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Non-occupancy charges applicable in an apartment condominium

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Querist : Anonymous (Querist)

14 June 2019

Dear Sir, I reside in a flat / bungalow in a residential complex that is registered as an Apartment Condominium. At present, I have rented out my premises. Now the Board of Managers is demanding 20% non- occupancy charges from me. I understand that in a cooperative housing society maximum 10% is payable as non- occupancy charges. Kindly clarify what non-occupancy charges are payable under the Act, by me in an apartment Condominium. I would appreciate if you could cite a High Court / Supreme Court judgement, with relevant clause details. Thanks in advance. Kind regards, Rajendra

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15 June 2019

Dear Sir,
Each case depends upon the clauses of various documents such as sale deed, memorandum of articles, articles of association, the rules and regulations of association etc.

KISHAN DUTT RETD
JUDGE (Expert)

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