

# EQUALITY RETURNS TO HOUSING ASSOCIATION

After a drawn-out and exhausting effort, a Long Island homeowner is once again permitted to display a statue of the Blessed Mother outside of his house. Peter Kelly, a resident of a gated community, had been barred from displaying the figure, despite the fact that his neighbors were permitted to erect such secular decorations as garden gnomes and gazing balls. It is due to Mr. Kelly's diligence and resourcefulness that he no longer suffers from religious discrimination.

Housing associations frequently have regulations regarding how residents may style their lawns, and whether statues or flags are allowed in outside areas. Such rules are common and are, of course, the business of the residents. However, a recent rule passed in the condo community of Country Pointe at Coram smacked of religious discrimination. The board passed a regulation stating that garden statuaries were permitted in residents' private gardens. Besides birdfeeders and birdbaths, "religious statuaries" were the only other outdoor decorations that were banned.

Peter Kelly, who had a statue of the Blessed Mother that he was no longer permitted to place outside of his house, was perturbed by this ruling. Mr. Kelly took his objections to a member of the association's board of directors. The board member with whom he spoke defended the rule, suggesting that religious figures may be offensive to other residents. Mr. Kelly then spoke to the chair of the committee that suggested the ban, as well as the property manager. Both were unresponsive.

Mr. Kelly contacted the Catholic League about this situation, and Bill Donohue sent a letter to the president of the board of directors. In his letter, Donohue stated, "I am hoping that

you can explain to me what it is, exactly, about religious statues that the homeowners association of Country Pointe at Coram finds so offensive. Who would be offended by a statue of Mary? Do you believe that all non-Christians are intolerant bigots who cannot stand the site of an individual expressing his faith on his own property?"

In response, the board president defended the rule, claiming that residents can go to churches or synagogues should they have need of a religious object, and that their "prohibition against religious statues is completely non-denominational." Donohue sent her another letter, asking why residents were told to remove statues of the Blessed Mother and St. Francis of Assisi, but that several statues of angels were permitted to remain outside, as was one statue that appeared to be a deity from an Eastern religion. The board president never wrote back to explain this apparent discrimination against the displays of the Catholic religion.

Fortunately, Peter Kelly is a dedicated man who wouldn't give up without a fight. He contacted the media and told them of his plight. Soon, members of the local television and print news outlets began to swarm around the housing association, covering the story. Despite the spotlight, the housing board stood its ground and continued to defend its discriminatory practices.

Amidst the media hubbub surrounding this small suburban community, an employee of the New York State Division of Human Rights contacted the Catholic League. This human rights specialist heard of the story and thought Mr. Kelly had a strong case and should file a complaint of religious discrimination with the state. Though Mr. Kelly hoped to work out the situation amicably with the housing board, the coldness with which his attempts at a resolution were met convinced him he had to act. He went forward with filing the complaint.

Fortunately, after the complaint was filed, the housing board agreed to drop the regulation prohibiting religious statues. In return, Mr. Kelly withdrew his complaint of religious discrimination and is once again displaying his statue of the Blessed Mother. With the support of others troubled by the discriminatory ban, he was also elected to the housing board. Country Pointe at Coram now has a dedicated defender of religious liberty in Peter Kelly. His neighbors should feel proud of his efforts.