

SUPREME COURT OF NOVA SCOTIA

Citation: Allterrain Contracting Inc. v. Rockwork Construction Ltd.,
2011 NSSC 212

Date: 20110602
Docket: Hfx No. 344331
Registry: Halifax

Between:

Allterrain Contracting Inc. Applicant

and

Rockwork Construction Limited Respondent

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Judge: The Honourable Justice Gerald R. P. Moir

Heard: May 26, 2011

Subjects: *Builders' Lien Act*, expiry of lien, registration of claim, repair work.

Summary: Rockwork did drilling and blasting for Allterrain under a verbal lump sum contract. Rockwork registered a claim for lien more than sixty days after Allterrain says the contract was complete. Rockwork did work later, but Allterrain says the work was for repair of deficiencies. It moved for an order declaring the lien expired.

Issues: Whether claim for lien was registered in time?

Result: Not all the work was for repair and, in any case, the contract was not complete when the work was done. Motion dismissed.

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