

Bond Case Briefs

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Highpoint at Lakewood Condominium Ass'n, Inc. v. Township of Lakewood

Superior Court of New Jersey, Appellate Division - August 14, 2015 - A.3d - 2014 WL 10222380

Condominium association challenged township's foreclosure of unbuilt condominium units, and sought declaration that township did not hold title to undeveloped portion of parcel removed from condominium's common property. The Superior Court dismissed quiet title complaint. Association appealed.

The Superior Court, Appellate Division, held that:

- As matters of first impression, declared but unbuilt condominium units are "units" for property tax purposes;
- Association was not entitled to separate notice of foreclosure;
- Township had not obtained fee simple ownership of undeveloped parcel of land; and
- Uncertainty as to whether condominium common expense assessment charged to undeveloped units owner should be equal to those imposed on finished units warranted remand.