

File Name: In The Matter Of: The Human Rights Act, R.S.N.S., 1989, c.214 as amended S.N.S. 1991, c. 12 Between: Ahmed Assal and Halifax Condominium Corporation No.4. and Nova Scotia Human Rights Commission

Date of Decision: April 3, 2007

Area(s): Provision of/or access to services or facilities; accommodation

Characteristic(s): Religion and/or Ethnic/National Origin

Complaint: Ahmed Assal alleged that he and his family were discriminated against because of their religion and/or ethnic/national origin. They are Muslim. Ahmed Assal bought a condominium from the Condominium Corporation knowing that its by-laws did not let condominium owner put up external satellite dishes. Mr. Assal installed the satellite dish so his family could have access to ongoing cultural, language and religious traditions. The Condominium Corporation insisted Mr. Assal remove the satellite dish, because it went against their By-Laws.

Decision: There was no discrimination in this case. The Board dismissed Mr. Assal's complaint.

Religious Belief

The Board noted that a religious belief is protected if a person can show that a "certain practice or belief" is required by their religion or that a person sincerely *believes* that a "certain practice or belief" is required by their religion.

The Board found that having a satellite service was not part of the religious practice of the Assal family. The Board found that the family fully practiced their faith before they had access to the satellite dish and they could continue to practice their faith without the satellite dish. The Board also noted the need to balance the rights of an individual owner with the rights of all owners within the Condominium complex.

Remedy: There was no discrimination and therefore no remedy was ordered.