



The State Bar of California

OFFICE OF CHIEF TRIAL COUNSEL

845 South Figueroa Street, Los Angeles, CA 90017

800-843-9053
Fax: 213-765-1168

Attorney Misconduct Complaint Form

Your Information

Title:

First Name: GEARY

Middle Name:

Last Name: JOHNSON

Address: 1522 HI POINT ST 9

City: LOS ANGELES

State: CA

Zip Code: 90035

Email: TAINMOUNT@SBCGLOBAL.NET

Home Phone:

Work Phone:

Cell Phone: (323) 807-3099

If you prefer to communicate by email, please provide an email address. Complaints are confidential unless charges are filed. So that we may promptly communicate with you, please provide an email address to which you have exclusive access is not share with others.

Attorney's Information

First Name: MICHAEL

Middle Name:

Last Name: GERST

Address: 1801 CENTURY PARK EAST SUITE 1201

City: LOS ANGELES

State: CA

Zip Code: 90067

Email: gerst@novianlaw.com

CA Bar License #: 266514

Primary Phone: (310) 553-1222

Other Phone:

Cell Phone:

Website:

Complaint Information

To better achieve the State Bar's mission to protect the public, please answer the following questions:

Have you or a member of your family complained to the State Bar about this attorney previously?

☐

Yes

☒

No

Did you hire this attorney?

☐

Yes

☒

No

Does this complaint involve allegations of theft?

☐

Yes

☒

No

Does this complaint involve allegations of attorney misconduct where a person 65 years of age or older was victimized?

☒

Yes

☐

No

Does this complaint involve allegations of attorney misconduct where a person who is incapacitated, infirm, disabled, incarcerated, an immigrant, or a minor was victimized?

☒

Yes

☐

No

Does this complaint involve allegations that the attorney has abandoned a client?

☐

Yes

☒

No

Are you an attorney?

☐

Yes

☒

No

If you are an attorney:

Does this complaint involve allegations against an opposing counsel?

☐

Yes

☐

No

Are you filing this complaint based on your duty to report professional misconduct under Rule of Professional Conduct 8.3?

☐

Yes

☐

No

Statement of Complaint

Include with your submission a statement of what the attorney did or did not do that is the basis of your complaint. Please state the facts as you understand them. Do not include opinions or arguments. If you hired the attorney(s), state what you hired the attorney(s) to do. Additional information may be requested.

SEE ATTACHMENT AND EMAIL

Related Court Case Information (If known)

Name of Court: LASC

Case Name: JOHNSON V CITY OF LOS ANGELES

Case Number: 23STCP00644

Approx. date case was filed: 02/26/2023

Size of law firm complained about: UNKNOWN

If you are not a party to this case, what is your connection with it? Explain briefly.
PETITIONER PRO SE. I AM A PARTY.

Translation Information☒ Not Applicable

The State Bar accepts complaints in over 200 languages. If you need translation services to communicate with the State Bar, please let us know by completing this section of the complaint form. We will communicate with you through a translation service in the language of your choice. Do you need translation services?

☐ Yes☐ No

Please state the language in which you need formal translation:

The State Bar's mission is to protect complainants regardless of their immigration status. Complainants who are unable to complete this form due to disability, language restrictions, or other circumstances may obtain help by calling the complaint line at 800-843-9053.

Submission

By checking this box I certify that all information on this form is true and correct. I understand that the content of my complaint can be disclosed to the attorney. I understand that I waive the attorney client privilege and any other applicable privilege between myself and the attorney to the extent necessary for the investigation and prosecution of the allegations.

Signature:



Date:



Against licensee 266514.

Against law firm Novian & Novian LLP.

Novian & Novian LLP , 1801 Century Park E, Ste 1201, Los Angeles, CA 90067-2314

Phone: 310-553-1222 | Fax: 310-553-0222

Email: gerst@novianlaw.com | Website: Not Available

State Bar Act

6001.1 State Bar–Protection of the Public
as the Highest Priority

6008.3 Default Upon Obligations; Rights
and Remedies

§ 6035 Definitions

§ 6036 Disqualification of Member for
Financial or Personal Conflict;
Exceptions; Disclosure

§ 6100 Disbarment or Suspension

§ 6103.5 Communicate Written Offer of
Settlement to Client

§ 6128 Deceit, Collusion, Delay of Suit and
Improper Receipt of Money as
Misdemeanor

RULES OF PROFESSIONAL CONDUCT

Rule 1.2.1 Advising or Assisting the Violation
of Law

Rule 3.10 Threatening Criminal, Administrative,
or Disciplinary Charges

Rule 4.1 Truthfulness in Statements to
Others

Rule 4.3 Communicating with an
Unrepresented Person*

Rule 8.4.1 Prohibited Discrimination,
Harassment and Retaliation

Gerst has represented that as a tenant in this action that I am first come first serve for tandem parking. Ghost has not given any verifiable proof from the from the owner that that is true. In the meantime, I have not gotten the housing service that he says I am titled to entitled to.

Gerst has also maintained that there are no tandem or other parking stalls available in order for me to be assigned a tandem parking stall. This is also untrue as I have proven to Mr. Gerst that there are available parking stalls that I could be assigned to.

Gerst has also represented that the owner will not provide the necessary parts or tools to use the Akuvox intercom system. This represents assisting in the violation of the law, and lack of truthfulness and statements to myself as a pro per. Gerst maintains by his actions, and he says supporting the actions of the city government, that he will not protect the public from government corruption.

Gerst has also said that he supports the city government position that on the matter of CE273371 case file that the city held a public hearing on the matter. The city did not hold a public hearing and such statement by the city and supported by Gerst is not a truthful statement. I have proven that the original case file in this matter was 138 pages but the city has amplified that to over 1200 pages and the Gerst has supported such untruthful statements by the city and government and falsification of the record.

Gerst has also maintained that he joins in actions by the city attorneys office misrepresentations and false statements. For example, the city has maintained that the housing department can enforce the harassment ordinance. However, there is no authority for the LAHD to enforce the harassment ordinance. Gerst maintains that he will support any city action that opposes any motion in which I tried to expose the corruption of local government officials.

Gerst has retaliated against me because I claimed unlawful discrimination. In retaliation he has prohibited me from contacting the owner of the rental property which is my right and obligation to contact the owner under the rental agreement and my right under federal and state law regarding contract rights.

Gerst is assisting in the violation of the law by his client as well as the City government.

§ 6077 Rules of Professional Conduct—
Sanctions for their Violation

6092 Attorney Competency—Study and
Report to Legislature

Attached email dated November 6, 2023 at 10:41 pm Subject Line: Please restore the intercom in my unit and the tandem parking stall today without further delay. CRD case 202305-20745222

/Geary J. Johnson/
November 14, 2023

1522 Hi Point St 9
Los Angeles CA 90035
323-807-3099

Please restore the intercom in my unit and the tandem parking stall today without further delay. CRD case 202305-20745222

COPY

From: G Johnson (tainmount@sbcglobal.net)

To: gerst@novianlaw.com

Cc: deborah.breithaupt@lacity.org; shou.committee@senate.ca.gov; mayor.helpdesk@lacity.org; lahd.rso.central@lacity.org; hcidla.reap@lacity.org; paul.krekorian@lacity.org; councilmember.price@lacity.org; councilmember.lee@lacity.org; highpoint1522@gmail.com; 09e41e7459a05677911c@powerpropertygroup.mailer.appfolio.us; megan@boldpartnersre.com; cityatty.help@lacity.org; councilmember.hernandez@lacity.org; councilmember.blumenfeld@lacity.org; councilmember.raman@lacity.org; councilmember.yaroslavsky@lacity.org; cd10@lacity.org; councilmember.park@lacity.org; councilmember.mcosker@lacity.org; gavin@gavinnewsom.com; maintenance@alltimemaintenance.com; thomas@powerpropertygrp.com; brent@powerpropertygrp.com; frontdesk@powerpropertygrp.com; nisi@powerpropertygrp.com; councilmember.soto-martinez@lacity.org; councilmember.harris-dawson@lacity.org; susan.davenport@calcivilrights.ca.gov; contact.center@calcivilrights.ca.gov

Date: Monday, November 6, 2023 at 10:41 PM PST

CRD Case 202305-20745222

HUD number:

Tandem Parking- Parts for Akuvox and Still Not Supplied - Ongoing harm Ongoing Damages Continuing obligations- CRD Case 202305-20745222

**Ongoing harm
Continuing obligations
Continuing damages
Continuing violations**

Dear Parties

Hydee Feldstein Soto

Denise C. Mills

John W. Heath

Mei-Mei Cheng

Deborah Breithaupt

Hi Point 1522 LLC

Michael Gerst of Novian & Novian LLP is the attorney for Hi Point 1522 LLP .

"A "reasonable accommodation" is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces." HUD

"Any person or entity engaging in prohibited conduct - i.e., refusing to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling - may be held liable ..." HUD

"When a housing provider refuses a requested accommodation because it is not reasonable, the provider should discuss with the requester whether there is an alternative accommodation that would effectively address the requester's disability-related needs without a fundamental alteration to the provider's operations and without imposing an undue financial and administrative burden. If an alternative accommodation would effectively meet the requester's disability-related needs and is reasonable, the provider must grant it. An interactive process in which the housing provider and the requester discuss the requester's disability-related need for the requested accommodation and possible alternative accommodations is helpful to all concerned because it often results in an effective accommodation for the requester that does not pose an undue financial and administrative burden for the provider." HUD

"A failure to reach an agreement on an accommodation request is in effect a decision by the provider not to grant the requested accommodation. If the individual who was denied an accommodation files a Fair Housing Act complaint to challenge that decision, then the agency or court receiving the complaint will review the evidence in light of applicable law and decide if the housing provider violated that law." HUD

Based on the Oct 4, 2023 letter from Michael Gerst and my responses including my October 30, 2023 at 10:54 am email response:

1. The Respondents have refused to make a reasonable accommodation requested repair or replace the intercom in unit 9 and assign the tenant a tandem parking stall.
2. The housing services requested by myself are housing services I am entitled to under the rent agreement and the conduct of the parties: maintenance and parking are included in the rental agreement. Maintenance covers the intercom system parts and labor and maintenance covers the parking lot and all stalls.
3. The requestor myself as regards the intercom system and/or the Akuvox system --- Akuvox being an alleged alternative accommodation --- has requested the reasonable accommodation smartphone and internet to use the Akuvox system; the Respondents have refused an interactive process to discuss the owner supplying the parts to use the Akuvox system (smartphone and internet) and has also refused to discuss the repair to the intercom in the tenant 9 unit. See the Oct 4 letter from Gerst and my email responses. The intercom in unit 9 is unusable; the Akuvox intercom system is not available to tenant 9 because the owner has not entered into a discussion as to providing the smartphone and internet to use the Akuvox. The owner has refused to enter into an interactive discussion on if tenant can use the Akuvox system intercom without the smartphone and internet.

4. As regards the tandem parking, Gerst said that the tenant 9 (myself) is first come first served. But nonetheless, Gerst has not provided the tandem parking stall to unit 9. As regards the tandem parking, Gerst says none are available and tenant says the opposite, that there are vacant stalls available. **If unit 9 tenants are indeed first come first served, then please provide the assigned tandem parking stall without further delay.**
5. The provider has refused to grant the reasonable accommodation since there is no agreement on the accommodations requested. The Gerst letter and my email responses October 26, Oct 23, and Oct 30, prove there is no agreement on the accommodations/modifications requested.
6. The Gerst letter indicates that tenants unit 9 are entitled to a working intercom in the unit and tandem parking stall.
7. The Gerst letter does not indicate a date as to when the housing services requested will be provided, considering the email responses from me.
8. As I have said previously, the Gerst letter is not acceptable as a resolution, nor do I agree with the Gerst position.
9. Gerst claims tenant 9 was previously told there were three tandem stalls available but his statement is vague and lacking in specificity. I request the City of Los Angeles and Housing Department order Gerst to provide verifiable proof of the communications he alleges.

Below are housing services advertised at this 18 unit building. Including the secured tandem parking stalls and intercom services, these are additional housing services that are being denied to me, a Black male entitled to full and equal housing services. The Walter Barratt owned company "JustBring Your Toothbrush" operates claimed illegal home sharing where services and privileges are granted to hotel like occupants but denied to the Petitioner. Such services denied to me include Mini split duct air conditioning and heating, DACK app and entry code for smartlock, Owner provided Wi-Fi and high speed Spectrum Internet, InHouse washer and dryer, Maid service, Enhance your stay add-ons, Desk with chair and lamp, Guest parking, A full maintenance team, who can deal with most repairs with ni 24 hour., A fully loaded kitchen, Bedding and towels, Air purifier, a shower water filter, anti-allergic mattress encasement & 'disposable slippers with your wellness in mind."

I am denied the full and equal housing services provided by "Just Bring Your Toothbrush" a contractor of the owner.

No resolution has been reached on the financial damages I have suffered due to deprivation of housing services.

No agreement has been reached as to my request for reasonable accommodation /modifications.

All rights reserved.

Geary Juan Johnson
1522 Hi Point St 9
Los Angeles CA 90035
Phone 323-807-3099