


STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION ON CIVIL RIGHTS
DOCKET NUMBER: HQ14CC-66789

Nathan Reiss,)
)
COMPLAINANT,)
)
v.)
)
The Enclave at the Fairways)
Homeowners Association, Inc.)
)
RESPONDENT.)

VERIFIED COMPLAINT

Received and Recorded
Date: 12/26/2017
Department of Law and Public Safety
New Jersey Division on Civil Rights
By: Adriana Tovar

1. Complainant resides at:


Lakewood, NJ 08701
Ocean County

2. To the best of Complainant's knowledge and belief, Respondent is known as:

The Enclave at the Fairways Homeowners Association, Inc.

and is located at:

65 Enclave Boulevard
Lakewood, NJ 08701
Ocean County

3. The above named Respondents are hereby charged with **unlawful housing discrimination** within the meaning of the New Jersey Law Against Discrimination (N.J.S.A. 10:5-1 et seq.) and specifically within the meaning of N.J.S.A. 10:5-4 (x), 10:5-4.1(), and 10:5-12 () () of said law because of race (), creed (X), color (), national origin (), ancestry (), sex (), nationality (), affectional or sexual orientation (), marital status, physical or mental disability () familial status (), source of lawful income used for rental or mortgage payments () or reprisal ().

4. PERSONAL HARM:

Complainant alleges that he has been a resident owner of [REDACTED] in Lakewood, New Jersey since 2015.

Complainant alleges that he is of the Orthodox Jewish religion and as such observes the Sabbath from sundown on Fridays through sundown on Saturdays. Complainant alleges that his religion forbids him from driving during the Sabbath and he must walk from his home to his Synagogue. Complainant's religion also forbids him from using a key or card key or key fob during the Sabbath.

Complainant alleges that the community entrance on Damiano Way, which is closest to his home, has both a gate to restrict vehicle access and a pedestrian gate which requires a key. Complainant alleges that he and other residents who are Orthodox Jewish "duck under" the vehicle gate barrier arm in order to walk to and from the community to the Synagogue during the Sabbath.

Complainant alleges that on or about November 28, 2017, Respondent's home owner's association announced that a full gate would be constructed at the Damiano Way vehicle entrance. Thus, Complainant and other Orthodox Jewish residents would be unable to enter and exit the community during the Sabbath because the Orthodox Jewish religion does not allow them to use the electronic card to access the pedestrian gate.

Complainant alleges that Respondent has also changed its guest policy that used to allow residents to call days ahead of time to advise the guard of a temporary guest. On or about November 28, 2017, residents were advised that only day guest passes are being issued and they expire at midnight. Complainant alleges that this make it impossible for him and other Orthodox Jewish residents to obtain passes for guests during the Sabbath.


5. RESPONDENT'S REASON FOR ADVERSE ACTION:

In its announcement to residents, Respondent said the changes were being implemented to improve security.

6. DISCRIMINATION STATEMENT:

Complainant alleges that Respondent is aware of the affect these changes will have on its Orthodox Jewish residents, but refuses to grant religious accommodations.


- c. Said acts of discrimination occurred in the County of **Ocean** in the State of New Jersey.
- d. Complainant requests whatever relief is provided by law including, but not limited to, compensatory damages for economic loss, humiliation, and mental pain and suffering.
- e. Complainant has not instituted action in any court, either criminal or civil, regarding this matter.



 COMPLAINANT

STATE OF NEW JERSEY)
) SS:
 COUNTY OF OCEAN)

Nathan Reiss, of full age, being duly sworn according to law depose and say; that he is the Complainant named in this Complaint; that he has read and understands the Complaint and to the best of his knowledge information and belief the facts alleged in this complaint are true.



 COMPLAINANT