

Long Island City Threatens to Seize Property from Jewish Group to Build Lifeguard Center Blocks from Beach

Lawsuit filed by Chabad of the Beaches against the Village of Atlantic Beach to stop the village from unlawfully taking property by eminent domain; Judge issues restraining order

New York, NY—Late last week, First Liberty Institute, Sidley Austin LLP, and the Harvard Law School Religious Freedom Clinic filed a complaint and motion for preliminary injunction against the Village of Atlantic Beach, New York, seeking to halt the Village’s effort to seize property owned by a small Jewish group, Chabad of the Beaches, through eminent domain. On Friday, the United States District Court for the Eastern District of New York issued a temporary restraining order (“TRO”) preventing the Village from moving further and set a hearing date.

You can read the motion [here](#) and the TRO [here](#).

“The government must have a very compelling reason to seize a religious organization’s property. Taking a religious organization’s property to use it as the operations center for lifeguards is not a compelling reason,” said Jeremy Dys, Senior Counsel at First Liberty Institute. “This is not a neutral act by an indifferent city council but seems to be the type of religious hostility that has no place in our country.”

Chabad of the Beaches purchased a property in Atlantic Beach, on Long Island, to build a Jewish community center. The property was vacant and for sale for several years, but within weeks of buying the property, and just two weeks after the Chabad used the property to celebrate Hannukah, Village officials announced plans to take the property through eminent domain. The Village made no effort to purchase the property during the time it was available. Multiple alternative properties better suited to a community center and lifeguard operations facility, some already owned by the Village, were never considered.

The motion filed by Chabad attorneys states, “The Village’s violation of Chabad’s constitutional rights is irreparably harming the organization and, unless enjoined, will continue to do so. Furthermore, the public interest favors an injunction, given that the Village has no legitimate interest in pursuing so plainly an unlawful course of conduct and that there is no true urgency to the Village’s plans, as demonstrated by the Village’s year-plus of inaction and, indeed, the decades it has gone without a community center or lifeguard operations facility. Accordingly, Chabad respectfully asks that the Court temporarily restrain and preliminarily enjoin Atlantic Beach and its officials from proceeding with taking Chabad’s property.”

A hearing on the preliminary injunction will take place on Friday, July 29th at 9:30 am at the United States Courthouse, 100 Federal Plaza, Islip, New York.

About First Liberty Institute

[First Liberty Institute](#) is a non-profit public interest law firm and the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans.

To arrange an interview, contact Peyton Luke at media@firstliberty.org or by calling 972-941-4453.