

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

PEOPLE OF THE STATE OF NEW YORK, by
ANDREW M. CUOMO, Attorney General of the
State of New York,

Plaintiff,

- against -

CHAY PA LOU COMMUNITY CENTER INC.,
DELEGUE TAX CONSULTANT, INC., and
JEAN MICHEL,

Defendants.

VERIFIED COMPLAINT

Index No. 401465/2010

Plaintiff, the People of the State of New York, by its attorney, ANDREW M. CUOMO, Attorney General of the State of New York (“Attorney General”), respectfully alleges, upon information and belief:

PRELIMINARY STATEMENT

1. The Attorney General brings this action pursuant to New York Executive Law § 63(12), and other state and local statutes cited herein, against Chay Pa Lou Community Center, Inc. (“Defendant Chay Pa Lou”), Delege Tax Consultant, Inc. (“Defendant Delege”), and Jean Michel, Executive Director of Defendant Chay Pa Lou and employee of Defendant Delege (“Defendant Michel”) (collectively “Defendants”) for repeatedly engaging in, and/or facilitating, deceptive, fraudulent, illegal and discriminatory business practices in providing immigration-related legal services to New York consumers. The Attorney General seeks injunctive relief, damages, penalties and costs against Defendants, and the dissolution of Defendants and a permanent bar on Defendants’ principals from conducting any business relating to immigration services in the State of New York.

2. On January 12, 2010, Haiti experienced a devastating natural disaster. In response, the United States government extended the special immigration benefit of Temporary Protected Status (“TPS”) to Haitian nationals residing in the United States. This benefit would allow eligible Haitian nationals to remain in the United States legally for at least the next eighteen (18) months while authorized to work. TPS applications must be filed by July 20, 2010 in order to be considered.

3. Defendants are not authorized to provide immigration services under current state and federal law. However, Defendants took advantage of vulnerable immigrants that immediately sought the services of authorized individuals to assist them in the application process by claiming to be authorized to provide the services, while charging exorbitant fees as high as thirteen hundred dollars (\$1,300).

4. The Attorney General started receiving complaints against Defendants and initiated an investigation by serving Defendants Chay Pa Lou and Michel with a subpoena. Defendant Chay Pa Lou ignored the subpoena and instead attempted to avoid liability by purportedly dissolving and re-naming itself Defendant Delege. Further, Defendant Michel depleted Defendant Chay Pa Lou’s charitable assets.

5. The Attorney General has since obtained a Court Order to prevent Defendants Chay Pa Lou and Michel from destroying documents and from further dissipating Defendant Chay Pa Lou’s assets. However, Defendants continue to defraud immigrants in need of legal assistance by having non-attorneys hold themselves out as being able to provide legal advice and assistance to immigrants. Under the guise of Defendant Delege, Defendants continue to collect substantial legal fees for work performed by non-attorneys.

6. Defendants’ illegal conduct has caused and continues to cause individuals and

families to pay substantial fees for often inaccurate “legal” advice that causes or threatens to cause permanent damage to their immigration status in the United States.

7. Moreover, Defendant Michel engages in mismanagement, waste, and self-dealing. In the three weeks after the Attorney General subpoenaed Defendant Chay Pa Lou, Defendant Michel personally withdrew more than nineteen thousand dollars (\$19,000) in over-the-counter transactions from Defendant Chay Pa Lou’s bank account, depleting the organization’s bank account of virtually all funds, which the law requires are to be used only for the organization’s authorized charitable purposes. Defendants have failed to submit any documentation showing that there was any legitimate business purpose for such withdrawals.

8. The ongoing nature and scale of the fraud and illegality warrants injunctive relief. Unless enjoined, Defendants will continue to engage in unlawful conduct and will continue to cause substantial injury to New York residents. Further, the unlawful conduct is so pervasive that dissolution is necessary to protect the public from further substantial harm.

JURISDICTION AND VENUE

9. This Court has jurisdiction over this action pursuant to New York Executive Law § 63(12), which authorizes the Attorney General to seek injunctive relief and damages against any person who engages in repeated fraud or illegality in the conduct of business.

10. Further, New York General Business Law (“GBL”) Article 22-A, § 349 empowers the Attorney General to seek injunctive relief and civil penalties against any person who engages in deceptive acts and practices in the conduct of business.

11. Similarly, GBL Article 28-C, § 460-h empowers the Attorney General to seek injunctive relief and civil penalties against any person who violates the provisions of the New York State Immigrant Assistance Services Law, without requiring proof that any person has, in

fact, been injured or damaged thereby.

12. New York Judiciary Law § 476-a authorizes the Attorney General to bring an action enjoining the unlawful practice of the law.

13. Further, New York Human Rights Law empowers the Attorney General to seek an injunction, damages and penalties for discriminatory practices.

14. In addition, New York Not-for-Profit Corporation Law (“N-PCL”) §§ 112 and 1101(a)(2) authorize the Attorney General to bring an action to dissolve a corporation that has exceeded the authority conferred upon it by law; has violated any provision of law whereby it has forfeited its charter; has carried on, conducted or transacted business in a persistently fraudulent or illegal manner; or has abused its powers contrary to public policy of the State.

15. The Court also has jurisdiction over this action pursuant to its general jurisdiction under the New York Constitution, Art. VI § 7, and New York Judiciary Law § 140-b.

16. Venue is proper in this county pursuant to CPLR § 503(a) because the Attorney General maintains an office in New York County.

PARTIES

17. Plaintiff is the People of the State of New York, by the Attorney General.

18. Defendant Chay Pa Lou is registered with the New York Department of State as a not-for-profit corporation, and is exempt from federal income tax under § 501(c)(3) of the Internal Revenue Code. Defendant Chay Pa Lou’s office is located at 98 Veronica Place, Brooklyn, New York 11226.

19. Defendant Delege is a for-profit entity associated with Defendant Chay Pa Lou and has not been registered with the New York Department of State. Defendant Delege’s office is also located at 98 Veronica Place, Brooklyn, New York 11226.

20. Defendant Michel is the Executive Director of Defendant Chay Pa Lou and an employee of Defendant Delegee.

FACTUAL BACKGROUND

21. On January 12, 2010, there was a devastating earthquake in Port Au Prince, Haiti. On January 15, 2010, the U.S. Department of Homeland Security issued a decision granting Haitian citizens TPS. Haitian citizens have one hundred and eighty (180) days to file for TPS, and the final deadline to apply for the status is July 20, 2010.

22. The TPS immigration benefit allows Haitian citizens residing in the United States to adjust their status. Thus, many Haitian residents have been seeking the services of authorized individuals who may be able to assist them in the application process.

23. Shortly after the federal government's announcement granting TPS status to applicable Haitian residents, the Attorney General began receiving complaints alleging that Defendants are offering to file Haitian TPS applications without the proper accreditation and at inflated prices. The complaints also allege that Defendants are engaged in fraudulent business practices, the unauthorized practice of law, and discriminatory conduct targeting Haitian immigrants.

24. The Attorney General commenced an investigation by reviewing the complaints, as well as Defendants' policies, practices and tax filings. The Attorney General also conducted an undercover investigation of Defendants' operations in January and April 2010.

25. The investigation revealed that, since 1999 and in direct contravention of numerous state, city and federal laws, Defendants have repeatedly solicited individuals to pay significant fees for legal immigration-related services, and have misrepresented to the public their ability and qualifications to provide legal services. Victims are then left having paid

substantial fees and facing permanent damage to their immigration status as a result of receiving incorrect, unqualified, or incompetent legal advice.

26. Further, Defendant Michel is engaged in looting Defendant Chay Pa Lou's assets through improper transactions. Prior to the alleged dissolution, Defendant Chay Pa Lou's bank account contained funds in excess of twenty-five thousand dollars (\$25,000). Within the past several months, Defendant Michel personally withdrew more than nineteen thousand dollars (\$19,000) in over-the-counter transactions from Defendant Chay Pa Lou's bank account, largely depleting the organization's bank account of substantially all funds.

27. Defendant Michel, in an apparent bold move to circumvent this investigation, further attempted to dissolve Defendant Chay Pa Lou after the Attorney General subpoenaed him and his organization and to establish a new entity to continue the unlawful conduct.

28. The investigation revealed fraud and illegality so pervasive that Defendants Chay Pa Lou and Delege must be properly dissolved and terminated, respectively, to protect the public from further substantial harm and the assets used to provide restitution to victims who have been defrauded.

Defendants Chay Pa Lou and Delege are Organizationally Intertwined

29. Defendants Chay Pa Lou and Delege are formed separately, but there is substantial overlap in the operations and finances of the two entities.

30. Defendants Chay Pa Lou and Delege are controlled by the same individual, Defendant Michel, and maintain offices in the same building located at 98 Veronica Place, Brooklyn, New York 11226.

31. Although Defendant Michel claims Defendant Chay Pa Lou was dissolved in January 2010, he failed to file the necessary paperwork, including but not limited to a Plan for

Dissolution, which is required by law for such dissolution. Instead, Defendant Chay Pa Lou presented the Attorney General with a template form from the New York Department of State without even producing proof of filing.

32. Even assuming Defendant Chay Pa Lou properly dissolved, the evidence shows that the organization continues to operate through Defendant Delege, which performs the same services that Defendant Chay Pa Lou performs in the same location, with the same employees. When an undercover investigator from the Attorney General's office visited the address 98 Veronica Place, Brooklyn New York 11226 in April 2010 — after Defendant Chay Pa Lou had allegedly dissolved — the same employee who offered to file the undercover investigator's immigration application in January 2010 when the business was Defendant Chay Pa Lou offered to file the same immigration application for the undercover in April 2010. Further, a consumer visited Defendants' offices, also in April 2010, where Defendant Michel, Executive Director of Defendant Chay Pa Lou, offered her immigration services and incorrectly advised her that she was eligible to apply for TPS.

Defendants Engage in a Scheme to Defraud Immigrants

33. Defendants are engaged in an organized scheme to defraud by charging immigrants large sums of money by falsely guaranteeing their ability to obtain legal immigration status through special immigration benefits such as TPS, permanent residency, and even citizenship.

34. Defendants lure victims by falsely claiming to provide services, initially as a purportedly reputable not-for-profit for Haitian immigrants, but in fact require individuals to pay substantial legal fees to receive services that they are not authorized to provide.

35. Defendants demand thousands of dollars in fees and claim they can obtain

immigration papers even in cases where an individual has no legal basis to legal gain immigration status.

36. In addition, Defendant Chay Pa Lou charges legal fees based on the services being provided, rather than the ability of the particular client to pay for them, often resulting in at least several thousands dollars of legal fees on top of the government fees they must pay to obtain assistance with legal matters. This practice is in clear violation of the Internal Revenue Service rules which permit a not-for-profit provider of legal services to charge fees for legal services only if its fees are based upon the indigent client's limited abilities to pay, rather than the type of service provided. Defendants' current status as a for-profit entity does not allow them to now charge more than nominal fees, as Defendants are still bound by state law requiring that to be the case.

37. Further, Defendants engage in blatant fraud by forging money orders that they receive from consumers to pay for immigration filing fees.

Defendants Engage in the Unauthorized Practice of Law and Violate Civil Rights and the Not-for Profit Laws

38. In targeting and carrying out their scheme to defraud Haitian immigrants, Defendants also engage in the unauthorized practice of law and violate several civil rights laws. Although they are not qualified or legally authorized to provide legal services, Defendants violate several provisions of New York State, New York City and federal laws and regulations by providing legal services.

39. New York State law expressly prohibits non-lawyers from providing legal advice or conveying the impression that they are lawyers or qualified to provide legal services.

40. New York residents seeking assistance in immigration matters may retain the services of a licensed attorney or, alternatively, seek out the services of certain non-lawyers,

known as “immigrant assistance service providers.”

41. However, immigrant assistance service providers are only allowed to provide clerical services, such as completing immigration forms based on information provided by the immigrant consumer, notarizing documents if licensed to do so, translating documents, and mailing documents on behalf of consumers to the required government agencies for processing.

42. Only attorneys and accredited representatives of organizations recognized by the BIA may represent immigrants before federal immigration authorities. An individual who is not an attorney can obtain accreditation only through an organization recognized by the BIA. Neither Defendant Chay Pa Lou nor Defendant Delege is a recognized organization by the BIA. Further, Defendant Michel is not an attorney.

43. As a result, Defendants’ clients cannot, as a matter of law, be represented before the immigration courts or any other government immigration agency by non-lawyers -- a significant limitation on Defendants’ abilities to service their clients.

44. Nevertheless, officers and/or key employees of Defendants Chay Pa Lou and Delege who are not lawyers, including Defendant Michel, have improperly provided and continue to provide legal services at significant costs. Further, the legal advice and the paperwork they file is often incorrect as a matter of law.

45. Non-lawyers regularly meet with clients at Defendants’ offices to give them legal advice, which is often inaccurate. Moreover, consumers are under the impression they are interacting with individuals accredited to provide them with immigration services, when they are in fact meeting with non-lawyers who are also not accredited by the BIA.

46. Further, the Attorney General’s undercover investigation in April 2010 revealed that non-attorneys at Defendant Delege were still offering to provide legal advice to

immigrants, even after the Attorney General notified Defendant Chay Pa Lou and Michel through subpoenas that they were being investigated for, among other things, unlawfully providing legal advice. In fact, an employee of Defendant Delege advised the Attorney General's undercover investigator as recently as last month that they could submit applications for him for TPS and gave the Attorney General's undercover investigator the business card of Paola Moise, who is listed in her business card as Secretary for Defendant Delege. An undercover investigator previously met with Ms. Moise in January 2010 at Defendant Chay Pa Lou where she also offered to file a TPS application for the investigator.

47. In addition to the evidence of unauthorized practice of law and fraud, the Attorney General obtained evidence showing that after Defendant Michel received the subpoena on January 22, 2010, he withdrew most of the funds in Defendant Chay Pa Lou's bank account, which the law requires are to be used only for the organization's authorized charitable purposes. Bank records show that between January 30, 2010 and February 20, 2010, Defendant Michel withdrew approximately nineteen thousand (\$19,000) dollars from Defendant Chay Pa Lou's bank account with Carver Federal Savings bank on four occasions without any accounting of the purposes of these unusually high withdrawals of the non-profit's assets.

Requested Relief Necessary to Prevent Further Fraud and Harm to the Public

48. Defendants reap substantial benefits from their fraudulent conduct, which has resulted in substantial harm to immigrants of predominantly Haitian descent who reside in New York State and have an interest in adjusting their immigration status in the United States under very special circumstances only available to Haitian immigrants and for a very short period of time.

49. Contrary to the representations Defendants made to Haitian immigrants to

participate in the scheme, some victims are not able to adjust their status in the United States.

50. As a result of Defendants' fraudulent and discriminatory acts, individual victims have paid thousands of dollars without having their legal immigration needs met, while the Defendants have benefited financially.

51. Additionally, Defendant Chay Pa Lou reaped substantial profits from its conduct while taking advantage of the benefits that come with its status as a not-for-profit corporation.

52. Unless enjoined and ultimately dissolved, Defendants will continue to engage in this fraudulent scheme and will continue to cause substantial injury to thousands of New York State residents.

FIRST CAUSE OF ACTION:
NEW YORK EXECUTIVE LAW § 63(12)
FRAUD

53. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

54. New York Executive Law § 63(12) prohibits fraud in the conduct of any business, trade or commerce.

55. Defendants, in their capacity as organizational or individual immigration service providers, carry on, conduct and transact business in connection with these immigration service transactions.

56. By reason of the conduct alleged above, Defendants are repeatedly engaging in fraudulent acts and practices in connection with the transactions in violation of New York Executive Law § 63(12).

SECOND CAUSE OF ACTION:
NEW YORK GENERAL BUSINESS LAW § 349
DECEPTIVE ACTS AND PRACTICES

57. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

58. New York General Business Law § 349 prohibits “deceptive acts or practices in the conduct of any business, trade or commerce or in the furnishing of any service” in New York State.

59. By acting organizationally or individually as immigration service providers, Defendants conduct “business” or provide a “service” within the meaning of New York General Business Law § 349.

60. Defendants engage in one or more of the following deceptive acts or practices in connection with these immigration service transactions:

- a. misrepresenting to the public that Defendant Chay Pa Lou is a not-for-profit charitable organization while also reaping substantial profits from the services they offer;
- b. misrepresenting Defendants’ qualifications to provide immigration services;
- c. misrepresenting immigrants’ chances to adjust their status in the United States;
and
- d. permitting non-lawyers to provide legal services to immigrants.

61. By reason of the conduct alleged above, Defendants are engaging in deceptive business conduct in violation of New York General Business Law § 349 and Defendant Delege should be prohibited from further operating a business in the State of New York.

THIRD CAUSE OF ACTION:
PURSUANT TO NEW YORK EXECUTIVE LAW § 63(12) – ILLEGALITY
VIOLATIONS OF NEW YORK GENERAL BUSINESS LAW § 349
DECEPTIVE ACTS AND PRACTICES

62. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

63. A violation of state law constitutes illegality within the meaning of New York Executive Law § 63(12) and is actionable thereunder when persistent or repeated.

64. Defendants' repeated and persistent violations of GBL Article 22-A, § 349 are thus violations of New York Executive Law § 63(12).

65. By their actions in violation of GBL § 349, Defendants are engaging in repeated and persistent illegality in violation of New York Executive Law § 63(12).

FOURTH CAUSE OF ACTION:
NEW YORK JUDICIARY LAW § 478
UNAUTHORIZED PRACTICE OF THE LAW BY
DEFENDANT MICHEL

66. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

67. New York Judiciary Law § 478 prohibits individuals from practicing or appearing as attorneys-at-law without being admitted and registered. By advising individuals in immigration matters such as instructing individuals on which immigration forms to complete and file with the immigration authorities in order to obtain a certain immigration benefit, and advising individuals on the purported best course of action for their immigration matters, Defendant Michel repeatedly and persistently violates New York Judiciary Law § 478.

68. By reason of the conduct alleged above, Defendant Michel is engaging in the unauthorized practice of the law in violation of New York Judiciary Law § 478.

FIFTH CAUSE OF ACTION:
PURSUANT TO NEW YORK EXECUTIVE LAW § 63(12) - ILLEGALITY
VIOLATIONS OF NEW YORK JUDICIARY LAW § 478
UNAUTHORIZED PRACTICE OF THE LAW BY
DEFENDANT MICHEL

69. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

70. A violation of state law constitutes illegality within the meaning of New York Executive Law § 63(12) and is actionable thereunder when persistent or repeated.

71. Defendant Michel's repeated and persistent violations of New York Judiciary Law § 478 are thus violations of New York Executive Law § 63(12).

72. By reason of the conduct alleged above, Defendant Michel is repeatedly and persistently engaging in illegality in violation of New York Executive Law § 63(12).

SIXTH CAUSE OF ACTION:
VIOLATIONS OF NEW YORK JUDICIARY LAW § 495
UNAUTHORIZED PRACTICE OF THE LAW BY DEFENDANTS CHAY PA LOU AND
DELEGUE

73. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

74. New York Judiciary Law § 495 contains a general prohibition against the provision of legal services by corporations. There is, in relevant part, an exception for non-profit organizations where legal services are furnished "as an incidental activity in furtherance of their primary purpose" or where the not-for-profit organizations "have as their primary purpose the furnishing of legal services to indigent persons."

75. Defendant Chay Pa Lou does not qualify under either prong of the exception. The provision of legal services is not incidental to their primary purpose, but rather is integral to their purpose and operation.

76. Moreover, because of the market rates they charge, Defendant Chay Pa Lou cannot claim to provide free legal services to indigent persons.

77. Defendant Delege is allegedly a corporation and as such, it is prohibited from providing legal services.

78. By reason of the conduct alleged above, Defendants Chay Pa Lou and Delege are engaging in illegal conduct in violation of Judiciary Law § 495.

SEVENTH CAUSE OF ACTION:
NEW YORK GENERAL BUSINESS LAW §§ 460-a through 460-j
IMMIGRANT ASSISTANCE SERVICE PROVIDERS

79. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

80. New York General Business Law, Article 28-C (§§ 460-a through 460-j) regulates the conduct of immigration service providers, defined as any person “providing assistance, for a fee, or other compensation, to persons who have [...] come to the United States [...], in relation to any proceeding, filing or action affecting the non-immigrant, immigrant or citizenship status of a person which arises under the immigration and nationality law, executive order or presidential proclamation, or which arises under actions or regulations of the [United States Citizenship and Immigration Services (“USCIS”), United States Department of Labor, or the United States Department of State].”

81. By failing to provide proper written contracts to their clients, Defendants repeatedly and persistently violate GBL § 460-b.

82. By failing to post signs where Defendants provide immigration services, indicating that they are not attorneys and are not authorized to represent individuals before the

USCIS or any immigration authority, Defendants repeatedly and persistently violate GBL § 460-c.

83. By failing to include the required language in their advertisements indicating that they are not attorneys and are not authorized to represent individuals before the USCIS or any immigration authority, Defendants repeatedly and persistently violate GBL § 460-d.

84. Defendants repeatedly and persistently violate GBL § 460-e by:

- a. advising each victim on the process to follow and forms required to adjust their immigration status;
- b. retaining fees for services that were not performed or costs not actually incurred;
- c. failing to provide customers with copies of documents filed with a governmental entity and/or refusing to return original documents supplied by, prepared on behalf of, or paid for by the customer, upon the request of the customer, or upon termination of the professional relationship;
- d. making false statements and misrepresentations about the process for immigrants to adjust their status in the United States; and
- e. guaranteeing and promising to adjust the victims' immigration status even when some victims may have no viable claim to do so.

85. Defendants fail to comply with the surety requirement provided by GBL § 460-g.

86. By reason of the conduct alleged above, Defendants are engaging in illegal conduct in violation of New York General Business Law §§ 460-a through 460-j.

EIGHTH CAUSE OF ACTION:
PURSUANT TO NEW YORK EXECUTIVE LAW § 63(12) – ILLEGALITY
VIOLATIONS OF NEW YORK GENERAL BUSINESS LAW §§ 460-a through 460-j
IMMIGRANT ASSISTANCE SERVICE PROVIDERS

87. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

88. A violation of state law constitutes illegality within the meaning of New York Executive Law § 63(12) and is actionable thereunder when persistent or repeated.

89. Defendants repeated and persistent violations of GBL Article 28-C, §§ 460-a through 460-j are thus violations of New York Executive Law § 63(12).

90. By their actions in violation of GBL §§ 460-a through 460-j, Defendants are engaged in repeated and persistent illegal conduct in violation of New York Executive Law § 63(12).

NINTH CAUSE OF ACTION:
PURSUANT TO NEW YORK EXECUTIVE LAW § 63(12)
VIOLATIONS OF NEW YORK CITY IMMIGRATION ASSISTANCE SERVICES LAW
§§ 20-770 through 20-780

91. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

92. Title 20 of the Administrative Code of the City of New York §§ 20-770 through 20-780 (“NYC Immigration Assistance Services Law”) regulates the conduct of immigration assistance service providers in New York City.

93. Defendants repeatedly and persistently violate NYC Immigration Assistance Services Law § 20-771(b) by retaining fees for services that were not performed or costs not actually incurred.

94. Defendants repeatedly and persistently violate NYC Immigration Assistance Services Law § 20-771(c) by failing to provide customers with copies of documents filed with a governmental entity and/or refusing to return original documents supplied by, prepared on behalf of, or paid for by the customer, upon the request of the customer, or upon termination of the professional relationship.

95. Defendants repeatedly and persistently violate NYC Immigration Assistance Services Law § 20-771(e) by advising each immigrant on the process to follow and forms required to adjust their immigration status.

96. Defendants repeatedly and persistently violate NYC Immigration Assistance Services Law § 20-771(f) by guaranteeing and promising to adjust the victims' immigration status when some victims have no viable claim to do so.

97. By failing to provide written contracts to their clients in English and in a language they would understand, Defendants repeatedly and persistently violate NYC Immigration Assistance Services Law § 20-772.

98. By failing to post signs where Defendants provide immigration services, indicating that they are not attorneys and are not authorized to represent individuals before the USCIS or any immigration authority, Defendants repeatedly and persistently violate NYC Immigration Assistance Services Law § 20-773.

99. By failing to include the required language in their advertisements indicating that they are not attorneys and are not authorized to represent individuals before the USCIS or any immigration authority, Defendants repeatedly and persistently violate NYC Immigration Assistance Services Law § 20-774.

100. Defendants fail to comply with the surety requirement provided by NYC Immigration Assistance Services Law § 20-776.

101. By reason of the conduct alleged above, Defendants in illegal conduct in violation of NYC Immigration Assistance Services Law §§ 20-770 through 20-780.

102. By their actions in violation of NYC Immigration Assistance Services Law §§ 20-770 through 20-780, Defendants are engaging in repeated and persistent illegality in violation of New York Executive Law § 63(12).

TENTH CAUSE OF ACTION:
PURSUANT TO EXECUTIVE LAW § 63(12)
VIOLATIONS OF NEW YORK STATE HUMAN RIGHTS LAW
DISCRIMINATION BASED ON NATIONAL ORIGIN

103. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

104. New York State Human Rights Law § 296(2)(a) prohibits discrimination in public accommodations based on national origin.

105. In their capacity as immigration service providers, Defendants Chay Pa Lou and Delege, under the direction and control of Defendant Michel, are places of public accommodation and illegally seek to defraud Haitian immigrants based on their national origin.

106. By reason of the conduct alleged above, Defendants Chay Pa Lou and Delege, under the direction and control of Defendant Michel, are repeatedly engaging in discrimination in connection with the transactions in violation of New York State Human Rights Law § 296(2)(a).

107. By their actions in violation of New York State Human Rights Law § 296(2)(a), Defendants are engaged in repeated and persistent illegal conduct in violation of New York Executive Law § 63(12).

ELEVENTH CAUSE OF ACTION:
PURSUANT TO EXECUTIVE LAW § 63(12)
VIOLATIONS OF NEW YORK CITY HUMAN RIGHTS LAW
DISCRIMINATION BASED ON ALIENAGE,
CITIZENSHIP STATUS AND NATIONAL ORIGIN

108. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

109. Title 8 of the Administrative Code of the City of New York (“New York City Human Rights Law”) § 8-107(4) prohibits discrimination in public accommodations based on national origin, citizenship status and alienage.

110. In their capacity as immigration service providers, Defendants Chay Pa Lou and Delegue, under the direction and control of Defendant Michel, are places of public accommodation and illegally seek to defraud Haitian immigrants based on their national origin, citizenship status and alienage.

111. By reason of the conduct alleged above, Defendants Chay Pa Lou and Delegue, under the direction and control of Defendant Michel, are repeatedly engaging in discrimination in connection with the transactions in violation of New York City Human Rights Law § 8-107(4).

112. By their actions in violation of New York City Human Rights Law § 8-107(4), Defendants are engaged in repeated and persistent illegal conduct in violation of New York Executive Law § 63(12).

TWELFTH CAUSE OF ACTION:
NEW YORK NOT-FOR-PROFIT CORPORATION LAW § 1101(a)(2)
EXCEEDING AUTHORITY CONFERRED BY LAW, ACTING CONTRARY TO
CHARTER, ENGAGING IN PRIVATE INUREMENT, PERSISTENT FRAUD AND
ILLEGAL CONDUCT JUDICIAL DISSOLUTION OF DEFENDANT CHAY PA LOU

113. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

114. Defendant Chay Pa Lou has exceeded the authority conferred upon it by law, and acted beyond its capacity or power as provided by law, in that, among other things, Defendant Chay Pa Lou conducts activities for profit or gain, in violation of N-PCL § 102(a)(5)(1).

115. Defendant Chay Pa Lou has conducted its business in a persistently fraudulent and illegal manner, in that it (a) holds itself out as providing legal services free of charge or for nominal fees, whereas in fact the rates it charges approach or exceed the rates charged by private, profit making firms; (b) regularly has non-lawyers providing legal advice; (c) has allowed promises to be made, by non-lawyers, about the results that can be obtained for a particular client, where there is not a reasonable ground to believe that that result can be achieved; and (d) has collected fees from clients where services were not provided or were not adequately provided in return.

116. Accordingly, Defendant Chay Pa Lou should be dissolved pursuant to N-PCL §§ 112(a)(1) and 1101(a)(2).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that a judgment and order be issued:

1. permanently enjoining Defendants and their employees, agents, successors, heirs and assigns, directly or indirectly, from violating Executive Law § 63(12), GBL Article 22-A, GBL Article 28-C, the Judiciary Law, New York City Immigration Assistance Services Law, and New York State and New York City Human Rights Laws and from engaging in the discriminatory, fraudulent, deceptive and illegal acts and practices alleged in the Verified Complaint;
2. permanently enjoining Defendants from conducting business in the State of New York involving the provision of immigration services;
3. permanently enjoining Defendants from engaging in the unauthorized practice of law;
4. extending the Order signed by Hon. Joan A. Madden on April 19, 2010 to permanently enjoining Defendants from converting, transferring, selling or otherwise disposing of funds belonging to or received from Defendants Chay Pa Lou and Delegee;
5. directing Defendants to pay a penalty to the State of New York for each violation of GBL Article 22-A, pursuant to GBL § 350-d;
6. directing Defendants to pay a penalty to the State of New York for each violation of GBL Article 28-C, pursuant to GBL § 460-h;
7. awarding Plaintiff additional costs of \$2,000 against Defendants pursuant to CPLR § 8303(a)(6);
8. dissolving Defendants Chay Pa Lou;
9. terminating the authority of Defendant Delegee and its principals from conducting

any business related to immigration services in the State of New York; and

10. granting Plaintiff such other and further relief as this Court finds appropriate and equitable, including injunctive, monetary and declaratory relief as may be required in the interests of justice.

Dated: New York, New York
June 8, 2010

ANDREW M. CUOMO
Attorney General of the State of New York

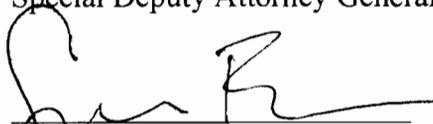
CIVIL RIGHTS BUREAU

By:



Alphonso B. David
Special Deputy Attorney General for Civil Rights

By:



Spencer Freedman
Chief Counsel for Civil Rights

Elizabeth De León
Assistant Deputy Counselor

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VERIFICATION

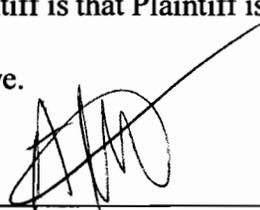
STATE OF NEW YORK)
COUNTY OF NEW YORK) ss:

ALPHONSO B. DAVID, being duly sworn, deposes and says:

I am Special Deputy Attorney General for Civil Rights in the office of Andrew M. Cuomo, Attorney General of the State of New York, and am duly authorized to make this verification.

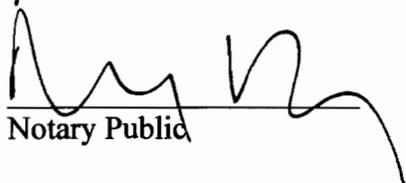
I have read the foregoing complaint and know the contents thereof, which are to my knowledge true, except as to matters stated to be alleged on information and belief, and as to those matters, I believe them to be true. The grounds for my belief as to all matters stated upon information and belief are investigative materials contained in the files of the Attorney General's office.

The reason this verification is not made by Plaintiff is that Plaintiff is a body politic and the Attorney General is its duly authorized representative.



ALPHONSO B. DAVID

Sworn to before me this
7th day of June, 2010



Notary Public

MOLLY DOHERTY
Notary Public, State of New York
No. 02D06062497
Qualified in New York County
Commission Expires ~~August 6, 2009~~ October 5, 2013