

NOVA SCOTIA COURT OF APPEAL

Cite as: Dale-Son Apartments v. Clarke, 1994 NSCA 60

Jones, Matthews and Chipman, J.J.A.

BETWEEN:

DALE-SON APARTMENTS	)	the appellant did not
	)	appear
)	
	)	the respondent appeared
)	
	)	in person
)	
- and -	)	Appeal Heard:
	)	March 10, 1994
)	
	)	Judgment Delivered:
	)	March 10, 1994
ELIZABETH CLARKE)	
)	
	)	Respondent
)	

THE COURT: Appeal dismissed with costs to the respondent in the amount of \$300.00 per reasons for judgment of Jones, J.A.; Matthews and Chipman, J.J.A. concurring.

The reasons for judgment of the Court were delivered orally by:

JONES, J.A.:

This is an appeal from a decision of Haliburton, J. sitting in the County Court. The appellant has failed to appear. Haliburton, J. confirmed a report of Annapolis Valley Residential Tenancies Board terminating a lease between the appellant and the respondent. Judge Haliburton dealt with two issues which were raised before him on the hearing. The appellant now contends that it did not have a fair hearing before the Board which allegedly expressed prior views regarding the application and that it was not given an opportunity to adduce evidence on the hearing. The appellant has asked for a re-hearing. We have carefully reviewed the record of the proceedings and can find nothing in the record, nor has anything been filed to substantiate the appellant's allegations. The Board made findings of fact which were confirmed by the trial judge. The appeal is dismissed with costs to the respondent in the amount of \$300.00.

J.A.

Concurred in:

Matthews, J.A.

Chipman, J.A.

C.A. No. 02716

NOVA SCOTIA COURT OF APPEAL

BETWEEN:

DALE-SON APARTMENTS)	
)	
appellant	)	REASONS FOR
	)	JUDGMENT BY:
- and -	)	JONES, J.A.
)	
ELIZABETH CLARKE)	

respondent)