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Member of Assembly 64<sup>th</sup> District

# THE NEW YORK STATE LEGISLATURE



DIANE SAVINO  
Member of Senate 23<sup>rd</sup> District

July 26, 2013

Hon. Eric T. Schneiderman  
Attorney General  
The Capitol  
Albany, NY 12224-0341

Dear Attorney General Schneiderman:

We write to you with regard to an urgent and time-sensitive matter that, if unaddressed, could result in significant long-term repercussions for thousands of Staten Island residents. Mount Manresa Jesuit Retreat House (“Mount Manresa”) is a non-profit institution owned by the Society of Jesus that has offered religious instruction and spiritual reflection since 1911. As a registered 501(c)(3) organization Mount Manresa has operated on a 15.4-acre parcel of land, amidst a residential community, exempt from taxation for more than a century. The Society of Jesus recently agreed to a confidential sale with a private developer, standing to realize a windfall profit of \$15.5 million. We request that the Office of the Attorney General investigate the solicitation of private donations purposed for the maintenance and general improvement of Mount Manresa Jesuit Retreat House despite imminent plans to cease operation.

Despite the aforementioned sale Mount Manresa continues to present itself as an ongoing concern, primarily through language published on a website that serves as a fundraising tool for the organization. The Society of Jesus announced that it would be closing the site with the intent to sell in mid-2012. The site (<http://mountmanresa.org>) continues to show, however, a “Support Us” tab that directs the prospective donor to contribute towards its *Second Century Campaign* (enclosed herewith as “Attachment A”). At the time of this writing, the website describes this campaign as follows:

“As with all institutions approaching their 100th birthday, we are starting to show our age. *To prepare ourselves for the next Century*, Mount Manresa has undertaken a renewal campaign to upgrade and renovate its facilities and its ministries. In its desire to be a good steward of the earth, Mount Manresa is exploring the installation of renewable energy equipment such as a geothermal heat pump system powered by a 147 foot well... (emphasis added)”

This page also educates the prospective donor on the *Sister Maureen Skelly Fund for the Poor* which is intended to subsidize retreats at the facility for those of limited

financial means. The concluding sentence reads, “Our aim is to have these much needed programs continue indefinitely.”

Moreover, the “Support Us” tab contains a subcategory titled “Memorials & Tributes” (enclosed herewith as “Attachment B”) which invites the prospective donor to make a contribution in memory of a friend, family member, community leader, or member of the clergy, describing the bequest as follows:

“The gift also attaches their name to *the preservation and enhancement of the spiritual values and programs of Mount Manresa*. There are a wide range of Memorial Gifts which can serve as an enduring remembrance and even of source of joy and celebration at a time of loss. Unrestricted gifts are always deeply appreciated, however, Memorial Gifts may also be made *in support of programs and/or facilities*. (emphasis added)”

We have been contacted by multiple contributors who have recently conveyed a benefit to the organization under the impression that the site would continue to operate as a non-profit retreat house. We share a passionate and unyielding interest in repressing irresponsible and misleading practices with regard to the sacred act of charitable giving. The gravity of this concern lends to the sense of immediacy in our plea.

Furthermore, the scale of this project and its range of scenarios create a situation that far exceeds ordinary property development. Per existing zoning ordinances for the lot in question, it is our understanding that the project could involve the construction of residential structures of a density and character inconsistent with the surrounding neighborhood. We fear that this new development and sudden influx of population will be too much for our already overburdened drainage systems, roads, and schools to handle.

We are currently reviewing various deeds concerning the property. Questions have arisen regarding parcels which were possibly donated with specific intentions that they be maintained by Mount Manresa in perpetuity. Multiple prior deed transfers contain restrictive language that requires careful examination. Some of the parcels were bequeathed by will and may have restrictions attached that would run with the land, evincing a possible violation of the intent of the testator. We request that any and all Articles of Incorporation and paperwork submitted with their 501(c)(3) status request be thoroughly scrutinized.

Additionally, we have recently learned from the New York State Office of Parks, Recreation & Historic Preservation that Mount Manresa is eligible for the National Register of Historic Places. There is also a request pending with New York City Landmarks Preservation Commission to protect this site.

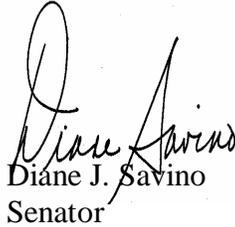
For the foregoing reasons, we implore that you exercise your authority over charitable organizations to determine whether the Society of Jesus and/or Mount Manresa Jesuit Retreat House is in violation of New York State Law with regard to its fundraising

practices. Should either organization be found in violation, we respectfully suggest that you seek to enjoin the sale of this property in the interest of protecting the rights of those who have contributed and will contribute toward the ongoing operation of Mount Manresa.

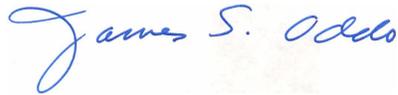
Very truly yours,



Nicole Malliotakis  
Member of Assembly



Diane J. Savino  
Senator



James S. Oddo  
New York City Council Minority Leader



Deborah Rose  
New York City Council Member