



OFFICE OF DISCIPLINARY COUNSEL

August 14, 2019

**SENT VIA FIRST-CLASS AND
CERTIFIED MAIL NO. 9414 7266 9904 2144 5096 04**

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Hsien-Cheng Chang, Esquire
c/o Dennis Quinn, Esquire
Carr Maloney, P.C.
2020 K Street, N.W., Suite 850
Washington, D.C. 20006

Re: *In re Hsien-Cheng Chang, Esquire*
Disciplinary Docket No. 2016-D301

Dear Mr. Chang:

This office has completed its investigation of the above-referenced matter. We find that your conduct reflected a disregard of certain ethical standards under the District of Columbia Rules of Professional Conduct (the "Rules"). We are therefore issuing you this Informal Admonition pursuant to D.C. Bar Rule XI, §§ 3, 6, and 8.

We docketed this matter based upon a complaint from your former client, C.L., who states that she and her husband Z.Z. retained you to assist them with an immigration matter. The clients allege that you failed to answer their requests for information and were not diligent in the handling of their EB-5 investment matter.

Relevant facts

The clients are Chinese nationals who retained you to pursue their interest in securing an EB-5 immigrant visa in the United States. Under the EB-5 program a foreign investor can qualify for a visa by investing at least \$1 million to finance a business in the United States. The clients were working with an individual X.Z who assisted them with the investment process. In June 2013, X.Z. introduced the clients to you and they retained your firm. On July 24, 2013, C.L. signed the retainer agreement for your representation and agreed to pay \$15,000 for your representation. The clients and X.Z. had signed an investment agreement that you allege you did not receive until 2016. The investment agreement specified that the \$1 million investment was a loan. This provision violated the requirements for obtaining an EB-5 visa because this type of guarantee is prohibited. Even though, your retainer agreement stated that you would review the investment agreement, you failed to do so.

You state that you believed X.Z. was acting as the clients' agent because the clients resided in China. You state that you relied on the information that X.Z. provided to you on behalf of the clients. The clients state that they attempted to communicate directly with you, but you did not promptly respond to their requests. On November 19, 2013, you filed the EB-5 petition without a receipt, or other evidence showing how the \$1,000,000 was spent. You included a bank statement that showed the balance in the account was \$58.00, not the \$650,000 you listed in the I-526. C.L. and Z.Z. claim that they requested a copy of the filing, but you did not provide it. In 2015, C.L. and Z.Z. suspected that X.Z. had stolen their investment funds and advised you of same. They hired an attorney to investigate. On or about July 10, 2015, the clients through their new attorney obtained a copy of the I-526 and decided to withdraw their petition, which you did on their behalf. In 2016, the clients sued your firm for malpractice, and you agreed to settle the malpractice action.

You state that you take full responsibility for your lack of communication and lack of diligence in handling their immigration case.

We have found that you violated Disciplinary Rules 1.3(a) and 1.4(a).

Rule 1.3 (a) states that a lawyer shall represent a client zealously and diligently within the bounds of the law.

Rule 1.4 (a) requires a lawyer to keep his client reasonably informed about the status of a matter, and to promptly comply with reasonable requests for information.

Conclusion

In issuing this informal admonition, we have taken into consideration that you have no prior discipline; accepted full responsibility for your actions during our investigation, you agreed to settle the malpractice action and are now retired from the practice of law.

This letter constitutes an Informal Admonition pursuant to D.C. Bar Rule XI, §§ 3, 6, and 8, and is public when issued. Please refer to the attachment to this letter of Informal Admonition for a statement of its effect and your right to have it vacated and have a formal hearing before a hearing committee.

If you would like to have a formal hearing, you must submit a written request for a hearing within 14 days of the date of this letter to the Office of Disciplinary Counsel, with a copy to the Board on Professional Responsibility, unless Disciplinary Counsel grants an extension of time. If a hearing is requested, this Informal Admonition will be vacated, and Disciplinary Counsel will institute formal charges pursuant to D.C. Bar Rule XI, §§ 8(b) and (c). This case will then be assigned to a hearing committee and a hearing will be scheduled by the Executive Attorney for the Board on Professional Responsibility pursuant to D.C. Bar Rule XI, § 8(c). Such a hearing could result in a recommendation to dismiss the charge(s) against you or a recommendation for a finding

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of culpability, in which case the sanction recommended by the Hearing Committee is not limited to an Informal Admonition.

Sincerely,

Hamilton P. Fox, III
Disciplinary Counsel

Enclosure: Attachment letter to Informal Admonition

cc: C. L (w/o enclosure)
Z. Z (w/o enclosure)

HPF:CDS:ipm