

Lasser Law Group | Real Estate, Construction & Litigation Attorneys

Move-In Fee

Stephen Lasser · Saturday, April 9th, 2016

Applying to live in a co-op is a daunting experience. You bare your financial soul, pay enormous fees and endure a prying interview. After you subject yourself to such scrutiny, a fickle board can reject you for no reason at all. But to charge a rejected applicant a move-in fee for a move that never transpired seems particularly cruel.

The purpose of a move-in fee is to compensate a co-op for any extra wear and tear on the building and extra use of the building's elevators and its staff. But in your case, none of those things ever happened, so the fee is unnecessary.

Check the application to see if it says that the move-in fee is nonrefundable. If it does not include such language, you might have a good argument that the application was ambiguous about this fee and that you have a right to a refund because the co-op board rejected your application, said Stephen M. Lasser, a Manhattan real estate lawyer.

Write a letter to the co-op board and the managing agent requesting that it refund your move-in fee. Demand an explanation.

If the board or managing agent refuses, you could file a claim against the co-op in small claims court. [Download PDF](#)

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