the complainant has never heard from Meadowbrook as to any action taken upon the membership application. We think, therefore, that Meadowbrook is estopped from using its own failure to take positive action as a defense, and that July 27 was not an unreasonable amount of time before filing. There is, really, no definitive way of setting the actual date of such discrimination, and we believe the courts would apply the same theory of reasonable time.

We then move to Rule of Interpretation No. 1, established by the Commission and effective on April 15, 1965, as it applies to the instant case.

In publishing Rule of Interpretation No. 1, the Commission determined that a "bona fide private club" as contemplated by the ordinance was one which: (1) had fifty persons or less and was able to submit by-laws and articles of incorporation which would prescribe procedures for the election of members and payment of regular dues; or (2) if there are more than fifty members, it must be able to show tax exemption as a non-profit corporation; or (3) submit satisfactory evidence that it is a religious or denominational institution.

Section 16(e) of Ordinance No. 103 provides authority for the Commission to:

> "adopt and publish such rules and regulations as may be necessary to carry out the functions of the Commission and to effectuate the purposes and provisions of this sub-title."

Our research has revealed no case which could be used as a guide for establishing a criterion for a private club.

However, we are of the opinion that many organizations function as private clubs, even though such organizations may not meet the criteria established in Rule of Interpretation No. 1.

Many country clubs, for example, are owned by small groups of individuals, who are engaged in such a business for profit, but who operate on a selective membership basis, charging substantial initiation fees and annual dues. We do not believe their status as private clubs would be questioned.