

<u>CASE NO.</u>	<u>VOLUME</u>	<u>PAGE</u>
Cite as: Walker v. Allcott, 1997 NSCA 106		
BRUCE WALKER and MARLENE ELLMAN		NATHAN ALLCOTT
(Appellants)	- and -	(Respondent)
C.A. No. 134930	Halifax, N.S.	HART, J.A.

APPEAL HEARD: May 22, 1997

JUDGMENT DELIVERED: May 29, 1997

SUBJECT: **Residential Tenancies Act**, R.S.N.S. 1989, c. 401
Limitation of Actions Act, R.S.N.S. 1989, c. 258

SUMMARY: Section 14 of the **Residential Tenancies Act** allowed the bringing of an application "not more than one year after the termination of the tenancy". The trial judge held that this limitation could have been extended under s. 3(2) of the **Limitation of Actions Act** and sent the matter back to the Board for further consideration. Appeal Court reversed this ruling finding that the type of procedure under s. 14 did not amount to an "action" dealt with under the **Limitation of Actions Act**.

RESULT: Appeal allowed and the decision of the Board restored.

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