

**NOVA SCOTIA COURT OF APPEAL**

**Cite as *Grenkow v. Halifax County Condominium Co. No. 151, 1993 NSCA 5***

**BETWEEN:**

IRENE GRENKOW

Applicant

-and -

HALIFAX COUNTY  
CONDOMINIUM  
CORPORATION NUMBER 151

Respondent

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)  
) the appellant appeared in  
) person

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)  
) William Leahey  
) For the Respondent

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) Appeal Heard:  
) December 9, 1993

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) Judgment Delivered:  
) December 13, 1993

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**BEFORE:** The Honourable Mr. Justice Jones in chambers.

**JONES, J.A.:**

This is an application to strike this appeal in a civil action under Rule 62.17(2) of the **Civil Procedure Rules** for non compliance with the Rules. The Notice of Appeal is dated May 14, 1993. The action arises out of Miss Grenkow's

occupation of a condominium in the Corporation's building. The appellant unfortunately is in prison serving a sentence in respect of a fire in the same building. This action arose out of the fire. She has no means for perfecting the appeal and in particular for preparing the necessary documents. She was represented by legal aid on the trial. Apart from preparing the notice she has been turned down for legal aid on the appeal. The respondent argues that there is no merit in the appeal and that there is a foreclosure order against her interest in the condominium unit. I have heard the parties and it is clear that the Rules have not been complied with. With respect Miss Grenkow has had ample time to perfect the appeal. In effect the time was extended by Hallett, J. In the absence of legal aid I do not think that her present impecuniosity is a sufficient reason to dismiss the application.

I will grant the motion and dismiss the appeal.

J.A.

NOVA SCOTIA COURT OF APPEAL

BETWEEN

IRENE GAIL GRENKOW

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Appellant

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REASONS  
FOR  
JUDGMENT

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- And-

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JONES, J.A.

HALIFAX COUNTY  
CONDOMINIUM  
CORPORATION #151

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Respondent

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