

Committee Opinion  
September 13, 1983

LEGAL ETHICS OPINION 528

CONFLICT OF INTERESTS/REAL  
ESTATE/ATTORNEY-TRUSTEE.

When an attorney represents both the purchaser and seller in a transaction which leads to the execution of a deed of trust, the attorney may not ethically represent the creditor against the debtor or foreclose under the deed of trust unless the former client consents.

Also, the fact that a fee is stated and agreed to in a contract is not dispositive of whether it is reasonable under the Code of Professional Responsibility. [ DR:5-105(D) and DR:2-105(A)]

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**Editor's Note.** – L E op. No. 528 is vacated to the extent that L E Op. No. 824 differs from it. See also L E Op. No. 659, L E Op. No. 679, L E Op. No. 815, and L E Op. No. 1022.