

Settlement reached in NH AIDS discrimination case

LYNNE TUOHY - Associated Press - Associated Press

A gay advocacy group says it has reached a settlement in a discrimination lawsuit it filed against a New Hampshire town that attempted to shut down a group home for people with HIV, AIDS and hepatitis C.

Boston-based Gay & Lesbian Advocates & Defenders sued the town of Gilsum last year on behalf of AIDS Services for the Monadnock Region after the town refused to grant its group home — the Cleve Jones Wellness House — tax-exempt status and moved to seize its deed for non-payment.

Lawyers filed notice in Cheshire Superior Court last week that they had reached a settlement in the case. Details of the settlement will be filed with the court by Aug. 2.

"This case demonstrates that discrimination against people with HIV is hardly a relic of the past," said attorney Bennett Klein, director of GLAD's AIDS Law Project.

Attorney Gary Kinyon, who represents the town, did not immediately return calls seeking comment Monday.

GLAD filed the lawsuit one year ago, after the AIDS Services organization filed its application for tax-exempt status several days late and the town denied it. Lawyers for GLAD say they determined that other nonprofits in town — including the Congregational Church and the American Legion — filed applications late or not at all yet retained their tax-exempt status.

The town agreed to take no action to have the deed transferred to it until the lawsuit was resolved.

The group home and town have had legal differences in the past, Klein said.

GLAD sued Gilsum in 2008 after the town put up roadblocks to Cleve Jones Wellness House operating on the site of a former group home for girls, according to Klein.

AIDS Services did not file an application in 2007 because its executive director mistakenly believed the tax exemption was automatic, not something that must be filed annually, the lawsuit said. It was filed one month late in 2008 and three days late in 2009.

The selectmen have the option of approving late applications for tax exemption.

The lawsuit sought a refund of the \$11,559 in taxes and interest AIDS Services paid

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the town in 2010.

AIDS services for the Monadnock Region serves clients in Cheshire County and parts of Sullivan and Hillsborough counties. The group home — the first of its kind in the state — houses seven residents.

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