New York City condo owner gets wound up over wine cooler

In cities where luxurious condos are a dime a dozen, it takes top-of-the-line amenities to attract the best buyers — private terraces, state-of-the-art gyms, world-class spas and 24-hour concierges. But what happens when a developer doesn't exactly live up to what they're selling?

Ayal Martin Hayes on Wednesday filed a class-action lawsuit against 565 Broome, a Manhattan development by Bizzi & Partners Development, Aronov Development and Halpern Real Estate Ventures, for failing to include a built-in Miele wine cooler in his $3.6 million condominium.

Hayes alleged the wine cooler was a featured amenity in 565 Broome's listings, and the absence of the cooler "devalues the kitchen and the apartment; particularly to wine enthusiasts."

A kitchen in 565 Broome

Located in posh SoHo, 565 Broome touts features such as a 24-hour concierge, automated

parking, a 55-foot indoor swimming pool, an interior landscaped lounge and library. The individual residences, depending on size, have floor-to-ceiling windows, heated floors and ample private outdoor space. 565 Broome's website doesn't mention built-in wine coolers specifically, but promises "custom eat-in kitchens."

"This lawsuit, which is being filed by one person over not having a $2,200 wine cooler, is frivolous and completely without merit… We look forward to vigorously responding to this issue in court," a 565 Broome spokesperson told *The Real Deal* on Friday while explaining they've tried to remedy the issue.

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This isn't the first time a developer has been sued for allegedly misleading buyers. In 2016, the residents of the Atelier in New York City filed an $100 million class-action lawsuit against The Moinian Group for limiting access to building-wide amenities.

The residents said the pool and fitness center became exclusively available to residents of Sky, a higher-priced development connected to the Atelier, although the developer promised residents of both buildings would have access. Furthermore, the Atelier's private gym became open to the public after a new operator took over the space.

"The amenity package that unit owners paid for as part of their unit contracts is part of a lifestyle they sought out and contracted for," read the court documents according to *Business Insider*. "As such, its deprivation cannot be adequately measured or safely compensated with money

damages.”

The case against The Moinian Group defaulted and never went to trial.

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