

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** Dataville Farms Ltd. v. Colchester County (Municipality), 2013 NSSC 355

**Date:** 20131114

**Docket:** Hfx No. 416566

**Registry:** Halifax

**Between:**

Dataville Farms Ltd.

Applicant

v.

Municipality of the County of Colchester

Respondent

Jonathan Baha'i (aka Jonathan Tranter  
dba Server Balance Data Solutions)

Respondent

**- and -**

**Docket:** Hfx No. 417390

**Registry:** Halifax

**Between:**

Jonathan Baha'i

Applicant

v.

Municipality of the County of Colchester

Respondent

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**LIBRARY HEADING**

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**Judge:** The Honourable Justice Michael J. Wood

**Heard:** October 17, 2013 in Halifax, Nova Scotia

**Written Decision:** November 14, 2013

**Subject:** *Municipal Government Act* - Tax Sales

**Summary:** Dataville Farms Ltd. wanted to redeem properties which had been sold by Colchester at tax sale. Dataville did not deliver payment prior to closing of the municipal office on the last day of the redemption period. It claimed that Colchester acted unreasonably and thwarted the redemption efforts.

**Issue:** When does the redemption period expire?  
  
Did Dataville's efforts amount to redemption?

**Result:** Contrary to the position of Colchester, the redemption period under the *Municipal Government Act* expires at midnight six months after the tax sale and not at 4:30 when the administrative offices closed. The allegedly unreasonable conduct by Colchester in dealing with Dataville was not relevant in determining whether redemption took place within the statutory period. Since the payment was not made by Dataville within six months from the tax sale, the right to redeem was lost.