

July 5, 1997

CERTIFICATE OF MAILING

Board of Auctioneers
State House Room 204
Concord, N.H. 03301-4989

Re: Formal Complaint against William Zafirson - N.H. Auction Lic. 2569

As Power of Attorney over my mother, Marion Lafortune, I am filing on her behalf this formal complaint against William Zafirson, HAZA Auctioneers.

My mother has been pursuing a fraudulent claim of foreclosure against her by Coastal Bank. William Zafirson was retained by the bank to sell her property. On August 8, 1994 Mr. Zafirson was present with Biddeford Police officer Thomas McLaughlin and Deputy James Lavallee when my mother was falsely arrested, illegally removed from her home and charged with Criminal Trespass upon her own property by officer McLaughlin who had no prima facie documents to remove her. (Exhibit 1) Cancelled checks endorsed by Coastal Bank prove she did not default on her mortgage and throughout this foreclosure procedure the bank accepted her monthly mortgage payments. As a professional, Mr. Zafirson knew, or should have known, the officers actions were unlawful and would present a problem if he chose to auction the home.

While my mother, age 74, was being held at the police station, locks were changed on the doors and "No Trespassing" signs were placed in the windows. For approximately one month, William Zafirson had access to my mother's home and had all of my mother's personal belongings removed, leaving her with only the clothes on her back. (Exhibit 2) Mr. Zafirson had no right to allow people into my mother's home to pack all of her belongings, specifically Southeast Moving & Storage who, according to the Secretary of State, was suspended from doing business in 1992. (Exhibit 3 - This was the last filing with the Secretary of State)

On September 28, 1994 Mr. Zafirson held a public auction on my mother's home with full knowledge that an Injunction was pending in York County Superior Court. At the time of the auction, Mr. Zafirson claims that neither he nor the bank had any knowledge of pending litigation. Attached is the notice of filing of the Injunction with certified return receipt by the bank and certificate of service. (Exhibit 4) I was present at this auction and told Mr. Zafirson, and other bank officials, that an Injunction was pending and that the house could not be sold. Furthermore, one of the bidders asked Mr. Zafirson if there was any pending litigation with this home and he replied "no". A video tape recording of the sale will prove this to be fact. In addition to illegally selling my mother's home, his notice of foreclosure auction published in the newspaper (Exhibit 5) falsely advertised this property and this constitutes fraud. The reference to

the York County Registry of Deeds Book 4166, Page 280 is not my mother's property. Anyone seeking the ownership of this property in the Registry will find owner as Kennebunkport Investment Corp., not Marion Lafortune. (Exhibit 6)

The attached court document (Exhibit 7) will prove that my mother was found "Not Guilty" on the charge of Criminal Trespass. Mr. Zafirson had no authority to "sell" my mother's home BEFORE she went to court on these charges. Trial date was Nov. 1, 1994. Additionally, the Injunction filed in York County Superior Court was not heard until December 12, 1994, after the "sale" of the home. (See Exhibit 4) Mr. Zafirson is guilty of fraud, deceitful and unfair trade practices, invasion of privacy, nuisance and conversion. His illegal and unethical conduct, which fall below the standards of the practice of his profession, have not only caused irreparable harm to my mother, but is also injurious to the public good.

As a professional auctioneer for many years, Mr. Zafirson knew, or should have known, there was a problem with the banks actions and that he violated the law by falsely advertising and illegally selling my mother's property while an Injunction was pending in the court. Mr. Zafirson chose to participate in this illegal activity which is a threat to public interest, personal rights and property rights. Whether Mr. Zafirson's actions were done in absolute innocence or by sheer design, the end result is the same. He has not performed with a high degree of professionalism, but rather chose to participate in illegal activity for his own financial gain. The evidence presented proves that Mr. Zafirson, HAZA Enterprises, has violated the law and this is just cause to revoke his license.


As further evidence of a pattern of Haza Enterprises misconduct, I will briefly add my experience with these auctioneers. I am also pursuing the fraudulent "taking" of my business property by Saco Biddeford Savings Bank and Peter Zafirson, believed to be the father of William Zafirson. I purchased "commercial" property in Saco, Maine in 1984 and maintained two businesses at that location for nearly 10 years. I applied for a change of use permit for one of my businesses and was denied by the city, the reason being I was in a "residential" area, according to city officials. Not being able to generate enough income and city officials deliberately delaying a hearing on the zoning issue, the bank foreclosed upon my property. Without a hearing being held, HAZA advertised and sold my property as "commercial" property. Peter Zafirson, HAZA Enterprises, was the auctioneer. I telephoned Mr. Zafirson and explained that he would be falsely advertising if he sold my property as "commercial." At this auction, Peter Zafirson, bank officials and their attorney went outside for approx. 10 minutes to talk. When they returned and the auction continued, within minutes, the bank bought the property. They in turn sold it to SBM Corp., six members of the bank who, in turn, sold it to Bruce Haskell second lowest bidder at the auction. Mr. Haskell opened up a business at this location. Mr. Haskell sold his mortgage back to the same bank. All of this is very well documented and I will provide you with the Registry of Deeds documentation if necessary. The conduct of these auctioneers appears to be a pattern, not in the best interest

of the public. There is a pattern of collusion between certain banks and town officials to defraud people of their properties and retain HAZA to auction off the properties.

Other individuals, or any actions my mother and I have taken, as a matter of right, are not the focus of this complaint. Mr. William Zafirson's professional misconduct is the focal point of this complaint, specifically his illegal sale of my mother's home while litigation on this matter was pending.

For the sake of the integrity of other professional auctioneers and public interest, please consider the facts in this complaint and disallow HAZA Enterprises from conducting any further illegal business. There is just cause to revoke Mr. Zafirson's license for his willful and reckless intent to violate the law, violate personal and property rights of others and cause irreparable harm to innocent people.

Dorothy Ruel
Dorothy Ruel
22 Graham Street
Biddeford, Maine 04005

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