

SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Stephen v. Patriquen, 2011 NSSC 117

Date: 20110328
Docket: 1201-60795
Registry: Halifax

Between:

Melanie Jane Stephen

Applicant

v.

Michael Patriquen

Respondent

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Judge: The Honourable Justice Moira C. Legere Sers

Heard: March 10 and 21, 2011 in Halifax, Nova Scotia

Written Decision: March 28, 2011

Subject: Contempt Application

Issue: (1) Proving contempt of the terms of the Corollary Relief Judgment;
(2) service of notice; and (3) sufficiency of detail.

Summary: Mortgage in arrears. Previous motions for contempt to address similar issue. Respondent has exclusive possession of matrimonial property with extensive terms and conditions as per CRJ. Property in sole name of applicant. Failure to comply with CRJ resulted in application for foreclosure and affected applicant's credit. Applicant seeks exclusive possession of matrimonial home and permission to sell one of three lots to address mortgage arrears and taxes.

Result: Applicant's application granted. Contempt order issued to purge the contempt and force compliance with the CRJ.

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