating misconduct, concealed payments, contract manipulation, retaliatory actions, and legal abandonment. These narratives form the backbone of the civil and RICO claims.**
- 2. EMAIL_EVIDENCE_INDEX.pdf**
 - **Chronological email and communication records with named parties**
 - **Summary: Demonstrates consistent good-faith outreach, timely notification, and ignored fraud warnings. Establishes pre-litigation awareness.**
- 3. EXHIBIT_BINDER_INDEX.pdf**
 - **All referenced attachments including checks, contracts, notices, text messages**
 - **Summary: Anchors every claim with timestamped documentation, matching each chapter and actor to proof of misconduct.**
- 4. ATTORNEY_SUMMARY_LETTER.pdf**
 - **Rapid intake letter for attorneys or public officials**
 - **Summary: One-page synopsis built for attorney onboarding or referral escalation.**
- 5. CRIMINAL_ACTOR_MATRIX.pdf**
 - **Detailed actor-by-actor misconduct table with matching statutes**
 - **Summary: Breaks down each party's role in the fraudulent eviction scheme, including statutory violations, timelines, and connected exhibits.**
- 6. MEDICAL_IMPACT_ADDENDUM.pdf**
 - **Documented impact of stress, panic, cardiac complications**
 - **Summary: Links retaliatory eviction to medically verified harm, supporting ADA claims and compensatory damages.**
- 7. FINAL_DAMAGES_SUMMARY.pdf**
 - **Table of losses and statute-aligned damages totals**
 - **Summary: Quantifies over \$250,000 in losses, with breakdown by lease interference, relocation, legal, and medical costs.**
- 8. WITNESS_STATEMENT_LOG.pdf**

- Roles, timelines, and testimony scope for each witness
 - Summary: Corroborates each chapter's claims via family, law enforcement, inspector, and attorney statements.
9. STATE_BAR_COMPLAINT_ROSIAK.pdf
- Formal complaint against former legal counsel for abandonment and negligence
 - Summary: Documents attorney misconduct, missed deadlines, and patient vulnerability at time of abandonment.
10. STATE_BAR_COMPLAINT_SILVERSTEIN.pdf
- Formal complaint regarding improper eviction filings and disregard of evidence
 - Summary: Establishes Silverstein's filing without standing, suppression of known evidence, and reliance on false lease terms.
11. FEDERAL_COMPLAINT_COVER.pdf
- DOJ and IRS-ready RICO and tax fraud summary letter
 - Summary: Highlights mail/wire fraud, forged leases, concealment of payments, and retaliatory patterns qualifying under RICO.
12. AGENCY_SUBMISSION_PACKET.pdf
- Email templates and cover language for submission to DOJ, IRS, State Bar, DRE, and Housing Authorities
 - Summary: Pre-written, agency-tailored emails to support immediate case escalation and regulatory contact.
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FILE FORMAT & SHARING

All documents are provided as PDFs for compatibility with legal and government systems. Originals can be furnished in editable DOCX or ZIP formats upon request.

Google Drive folder access is available to approved legal, investigative, or oversight professionals.

CONTACT

Michael Gasio
[Phone Number]
[Email Address]
[Mailing Address]

Prepared with the assistance of legal AI structuring tools to ensure clarity, compliance, and readiness for civil and criminal escalation.

[ALL FINALIZED TEXT FROM CASE PACKAGE V1: Parts 0–7 including the new cover letter]

PART 0: COURT OF APPEAL COVER LETTER

Clerk of the Court of Appeal
State of California
[Insert Appellate District Address]

Re: *MICHAEL GASIO v. PHAT TRAN et al.* — Appeal of Wrongful Eviction Judgment (Case #: [Insert Case Number])

To Whom It May Concern:

I am a retired school administrator and a permanent California resident with a documented disability. I submit this appeal under protest following a wrongful eviction initiated through concealed payments, agent misrepresentation, and a forged lease submitted by the property owner.

Despite presenting evidence in good faith—including the April 2024 cashier's check, text confirmation that "Hanson has the check," and proof of dishwasher installation—the court proceeded with eviction based on false claims that payment was not received. In reality, Hanson Le resigned on May 13, 2024, and later invoked the Fifth Amendment during police inquiry, admitting he no longer represented either party when the payment was made.

The property owner, Phat Tran, accepted payment but refused to return the funds. He later returned a paper check under pretense it was untimely. The payment was never opened, cashed, or deposited—thus proving concealment, not rejection.

This appeal challenges both procedural and factual errors and seeks reversal of the wrongful ruling. The full narrative, statutory violations, evidence index, and financial summary are enclosed in this filing.

Respectfully,
Michael Gassio
[Signature if hard copy submitted]
[Contact Info]

PART 1: CHRONOLOGICAL NARRATIVE & KEY ACTORS

- **December 2022 – Move-In:** Lease signed at \$5,000/month, listed by Anna Ly through Berkshire Hathaway. Ad listed “Pets \$500,” laundry in-unit, ocean view.
- **April 2024 – Renewal Accepted:** Via email “we want to keep you as lessee” contract to extended. Agent confirmed continued tenancy. One payment of \$5,000 11 at \$5,350 in text.
- **April 2024 – Payment Sent to Hanson Le:** A cashier’s check was delivered to Berkshire Hathaway office may 30 at 3:38 P.M. Hanson signed the postal record.
- **May 13, 2024 – Hanson Le Resigns:** Confirms he no longer represents either party. He later invokes the Fifth to Huntington Beach Police questions. 2 weeks before first payment due.
- **May 2024 – Landlord Accepts \$5,350:** Rent + dishwasher. “Hanson has the check”. Then cuts off contact, **July 2023 – eCheck Sent, Never Cashed:** Labeled for July, it is removed from the Berkshire property. Tran claims it was late.
-
- **June 2024 – 3-Day Notice Served:** Despite early payments and documentation of contract fulfilment by sending payment early to Berkshire , tenant receives unlawful notice.

Key Actors:

- **Phat Tran (Landlord):** Concealed payment, altered lease terms, refused resolution.
- **Hanson Le (Agent):** Accepted check after resigning, invoked the Fifth, never returned funds.
- **Anna Ly (Listing Agent):** Disclaimed involvement despite being original contact.
- **Silverstein Evictions:** Filed eviction without legal standing or verified contract authority.

PART 2: STATUTORY VIOLATIONS

California Penal Code Violations:

- **PC 470** – Forgery (False lease presented to court)
- **PC 118** – Perjury (False sworn claims regarding payment and contract)
- **PC 487** – Grand Theft (Over \$950: unreturned deposits, payment concealment)
- **PC 368** – Elder Abuse (Tenant’s mother-in-law displaced without legal notice)
- **PC 518/519** – Extortion (Threats demanding payment to personal account)
- **PC 532** – Fraud (False inducement to sign a new lease under duress)

Civil Code & CCP Violations:

- **CCP §1161** – Improper notice to quit
 - **CCP §1942.5** – Retaliatory eviction after complaints and mold reports
 - **Civil Code §1950.5** – Failure to return deposits
 - **Fair Housing Act** – Targeting of disabled and elderly tenants
-

PART 3: EXHIBITS INDEX

- **Exhibit A:** Signed lease and extension confirmation (DocuSign)
 - **Exhibit B:** Cashier’s check and USPS delivery receipt (April 2024)
 - **Exhibit C:** Text “Hanson has the check”
 - **Exhibit D:** Dishwasher receipt from Home Depot
 - **Exhibit E:** Emails confirming mold and broken appliances
 - **Exhibit F:** July eCheck labeled clearly for rent (never cashed)
 - **Exhibit G:** Agent resignation email and Fifth Amendment claim
-

PART 4: WITNESS & AGENT STATEMENTS

- **Hanson Le:** “Since you’ve signed, just keep paying the owner...” followed by resignation and refusal to assist.
 - **Anna Ly:** “I didn’t issue the renewal” — contradicts DocuSign trail and communications.
 - **Police Report (June 2024):** Documented visit, refusal to take action despite valid lease and payment proof. Tenant not served yet.
 - **Inspector Statement (Surf City):** Mold confirmed photos given, no urine damage on carpet or base boards.
-

PART 5: FINANCIAL DAMAGES

- **Deposit withheld:** \$10,000 (2 years)
 - **July rent payment concealed:** \$5,300
 - **Value of evicted square footage:** \$30,000 (Loss of larger unit)
 - **Lost rent value due to improper eviction:** \$90,000
 - **Triple damages claim under statute:** \$270,000
 - **Property loss and relocation costs:** \$25,000
 - **Emotional distress / medical damage (documented arrhythmia):** Pending assessment
-

PART 6: LEGAL ARGUMENT FRAMEWORK

- **Lack of Standing:** Silverstein Evictions did not represent the actual contract holder.
- **Check Was Not Rejected:** A payment not opened or deposited is not legally refused.
- **Concealment Proven:** Owner did not notify tenant for 21 days while plotting eviction.

- **Agent Quit:** Hanson Le resigned before any alleged dispute.
 - **Forgery of Contract:** Length misrepresented (13 months instead of 12).
 - **Tenant Rights Ignored:** Medical accommodations, senior status, and foreign-language protections violated.
-

PART 7: CLOSING BRIEF & LEGAL ADVISORY NOTES

This was a **deliberate scheme** by the property owner to remove tenants under false pretenses, raise the rent from \$5,000 to \$7,500/month, and re-list the property after refusing to make lawful accommodations or honor the lease.

The **payment was received**, the **contract was valid**, and the **eviction was retaliatory and fraudulent**.

Do not mediate. Demand full discovery.

Signed,
Michael Gasio

EMAIL EVIDENCE & ATTACHMENT INDEX

This document lists all key email communications and file attachments referenced in the primary narrative of *Michael Gassio v. Phat Tran et al.*, compiled to support court submission and attorney review. Each entry is timestamped and cross-referenced with relevant chapters in the case narrative.

SECTION 1: EMAILS PRIOR TO EVICTION

Email #001

Date: February 27, 2024

From: Michael Gassio

To: Berkshire Hathaway Legal, Hanson Le, Martha Mosier

Subject: "Notice of Fraud and RICO Exposure – Immediate Response Required"

Attachment: Lease copy, mold report, payment proof

Relevance: Legal warning sent 30+ days before eviction. Forms basis of RICO notice.

Email #002

Date: March 1, 2024

From: Michael Gassio

To: Officer Shawn Randall (HBPD)

Subject: "Victim of Landlord Fraud – Police Notification and Protective Action Requested"

Attachment: Screenshots of contract discrepancies, texts

Relevance: Notifies law enforcement of forged contract and payment concealment.

Email #003

Date: March 15, 2024

From: Anna Ly

To: Yulia Gasio

Subject: "Lease Extension via DocuSign – Through May 2024"

Attachment: Signed extension, pet agreement

Relevance: Confirms second-year lease renewal. Contradicts owner's claim of month-to-month status.

Email #004

Date: April 19, 2024

From: Michael Gassio

To: Hanson Le

Subject: "Cashier's Check Delivered – Payment Confirmed for Lease Year 3"

Attachment: Image of check, USPS receipt

Relevance: Establishes payment made and received prior to eviction timeline.

SECTION 2: DURING LEGAL DISPUTE

Email #005

Date: May 21, 2024

From: Michael Gassio

To: Berkshire Hathaway (via form + direct message)

Subject: "Dispute Escalation: Concealment of Payment, Fraudulent Contract Use"

Attachment: eCheck screenshots, agent resignation text, signed lease

Relevance: Filed after landlord returned July check. Marks first formal accusation of concealment.

Email #006

Date: May 28, 2024

From: Michael Gassio

To: HBPD, Ethos Property Management

Subject: "Property Entry & Agent Misconduct Complaint"

Attachment: Image of truck on lawn (Photoshop), witness account, police report text log

Relevance: Shows threats, unauthorized entry, and pattern of intimidation.

Email #007

Date: June 1, 2024

From: Michael Gassio

To: State Bar Complaint Officer

Subject: "Attorney Rosiak Failure to Represent – Formal Complaint"

Attachment: Binder index, payment logs, communications with Rosiak

Relevance: Shows legal abandonment prior to court and missed deadlines.

Email #008

Date: June 18, 2024

From: Michael Gassio

To: Silverstein Evictions

Subject: "Demand for Evidence – Standing, Payment, and Contract Review"

Attachment: Check image, lease with all three years' terms

Relevance: Denied standing of Silverstein in eviction due to contract misrepresentation.

SECTION 3: POST-EVICTION AND DAMAGES

Email #009**Date:** July 2, 2024**From:** Michael Gassio**To:** Huntington Beach City Attorney**Subject:** "Final Damage Assessment and Mold Violation Report"**Attachment:** Surf City Mold Inspector's summary, photos, unreimbursed receipts**Relevance:** Documents health/safety violations and owner's refusal to remediate.**Email #010****Date:** July 14, 2024**From:** Michael Gasio**To:** IRS/DOJ tipline**Subject:** "Tax and Fraud Reporting: Undeclared Rental Payments and Mail Fraud"**Attachment:** Google Drive folder link, summary of payments**Relevance:** Escalates claims to federal authorities regarding landlord fraud pattern.

SECTION 4: EMAIL ATTACHMENTS INDEX

- **LeaseYear1.pdf** – Original lease signed 2021
- **LeaseRenewal2023.pdf** – DocuSign confirmation via Anna Ly
- **FinalLease2024.pdf** – Fraudulent contract submitted by owner
- **Check_April19_2024.pdf** – Image and USPS receipt
- **July_eCheck_Uncashed.pdf** – Returned check and bank statement
- **Dishwasher_Install_Receipt.pdf** – Home Depot install (dated prior to payment)
- **Mold_Report.pdf** – Surf City inspector findings
- **Agent_Resignation.pdf** – Hanson Le resignation email
- **Police_Report.pdf** – Summary of incident log and case rejection
- **EvictionNotice_Served.pdf** – 3-day notice and attachments

More emails exist in Gmail archive. All entries are mirrored in the court binder PDF and associated folders.

Exhibit Binder Index



PLUS

EXHIBIT BINDER INDEX

Michael Gasio v. Phat Tran et al.

Court Submission: Organized Exhibits by Category and Chronological Relevance

SECTION A: PAYMENT EVIDENCE

Exhibit A1 – *Cashier's Check (April 2024)*

- Image of check labeled “First payment, new contract, third year lease”
- USPS Certified Mail receipt (signed for by Berkshire Hathaway agent)

Exhibit A2 – *July Rent eCheck (Uncashed)*

- Digital screenshot of Wells Fargo eCheck sent to Tran
- Bank records proving funds remained in account
- Returned check envelope (unopened)

Exhibit A3 – *Payment Timeline Chart*

- Tabular breakdown of all payments from move-in to eviction
 - Includes method, amount, and lease year reference
-

SECTION B: CONTRACTS & LEASE HISTORY

Exhibit B1 – *Original Lease Agreement (2021)*

- Full PDF signed by all parties (via Anna Ly)

Exhibit B2 – *Lease Extension Confirmation (2023)*

- DocuSign renewal email from Anna Ly to Yulia Gasio
- Includes pets clause and \$5,000/month rate

Exhibit B3 – *Final “Fraudulent” Lease (2024)*

- 13-month lease issued without disclosure
- Labeled as a new lease instead of renewal

Exhibit B4 – *Agent Resignation (Hanson Le)*

- Hanson Le’s resignation email dated May 13, 2024
- Text message confirming “Hanson has the check”

 SECTION C: HABITABILITY & PROPERTY CONDITIONS

Exhibit C1 – *Home Depot Dishwasher Receipt*

- Installed before check delivery
- Used as negotiation credit toward lease value

Exhibit C2 – *Mold Inspection Report*

- Surf City Inspector’s signed assessment
- Photos included, no dog urine found

Exhibit C3 – *Tree Removal Photos*

- Shows damage to landscaping and shade loss
- Taken before notice of intent to vacate

Exhibit C4 – *Laundry Unit Misrepresentation*

- Original listing claimed “laundry in unit”
 - Email confirming later installation request
-

SECTION D: LEGAL & POLICE COMMUNICATION

Exhibit D1 – *Police Report Summary*

- HBPD log of visit and civil classification
- Officer Randall referenced

Exhibit D2 – *Email to Martha Mosier and BHHS Legal*

- Sent February 27, 2024, warning of fraud and intent to vacate
- Confirmed delivery to Berkshire Hathaway Legal

Exhibit D3 – *Screenshot: “Hanson has the check”*

- Critical evidence confirming delivery of funds
- Timestamped text message

Exhibit D4 – *Bar Complaint Against Richard Rosiak*

- Formal complaint document
 - Invoice log and service agreement copy
-

SECTION E: RETALIATION & INTIMIDATION

Exhibit E1 – *Truck on Lawn Photo Composition*

- Photoshop visual showing incident timeline
- Matches date of 3-day notice service

Exhibit E2 – *Text from Owner: “What we’re doing to you is business”*

- Owner’s admission of intent
- Sent after failed payment delivery resolution

Exhibit E3 – *Email to IRS and DOJ*

- Summary of alleged fraud for federal escalation
 - Sent July 2024 with supporting attachments
-

All exhibits are cross-labeled in the court binder and embedded in the final PDF file. Originals are stored digitally and available upon request. For attorneys needing access to full-resolution copies or sworn declarations, contact Michael Gassio directly or request access to the Google Drive archive.

CRIMINAL ACTOR MATRIX

Michael Gassio v. Phat Tran et al.

Purpose: Identify all known actors, role, timeline of misconduct, statutory violations, and corresponding evidence.

ACTOR 1: PHAT TRAN (Property Owner)

Alleged Misconduct:

- Concealed payment
- Returned uncashed rent check
- Coerced payment to private account
- Misrepresented lease terms
- Entered property without notice
- Falsified court claims
- Retaliated after tenant complaints

Statutory Violations:

- PC 470: Forgery
- PC 118: Perjury
- PC 487: Grand Theft
- PC 518/519: Extortion
- PC 368: Elder Abuse
- Civil Code §1942.5: Retaliatory Eviction

Timeline: Dec 2021 – Ongoing

Evidence: Exhibits A1, A2, B3, C1–C3, D2, E2

ACTOR 2: HANSON LE (Agent, Berkshire/Ethos)

Alleged Misconduct:

- Took cashier's check while no longer authorized
- Resigned on May 13, 2024
- Admitted receipt ("Hanson has the check")
- Invoked Fifth Amendment
- Disappeared from communication after accepting payment

Statutory Violations:

- PC 470: Fraudulent Misrepresentation
- PC 118: Perjury by omission
- PC 532: Fraud
- PC 368: Elder financial abuse

Timeline: Jan 2022 – May 13, 2024 (resigned)

Evidence: Exhibits A1, B4, D3, E1

 ACTOR 3: STEVEN D. SILVERSTEIN / SILVERSTEIN EVICTIONS**Alleged Misconduct:**

- Filed eviction on behalf of party lacking standing
- Misrepresented facts to court
- Ignored documentation of payment

Statutory Violations:

- PC 118: Perjury
- Business & Professions Code §6128: Attorney Misconduct

Timeline: August 2024 – Court filing

Evidence: Exhibits B3, D4, D2

 ACTOR 4: ANNA LY (Listing Agent)**Alleged Misconduct:**

- Issued lease, denied involvement in renewal
- Lease tied to rent value and pet clause
- Allowed dual documentation to appear without notifying tenant

Statutory Violations:

- PC 532: Fraudulent inducement
- Real Estate Code §10176: Misrepresentation

Timeline: Dec 2021 – April 2024

Evidence: Exhibits B1–B2, C4, D2

■ ACTOR 5: LY CONSTRUCTION (Tran Family Business)**Alleged Misconduct:**

- Entered property without notice
- Took part in intimidation tactics
- Involved in contract negotiation without license

Statutory Violations:

- PC 602.5: Unlawful Entry
- Civil Code §1954: Entry without Notice

Timeline: May 2023 – June 2024

Evidence: Exhibits C3, E1, E2

■ ACTOR 6: THAO TRAN (Daughter, Optometrist)**Alleged Misconduct:**

- Personal connection to Hanson Le
- Likely knowledge and facilitation of fraud

Statutory Violations: *(Not direct but associative)*

- PC 32: Accessory to a Felony

Timeline: Unclear; proximity established through residence and searches

Evidence: Actor association logs, neighborhood records

■ ACTOR 7: RICHARD ROSIAK (Former Counsel)

Alleged Misconduct:

- Accepted \$8,000, then abandoned case
- Failed to submit key documents
- Ignored court deadlines

Statutory Violations:

- Business & Professions Code §6106: Moral Turpitude
- CCP §128.5: Bad Faith Tactics

Timeline: April – June 2024

Evidence: Exhibits D4, court calendar, email logs



Recommended Legal Action:

- Pursue civil claims against all above
- Refer Actors 1–3 to DA and IRS/DOJ
- Include Actor 7 in malpractice suit

Note: All referenced exhibits available in the binder or upon request via Google Drive link.

Medical Impact Addendum



PLUS

MEDICAL IMPACT ADDENDUM

Michael Gassio v. Phat Tran et al.

Purpose: Document physical and psychological toll directly resulting from the fraudulent eviction process, supported by dates, physician interactions, and associated evidence.



1. DOCUMENTED CARDIAC DISTRESS

Condition: Atrial fibrillation and cardiac arrhythmia Physician: Dr. Chesnie,
Cardiologist

Onset: Mid-May 2024

Trigger: Threats of eviction, harassment, lease betrayal

Evidence:

- Heart monitor prescribed
 - Office visit notes confirming elevated cardiac stress
 - Timeline overlap with forced contract signature and check delivery
-



2. ACUTE ANXIETY AND SLEEP DISRUPTION

Symptoms: Insomnia, panic attacks, waking with heart racing, dry mouth

Medications: Lexapro (SSRI), beta blockers for hypertension

First Noted: April 2024 following agent coercion

Aggravated By: 3-day eviction notice despite rent payment and dishwasher
installation

Evidence:

- Email logs referencing symptoms
 - Correspondence with former attorney Rosiak outlining condition
 - Timeline correlation with unlawful entry and intimidation incident
-



3. COGNITIVE AND FUNCTIONAL IMPACT

Issues Experienced:

- Disrupted executive functioning (memory lapses, focus loss)
- Fatigue and reduced work capacity
- Cumulative burnout from legal stress and eviction risk

Compounded By:

- Loss of personal and professional workspace (wife's art studio also lost)
- Daily fear of violence or being forcibly removed

Medical Relevance:

- ADA implications for permanent disability
 - May impact standing in civil rights complaints under federal disability law
-



4. FINANCIAL COST OF CARE

Out-of-Pocket Medical Costs:

- Cardiac monitor (covered in part by insurance)
 - Medication co-pays
 - Loss of income from inability to engage in full-time work
-



TIMELINE CORRELATION

- April 2024: Lease pressure begins, dishwasher installed under duress
 - May 2024: Heart monitor prescribed
 - June 2024: Check concealed, court refuses to stop eviction
 - July 2024: Threats escalate, panic symptoms peak
-



SUPPORTING EVIDENCE

- Physician name and dates available upon request
- Email references to symptoms in chat logs and attorney communication
- Event timeline overlaps with legal fraud and real estate misconduct

Conclusion: These health effects were not incidental—they were the foreseeable result of ongoing deception, retaliation, and forced displacement. Damages should include direct financial reimbursement and pain and suffering under CA Civil Code §3333 and related ADA protections.

Signed,

Michael Gassio

Final Damages Summary



PLUS

FINAL DAMAGES SUMMARY TABLE

Michael Gassio v. Phat Tran et al.

Purpose: Present all calculated damages, categorized and totaled for court and legal review. Includes both statutory and compensatory losses.

SECTION A: RENTAL & LEASE DAMAGES

Description	Amount	Notes
Withheld Deposit	\$10,000	2 years, not returned
Concealed July 2024 Rent	\$5,300	Returned check never cashed
Value of Lost Lease Continuity	\$30,000	6 months x \$5,000
Unlawful Rent Differential	\$15,000	Unit re-listed at \$7,500/mo
Triple Damages under §1942.5	\$90,000	For retaliatory eviction
Subtotal (Rental):	\$150,300	

 SECTION B: PROPERTY LOSS & LIVING
DISRUPTION

Description	Amount	Notes
Downsizing Impact (sq ft loss)	\$30,000	Lost access to garage, studio space
Discarded Furniture, Fixtures	\$9,500	Estimate from move-out inventory
Landscaping & Dog Adaptation Costs	\$3,000	Tree loss, pet accommodations

	\$	
	7	
	,	
Forced Relocation Expenses	0	Movers, deposits, time off
	0	
	0	

Subtotal (Property Disruption): \$49,500



SECTION C: LEGAL, MEDICAL, AND OTHER COSTS

Description	Amount	Notes
	\$	
	8,	
Attorney Fees Paid to Rosiak	0	For partial representation only
	0	
	0	
	\$	
	1,	
Court Filing and Document Costs	2	Certified mail, records, postage
	0	
	0	
	\$	
Medical Treatment / Cardiac Costs	4,	Monitor, co-pays, consults
	3	

	0	
	0	
	\$	
	4	
Estimated Pain & Suffering (Civil	0,	Conservative initial claim
\$3333)	0	
	0	
	0	

Subtotal (Legal/Medical): \$53,500

GRAND TOTAL DAMAGES

Category	Amount
Rental & Lease	\$150,300
Property Loss	\$49,500
Legal & Medical	\$53,500
TOTAL DAMAGES	\$253,300

Note: Damages may rise upon civil discovery or IRS valuation of underreported income by landlord. This total does not include punitive damages, license penalties, or potential class action exposure.

Prepared by:

Michael Gasio

Date: [Insert Submission Date]

WITNESS STATEMENT LOG

Michael Gassio v. Phat Tran et al.

Purpose: Record of individuals with direct knowledge of events, conditions, or misconduct relevant to the case. Includes witness roles, testimony scope, and corroborative evidence.

1. YULIA GASIO (Wife)

Role: Co-tenant and DocuSign lease recipient **Testimony Scope:**

- Received lease renewal email from Anna Ly
 - Confirmed dishwasher issue and lease payment conversations
 - Was out of the country during notice period **Supporting Evidence:** Exhibit B2, Emails from Anna Ly, lease download log
-

2. MOTHER-IN-LAW (Name Withheld for Privacy)

Role: Resident and dependent household member **Testimony Scope:**

- Was not served notice despite living at premises
 - Speaks limited English, potentially targeted due to disability
 - Experienced distress and displacement **Supporting Evidence:** Lease occupancy inclusion, non-service record, ADA references
-

3. OFFICER SHAWN RANDALL (HBPd)

Role: Law enforcement point of contact **Testimony Scope:**

- Received and reviewed fraud complaint

- Refused to intervene despite valid contract shown
 - Confirmed agent had resigned and said it appeared “civil” **Supporting Evidence:** Exhibit D1, February 27 email thread, police visit log
-

4. NEIGHBORING HOMEOWNER (Unnamed)

Role: Eyewitness to incident and property condition **Testimony Scope:**

- Observed drone use by landlord
 - Confirmed HOA dues delinquency and property neglect
 - Discussed appearance of LY Construction and unauthorized work **Supporting Evidence:** Statement notes, photo references (truck, drone)
-

5. SURF CITY MOLD INSPECTOR

Role: Licensed property inspector **Testimony Scope:**

- Confirmed mold was present at time of inspection
 - Verified no evidence of dog urine on carpet
 - Supported tenant's habitability claim **Supporting Evidence:** Exhibit C2, inspector's signed report
-

6. RICHARD ROSIAK (Former Counsel)

Role: Attorney who accepted \$8,000 for limited defense **Testimony Scope:**

- Received all evidence including check, lease, and texts
- Failed to submit to court or contact opposing counsel

- Sent certified resignation shortly before court **Supporting Evidence:** Exhibit D4, payment logs, email records
-

Note: Additional witness declarations may be requested via subpoena. This log may expand to include service providers, property managers, or city inspectors depending on future filings.

Prepared by:

Michael Gasio

Date: [Insert Submission Date]

Federal Complaint Cover



PLUS

FEDERAL & STATE AGENCY COMPLAINT COVER LETTER

For Submission to: DOJ – IRS – California Department of Real Estate – State Attorney General

Prepared by: Michael Gassio

Date: [Insert Submission Date]

To Whom It May Concern,

I am submitting this complaint as a California resident and former tenant who was subjected to a coordinated real estate fraud and eviction scheme involving forged lease contracts, concealed payments, agent impersonation, mail and wire fraud, and retaliatory actions that endangered both physical health and civil rights.

The facts of this case have been compiled into a full legal record, which includes:

- Court-ready narrative with supporting documentation
- Indexed exhibits, emails, sworn witness accounts
- Financial breakdown of damages and losses
- Medical evidence and disability-based discrimination

This letter serves as a formal submission of alleged violations of:



FEDERAL VIOLATIONS

- 18 U.S. Code § 1341 – Mail Fraud

- 18 U.S. Code § 1343 – Wire Fraud
- 18 U.S. Code § 1962 – RICO Act Violations
- ADA Title II & Fair Housing Act – Disability-based eviction and targeting
- IRS Underreporting – Rental income concealment and misuse of client funds

STATE VIOLATIONS

- California Penal Code §§ 470, 487, 118, 519, 368 – Forgery, grand theft, perjury, extortion, elder abuse
- Civil Code § 1942.5 – Retaliatory Eviction
- Business & Professions Code §10176 – Real Estate License Misconduct

NAMED PARTIES

- Phat Tran (Landlord)
- Hanson Le (Agent – resigned and took Fifth)
- Steven D. Silverstein (Eviction attorney)
- Anna Ly (Berkshire Hathaway listing agent)
- Richard Rosiak (Attorney who abandoned representation)

All relevant documents, signed contracts, returned checks, police reports, and communication logs are available and organized by date. Google Drive access can be provided upon request.

ACTION REQUESTED

I am requesting that this complaint be logged for investigation and/or referral for criminal or licensing action. I am also requesting:

1. IRS fraud referral on rental income concealment
2. DOJ inquiry into RICO patterns across real estate agents/franchises
3. California Real Estate licensing review of agents involved

4. Review of ADA violation and elder abuse implications

I am willing to provide sworn testimony and appear before any assigned investigator or agency representative.

Respectfully,

Michael Gasio

[Phone Number]

[Email Address]

[Google Drive Folder Access: Available upon Request]

SWORN DECLARATION TEMPLATES

Michael Gassio v. Phat Tran et al.

Purpose: Provide formal templates for use by witnesses and involved parties to submit legally binding declarations under penalty of perjury.



DECLARATION TEMPLATE: TENANT (MICHAEL GASSIO)

Declaration of Michael Gassio

I, Michael Gassio, declare as follows:

1. I was a lawful tenant at [Rental Address] from May 2022 through July 2024.
2. I submitted a rent payment via cashier's check dated May 28, 2024, to Berkshire Hathaway's listed business address.
3. I received confirmation via text that "Hanson has the check." From the owner. Hanson Le later resigned and invoked the Fifth Amendment during police inquiry, before eviction.
4. I was never refunded my deposit, and my July rent payment e-deposit was returned unopened as a paper check, despite being paid early.

5. I was forced to install the dishwasher myself and paid an additional \$350 in good faith.
6. I suffered medical harm (cardiac arrhythmia) as a direct result of threats and eviction pressure.
7. I declare that all included documents, emails, and messages are true and correct to the best of my knowledge.

Executed on [Date], in [City, State].

Signature: _____

Printed Name: Michael Gassio



DECLARATION TEMPLATE: CO-TENANT (YULIA GASIO)

I, Yulia Gasio, declare as follows:

1. I co-leased the unit at [Rental Address] with Michael Gasio.
2. I received a DocuSign lease extension from Anna Ly confirming a renewal through May 2024.
3. I was out of the country when the eviction notice was served and had no opportunity to contest or respond.
4. I confirm that we had ongoing communication with the agent and landlord and submitted all rent timely.

Executed on [Date], in [City, State].

Signature: _____

Printed Name: Yulia Gasio



DECLARATION TEMPLATE: MOTHER-IN-LAW

I, [Full Name], declare as follows:

1. I lived at [Rental Address] with my family for over two years.
2. I was not served any eviction notice in my language or directly.
3. I am a senior and speak limited English, and was extremely distressed by the sudden displacement.
4. I confirm that rent was paid and that I had no notice of a lease violation.

Executed on [Date], in [City, State].

Signature: _____

Printed Name: [Full Name]



DECLARATION TEMPLATE: PROPERTY INSPECTOR

I, [Inspector Name], declare as follows:

1. I am a certified mold and habitability inspector operating in Huntington Beach, CA.
2. I conducted an inspection at [Rental Address] on [Date].
3. I confirmed the presence of mold in [location], and found no evidence of pet damage or urine odors.
4. My findings were submitted to the tenant and documented via written report.

Executed on [Date], in [City, State].

Signature: _____

Printed Name: [Inspector Name]

These declarations should be printed, signed, and either notarized or submitted with a sworn affidavit cover sheet depending on court or agency requirements.

COURT-FORMATTED CASE BINDER

Michael Gassio v. Phat Tran et al.

Prepared for: California Superior Court, Court of Appeal, and Attorney Review



TABLE OF CONTENTS

1. Cover Letter to Court of Appeal
 2. Chapter Narrative: Case Timeline & Actors
 3. Statutory Violations Summary
 4. Exhibit Binder Index
 5. Email Evidence Index
 6. Witness Statement Log
 7. Criminal Actor Matrix
 8. Medical Impact Addendum
 9. Final Damages Summary
 10. Sworn Declarations (Templates)
 11. Federal & State Complaint Letter
-

1. COVER LETTER TO COURT OF APPEAL

(Refer to “Part 0” of main narrative. Includes signature, statement of facts, procedural objections, and standing challenge to eviction.)

2. CHAPTER NARRATIVE: CASE TIMELINE & ACTORS

- Begins December 2021 with lease agreement.
- Includes: April 19 cashier’s check, Hanson Le’s resignation, returned July rent check.

- Details all communications with Berkshire Hathaway and real estate agents.
 - Notes medical events and police visit chronology.
-

3. STATUTORY VIOLATIONS SUMMARY

- California Penal Codes: 470 (Forgery), 487 (Theft), 118 (Perjury), 368 (Elder Abuse)
 - Civil Codes: 1942.5 (Retaliation), 1950.5 (Deposit Handling)
 - Federal Codes: 18 U.S.C. §§ 1341, 1343 (Mail/Wire Fraud), 1962 (RICO)
-

4. EXHIBIT BINDER INDEX

- Lists all referenced attachments: cashier's check, lease, mold report, Home Depot receipt, photos, USPS delivery records
-

5. EMAIL EVIDENCE INDEX

- Timestamped, chapter-aligned communications
 - Emails to agents, police, state agencies, and Berkshire Legal
-

6. WITNESS STATEMENT LOG

- Yulia Gasio, Mother-in-law, Officer Randall, Neighbor, Mold Inspector, Richard Rosiak
-

7. CRIMINAL ACTOR MATRIX

- Actors: Phat Tran, Hanson Le, Silverstein, Anna Ly, Rosiak, LY Construction, Thao Tran
 - Violations per actor with timeline and linked exhibits
-

8. MEDICAL IMPACT ADDENDUM

- Describes stress-related cardiac and mental health effects
 - Includes treatment history, physician references, ADA relevance
-

9. FINAL DAMAGES SUMMARY

- Rental Loss: \$150,300
 - Property & Relocation: \$49,500
 - Legal & Medical: \$53,500
 - **Total: \$253,300** (pre-punitive and statutory multipliers)
-

10. SWORN DECLARATIONS (TEMPLATES)

- Ready for execution by tenant, co-tenant, senior dependent, property inspector
-

11. FEDERAL & STATE COMPLAINT LETTER

- DOJ, IRS, California Real Estate Board, AG referral summary
 - Lists all parties, violations, actions requested
-

NOTE: All exhibits, emails, and signed pages are stored digitally and can be shared with courts, attorneys, or investigators upon request.

Prepared by:

Michael Gasio

Date: [Insert Final Binder Date]

STATE BAR COMPLAINT – RICHARD ROSIAK

Filed by: Michael Gassio

Prepared for: State Bar of California – Office of Chief Trial Counsel

ATTORNEY COMPLAINT SUMMARY

Attorney Name: Richard Rosiak

Bar Number: [Insert if available]

Firm/Office: Private Practice

Location: [Insert City or Office Address]

Client: Michael Gassio

Case Matter: Landlord-Tenant Fraud, Lease Dispute, Wrongful Eviction Defense

Payment Made: \$8,000 (documented with invoice and Zelle records)

COMPLAINT DETAILS

1. Failure to Perform Services Agreed Upon

- Attorney Rosiak accepted a retainer of \$8,000 to provide legal assistance in an active landlord-tenant dispute.
- Despite being provided a full binder of evidence (emails, contracts, images, lease logs, and police records), he failed to submit any of it to the court.

2. Abandonment of Representation

- Rosiak effectively abandoned the case **months before the scheduled hearing**, ceasing all communication and refusing to act on the client's behalf.

- His final written message, sent months prior to trial, stated: *“Do not contact me again. Unless I contact you, to which in writing I stated all contact forward is with wife medical problems cannot help in the case going forward.”*
- He later mailed a certified letter night before court formally terminating the relationship, without filing motions, appearing in court, or transferring the case to another attorney.
- No legal exit strategy, refund, or continuity of representation was offered.

3. **Moral Turpitude / Misrepresentation**

- Claimed the case was unwinnable despite physical and digital evidence supporting the client’s position.
- Ignored the client’s cardiac medical condition and failed to act in good faith despite knowledge of disability and age-related vulnerability.

4. **Violation of California Rules of Professional Conduct**

- **Rule 1.1:** Competence
- **Rule 1.3:** Diligence
- **Rule 1.4:** Communication
- **Rule 1.16:** Declining or Terminating Representation
- **Business & Professions Code §6106:** Acts of moral turpitude and dishonesty

SUPPORTING EVIDENCE

- Binder index and copy of contents submitted to attorney
- Certified termination letter from Rosiak
- Final message with rent amount claim and "do not contact" order
- Payment records and invoice
- Emails and text message history
- Screenshot logs confirming attorney access to Dropbox or file drive
- Timeline of filings missed and strategic abandonment

ACTION REQUESTED

I am requesting the State Bar conduct a formal review of Richard Rosiak's handling of my case, with potential disciplinary measures, restitution recommendation, and an ethics review panel if warranted.

I am prepared to provide notarized testimony, emails, payment confirmations, and witness confirmation of the damages caused by his withdrawal.

Respectfully,

Michael Gasio

[Phone Number]

[Email Address]

[Address]

Date: [Insert Date]

State Bar Complaint Silverstein



PLUS

STATE BAR COMPLAINT – STEVEN D. SILVERSTEIN

Filed by: Michael Gassio

Prepared for: State Bar of California – Office of Chief Trial Counsel

ATTORNEY COMPLAINT SUMMARY

Attorney Name: Steven D. Silverstein

Bar Number: [Insert if available]

Firm: Silverstein Evictions

Office Location: [Insert City or Office Address]

Complainant: Michael Gassio

Case Matter: Landlord-Tenant Dispute / Fraudulent Eviction Filing

Court: [Insert Court Name and Case Number]

COMPLAINT DETAILS

1. Knowingly Filed Eviction Without Legal Standing

- Attorney Silverstein filed an eviction action on behalf of a property owner without verifying legal standing or lease history.
- The eviction was based on a fraudulent lease and failed to reflect actual payment history, including the April cashier's check accepted by the owner's agent.

2. Misrepresentation and Suppression of Evidence

- Despite being notified that a cashier's check was delivered and a legitimate lease extension existed, Silverstein advanced arguments in court that contradicted evidence on record.
- He failed to present—or knowingly ignored—the fact that the owner and agent had received full payment.

3. Filing Based on Forged or Unverified Documents

- The contract Silverstein relied upon was altered from the original lease renewal, omitting continuity, tenant rights, and past deposit credits.
- No verification was made regarding agent authority or whether the lease submitted was valid.

4. Retaliatory Action in Violation of Statutory Law

- The eviction occurred shortly after the tenant issued formal mold complaints and reported the landlord to police and regulatory agencies.
- Filing appeared to be retaliatory in nature, in violation of Civil Code §1942.5 and Fair Housing provisions.

5. Violation of California Rules of Professional Conduct

- Rule 3.1: Meritorious Claims and Contentions
- Rule 3.3: Candor Toward the Tribunal
- Rule 8.4: Misconduct – engaging in dishonesty, fraud, or misrepresentation
- Business & Professions Code §6068(d): Duty to present only truthful evidence and assist in justice



SUPPORTING EVIDENCE

- Lease agreement and DocuSign extension (Exhibits B1–B2)
- April cashier's check image and USPS delivery record (Exhibit A1)
- Texts confirming agent receipt: "Hanson has the check"
- Resignation of agent prior to eviction filing (Exhibit B4)
- Timeline showing retaliation following tenant complaints
- Emails and screenshots showing notice of fraud sent to both Silverstein and Berkshire Hathaway Legal



ACTION REQUESTED

I respectfully request that the State Bar investigate Mr. Silverstein's handling of the eviction filing, with attention to improper verification, reliance on forged contracts,

and failure to act upon evidence of fraud. I am requesting disciplinary review, and if appropriate, sanctions or referral for further legal accountability.

I am prepared to submit notarized documentation, transcripts, and all correspondence relevant to this complaint.

Respectfully,

Michael Gasio

[Phone Number]

[Email Address]

[Address]

Date: [Insert Date]

Agency Submission Packet



PLUS

AGENCY SUBMISSION PACKET – EMAIL TEMPLATES & COVER TEXT

Prepared for: DOJ, IRS, State Bar, CA Dept. of Real Estate, Housing Authorities

Prepared by: Michael Gassio

Date: [Insert Date of Submission]



DOJ / FBI SUBMISSION EMAIL (RICO & FRAUD)

To: [DOJ Tips or FBI Field Office Email]

Subject: Urgent RICO Complaint – Fraudulent Eviction, Forged Contracts,
Concealed Funds

Dear Department of Justice,

Attached is a full legal complaint and supporting evidence involving a RICO-pattern eviction scheme using forged lease documents, suppressed payments, and retaliatory filings. Violations include:

- 18 U.S.C. §1341 – Mail Fraud
- 18 U.S.C. §1343 – Wire Fraud
- 18 U.S.C. §1962 – RICO (pattern of racketeering)

The named actors include:

- Landlord Phat Tran
- Berkshire Hathaway agent Hanson Le
- Attorney Steven D. Silverstein
- Property agents and contractors involved in a multi-year concealment effort

I have compiled 1,450+ documents and can provide notarized statements, contracts, and digital records. I am requesting a formal review and investigation.

Respectfully,

Michael Gassio

[Phone Number]

[Email Address]

[Attach: Federal Complaint Cover + Criminal Actor Matrix + Binder PDF]



IRS SUBMISSION EMAIL (TAX FRAUD)

To: IRS Fraud Tip Submission Portal / Email

Subject: Landlord Income Concealment – Tax Fraud and Retaliatory Rent Scheme

Dear IRS Criminal Investigations Division,

I am submitting a complaint regarding underreported rental income and possible tax evasion by landlord Phat Tran, involved in a fraudulent eviction and multi-party lease concealment scheme. I have attached:

- Lease records and altered contract versions
- Evidence of cash payments and returned checks
- Letters warning Berkshire Hathaway and related agencies

This activity should be reviewed in conjunction with DOJ and State Bar referrals.

Respectfully,

Michael Gassio

[Phone Number]

[Email Address]



CALIFORNIA STATE BAR (ROSIAK & SILVERSTEIN)

To: complaints@calbar.ca.gov

Subject: Ethics Complaint – Rosiak (Abandonment) / Silverstein (Improper Filing)

Dear State Bar Intake,

Please see attached formal complaints against:

- Richard Rosiak: Abandonment of representation, refusal to act despite full payment and documented medical distress, terminated months before trial.
- Steven D. Silverstein: Filing an unlawful eviction on behalf of a party lacking legal standing, ignoring submitted payment evidence and tenant protection laws.

Supporting evidence is available in the attached binder index and filings.

Sincerely,

Michael Gassio

[Phone Number]

[Email Address]



CA DEPT. OF REAL ESTATE / HOUSING AUTHORITY

To: enforcement@dre.ca.gov or [County Housing Authority Email]

Subject: Real Estate Misconduct and Retaliatory Eviction – Berkshire Hathaway
Franchises

Dear DRE Enforcement,

I am submitting a formal complaint concerning agents affiliated with Berkshire Hathaway HomeServices who issued fraudulent lease agreements, accepted concealed payments, and facilitated retaliatory eviction practices. The actions violate CA Civil Code §1942.5 and DRE ethics rules.

Key actors:

- Hanson Le (Ethos Properties/BHHS)
- Anna Ly (Listing agent)

I request an investigation into licensing violations and brokerage liability. All documentation is available in the attached report.

Best regards,

Michael Gasio

[Phone Number]

[Email Address]

[Attach: Complaint Letter + Binder Index + Exhibits Summary]

ASE FILE EXPORT README – MICHAEL GASIO v. PHAT TRAN et al.

Prepared for: Attorneys, Agencies, and Courts

Date: [Insert Export Date]

OVERVIEW

This folder contains the full legal and evidentiary package for the civil and criminal claims arising from the wrongful eviction, real estate fraud, and retaliatory conduct initiated against Michael Gassio and his household.

All documents are court-formatted, evidentiary-ready, and organized for agency intake, attorney review, or formal discovery.

CONTENTS INCLUDED

1. **FINAL_CASE_PACKAGE_V1.pdf**
 - Parts 0–7: Cover letter, full narrative, legal argument, damages, and violations
2. **EMAIL_EVIDENCE_INDEX.pdf**
 - Chronological email and communication records with named parties
3. **EXHIBIT_BINDER_INDEX.pdf**
 - All referenced attachments including checks, contracts, notices, text messages
4. **ATTORNEY_SUMMARY_LETTER.pdf**
 - Rapid intake letter for attorneys or public officials
5. **CRIMINAL_ACTOR_MATRIX.pdf**
 - Detailed actor-by-actor misconduct table with matching statutes
6. **MEDICAL_IMPACT_ADDENDUM.pdf**
 - Documented impact of stress, panic, cardiac complications

7. FINAL_DAMAGES_SUMMARY.pdf

- Table of losses and statute-aligned damages totals

8. WITNESS_STATEMENT_LOG.pdf

- Roles, timelines, and testimony scope for each witness

9. STATE_BAR_COMPLAINT_ROSIK.pdf

- Formal complaint against former legal counsel for abandonment and negligence

10. STATE_BAR_COMPLAINT_SILVERSTEIN.pdf

- Formal complaint regarding improper eviction filings and disregard of evidence

11. FEDERAL_COMPLAINT_COVER.pdf

- DOJ and IRS-ready RICO and tax fraud summary letter

12. AGENCY_SUBMISSION_PACKET.pdf

- Email templates and cover language for submission to DOJ, IRS, State Bar, DRE, and Housing Authorities



FILE FORMAT & SHARING

All documents are provided as PDFs for compatibility with legal and government systems.

Originals can be furnished in editable DOCX or ZIP formats upon request.

Google Drive folder access is available to approved legal, investigative, or oversight professionals.

CONTENTS INCLUDED

1. FINAL_CASE_PACKAGE_V1.pdf

- **PART 0: Cover Letter to Court of Appeal**

Michael Gassio submits this appeal under protest, citing concealment of payments, forged lease terms, and procedural violations. He references evidence

including the April cashier's check, agent confirmation of receipt, and retaliatory actions violating state law.

- **PART 1: Chronological Narrative & Key Actors**

Begins with move-in December 2021. Establishes payment history, lease renewals, agent misconduct, false notices, concealment of payment, retaliatory eviction attempt, police involvement, and agent resignation.

- **PART 2: Statutory Violations Summary**

Lists all applicable statutes: CA Penal Code §§ 470, 118, 487, 368, 519; Civil Code §§ 1942.5, 1950.5; Federal violations under 18 U.S.C. §§ 1341, 1343, 1962 (RICO), ADA and Fair Housing Act.

- **PART 3: Exhibit Binder Index**

Documents include signed leases, cashier's check, text message confirmations, photos, receipts, email threads, USPS delivery proof, Home Depot receipt, inspection results.

- **PART 4: Witness Statement Log**

Witnesses include Yulia Gasio, mother-in-law, Officer Randall (HBPD), a neighbor, the Surf City inspector, and attorney Rosiak. Each ties directly to one or more factual events in the complaint.

- **PART 5: Financial Damages Summary**

Shows \$253,300 in damages across rent interference, medical harm, loss of property, legal fees, and emotional distress. Includes triple damages from CA Civ Code §1942.5 and quantified value of square footage loss.

- **PART 6: Legal Argument Framework**

Demonstrates landlord and agent actions constitute a RICO pattern of concealment, intimidation, and retaliation. Highlights breach of lease terms, fraudulent document submission, ADA impact, and denial of procedural justice.

- **PART 7: Closing Advisory Notes**

States explicitly that mediation is not recommended due to bad faith and concealment. Calls for full discovery and evidentiary hearing.

2. **EMAIL_EVIDENCE_INDEX.pdf**

- **Summary:** Demonstrates consistent good-faith outreach, timely notification, and ignored fraud warnings. Establishes pre-litigation awareness.

3. **EXHIBIT_BINDER_INDEX.pdf**

- **Summary:** Anchors every claim with timestamped documentation, matching each chapter and actor to proof of misconduct.

4. **ATTORNEY_SUMMARY_LETTER.pdf**

- **Summary:** One-page synopsis built for attorney onboarding or referral escalation.

5. **CRIMINAL_ACTOR_MATRIX.pdf**

- **Summary:** Breaks down each party's role in the fraudulent eviction scheme, including statutory violations, timelines, and connected exhibits.

6. **MEDICAL_IMPACT_ADDENDUM.pdf**

- **Summary:** Links retaliatory eviction to medically verified harm, supporting ADA claims and compensatory damages.

7. **FINAL_DAMAGES_SUMMARY.pdf**

- **Summary:** Quantifies over \$250,000 in losses, with breakdown by lease interference, relocation, legal, and medical costs.

8. **WITNESS_STATEMENT_LOG.pdf**

- **Summary:** Corroborates each chapter's claims via family, law enforcement, inspector, and attorney statements.

9. **STATE_BAR_COMPLAINT_ROSIK.pdf**

- **Summary:** Documents attorney misconduct, missed deadlines, and patient vulnerability at time of abandonment.

10. **STATE_BAR_COMPLAINT_SILVERSTEIN.pdf**

- **Summary:** Establishes Silverstein's filing without standing, suppression of known evidence, and reliance on false lease terms.

11. **FEDERAL_COMPLAINT_COVER.pdf**

- **Summary:** Highlights mail/wire fraud, forged leases, concealment of payments, and retaliatory patterns qualifying under RICO.

12. **AGENCY_SUBMISSION_PACKET.pdf**

- **Summary:** Pre-written, agency-tailored emails to support immediate case escalation and regulatory contact.