

SUPREME COURT OF NOVA SCOTIA

Citation: *Ceilidh Construction Ltd. v. Optimum Construction Ltd.*,
2015 NSSC 190

Date: 20150526
Docket: Hfx No. 432653
Registry: Halifax

Between:

Ceilidh Construction Limited

Plaintiff

v.

Optimum Construction Limited, and John Stanley Rhymes
and Cindy Elizabeth Rhymes

Defendants

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Judge: The Honourable Justice Suzanne M. Hood

Heard: May 4, 5, 2015 in Halifax, Nova Scotia

Oral Decision: May 26, 2015

Written Release of Oral Decision: June 26, 2015

Oral Decision:

Subject: *Builders' Lien Act*, trust provisions (ss. 44B and 44G)

Summary: The plaintiff company claims it did work on several projects for the defendant company and has not been paid. It says further that the individual defendants have breached the trust provisions of the *Builders' Lien Act* and are personally liable for the debt. The defendant admitted at trial that the plaintiff is owed the money by the defendant company.

Issues: Breach of trust provisions of *Act*

Result: Company breached trust provisions and individual defendants jointly and severally liable for breach of trust.

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QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***