

## Arbitration court rules in favor of Victoria Hall Theatre Building Council

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### Unity Shoppe considers future as ruling allows property lease to third party

A property dispute between the three nonprofit organizations that co-own Victoria Hall Theatre came to an end Friday with an arbitration court ruling that found the property's Building Council was within its right to lease it to a third party, leaving the Unity Shoppe wondering about the future of its services.

The ruling sided with the Building Council, which voted to lease Victoria Hall — a space co-owner Unity Shoppe used for its telethon and other fundraising events, and had wanted to lease itself — to Ensemble Theatre Company, which plans to renovate the currently closed hall.

Unity Shoppe, Child Abuse Listening and Mediation Inc. and Retired and Senior Volunteer Program have jointly owned the property, which includes an attached building at 1236 Chapala and 33 W. Victoria streets, since 1988. Unity Shoppe had submitted proposals to lease Victoria

Hall, and had contested the council's decision to lease the Hall to a non-owner entity when Unity Shoppe, a co-owner, desired to lease the same space.

The conflict spilled out into the public, but during a conference call with the News-Press Monday afternoon, Unity Shoppe Executive Director Tom Reed and CALM Board of Trustees President Rich Schuette, who have been on opposite sides of the debate, were ready to move forward and focus on their organizations' missions.

While Mr. Reed said he would abide by the decision and that there were no hard feelings against Ensemble or the other nonprofit organizations, he emphasized the decision would be the most difficult for Unity Shoppe since its largest fundraising event, the Unity Telethon, was based in the Hall, as were other events held throughout the year.

The annual telethon covers about a third of Unity Shoppe's budget, bringing in nearly \$1 million a year, Mr. Reed said. With the changes Ensemble is planning to make, using the facility for the telethon would be costly and puts the future of the telethon in jeopardy.

While Unity Shoppe is still examining whether it can still hold its telethon in December and what its options may include, Mr. Reed said the organization will be unable to proceed as it has. The organization has 2,500 more clients than it did last year, and in a time when it should be expanding, it's going to be making cuts, Mr. Reed said.

Unity Shoppe expects that more than 22,000 people will need its assistance this year and that it needs more space to operate, so expanding into space below the theater would have helped.

"We're on our heels," he said. "We

don't know how it's going to work."

Ensemble Theatre has pledged the use of the theater to Unity Shoppe free of charge for its telethon, and Mr. Schuette said the intent is that it will be able to hold the event there for years to come.

Mr. Reed countered that the modifications Ensemble Theatre proposes will make the Hall incompatible for use as a telethon venue.

Mr. Schuette said that the three co-owners have their own interpretations of what the best use of Victoria Hall is, but that is why there's the Building Council. The arbitration process involved looking at the dispute through the rules of the law.

Mr. Schuette emphasized that he isn't insensitive to Unity, but the most critical thing is the missions of the charities, and the property dispute detracts from those goals the more it is discussed.

The two sides will continue to have

differing views, but Mr. Schuette said they can't dwell on them and that the organizations must hold each other up as best they can.

"We're going to move forward and do good things," Mr. Schuette said.

The Building Council decided to close Victoria Hall down April 27 after learning of structural problems that could cause the roof to collapse in a significant earthquake. Unity claimed that this was a move on Ensemble's part to influence arbitration since the report was kept from the council for over six months, but Ensemble called the claim "ridiculous and unfounded," and said the only reason they turned over the engineering report that made the findings was because attorneys had requested it.

Ensemble, which entered into a 30-year lease for the hall last fall, had the engineering study completed as part of its investigation related to restoring the theater.

The theater company plans to transform Victoria Hall into a modern, multi-use theater. Restrooms will be moved off stage to provide for proper stage wings, the lobby will be expanded and the seating will be overhauled. Lighting and acoustics will also be modernized.

Unity Shoppe gives away its food, toys and clothing to families in need at a State Street "free store," set up to look like a little town that is fun for children and dignified for adults.

CALM is the only nonprofit organization in the county that has a mission to prevent, assess and treat child abuse by providing comprehensive, culturally competent services for children, families and adults, according to its Web site. Some of its programs include child abuse assessment and treatment, family violence counseling and parent-child interaction therapy.

RSVP directs senior-age volunteers to various nonprofit entities.

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