

SUPREME COURT OF NOVA SCOTIA

Citation: Action Management Inc. v. Archibald, 2011 NSSC 358

Date: 20110929

Docket: SPH No 291925

Registry: Port Hawkesbury

Between:

Action Management Inc.

Plaintiff

v.

Karen Archibald and The Estate
of Adam Archibald

Defendant

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Judge: The Honourable Justice Patrick J. Murray

Heard: March 29th and 30th, 2011, Nova Scotia
Port Hawkesbury, Nova Scotia

Written Decision: September 29, 2011

Counsel: Mr. Ralph Ripley, for the Plaintiff
Karen Archibald, for the Defendants

Subject: Commercial lease, Landlord and Tenant.

Summary: Tenant alleging accord and satisfaction of lease.
Landlord relying on default provisions in Lease to claim
for rent to balance of term.

Issue: Whether there was accord and satisfaction of the Lease
between the parties?

Result:

Accord and satisfaction reached between the parties.
Tenant responsible for six months rent as tenant
remaining in possession was not a provision of accord
and satisfaction reached.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***