

SUPREME COURT OF NOVA SCOTIA

Citation: Royal Bank of Canada v. Moffat, 2013 NSSC 111

Date: 20130321

Docket: Hfx No. 408843

Registry: Halifax

Between:

Royal Bank of Canada

Plaintiff

v.

Paul Alexander Richard Moffat and Nancy Lynn Everson

Defendants

v.

N/A

Defendant-Guarantor

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Judge: The Honourable Justice Michael J. Wood

Heard: February 27 and March 20, 2013 (in Chambers), in
Halifax, Nova Scotia

Written Decision: March 21, 2013

Subject: Foreclosure - Appointment of Person to Conduct Sale

Summary: The Plaintiff requested the appointment of a lawyer to
conduct the foreclosure sale, rather than the sheriff.

Issue: Should a non-sheriff be appointed to conduct the foreclosure sale and, if so, on what terms?

Result: The Court reviewed the role of sheriffs in conducting judicial sales and concluded that other persons could be appointed in appropriate circumstances. Here, the person was an officer of the court, experienced in foreclosures, and insured. Appointment would reduce the sale expenses.

Motion granted.

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