

NOTICE OF REPRIMAND

(By Consent)

Case No. 23-63-GA

Notice Issued: February 22, 2024

Aubrey H. Tobin, P 31256, West Bloomfield, Michigan, by the Attorney Discipline Board
Tri-County Hearing Panel #51

Reprimand, Effective February 16, 2024

Respondent and the Grievance Administrator filed a Stipulation for Consent Order of Discipline, in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. The stipulation contained the parties' agreement to dismiss the factual statements set forth in paragraphs 13, 18, and 20, and the allegations of professional misconduct contained in subparagraphs 25(a), (c)-(e), (h) and (i) of the formal complaint, and to amend paragraphs 19, 22, and 23 of the formal complaint, as provided in the stipulation. The stipulation also contained respondent's no contest plea to the factual allegations and grounds for discipline set forth in the remaining paragraphs of the formal complaint, namely that respondent committed professional misconduct during his representation of two clients in a landlord/tenant dispute. Specifically, respondent failed to notify opposing counsel and the court that the rental payments his clients were supposed to be depositing into an escrow account maintained by respondent were not current.

Based upon respondent's no contest plea and the stipulation of the parties, the panel found that respondent failed to act with fairness to opposing party and counsel, in violation of MRPC 3.4; engaged in conduct that is prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1); and engaged in conduct that exposes the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2).

In accordance with the stipulation of the parties, the panel ordered that respondent be

reprimanded. Costs were assessed in the amount of \$812.54.