

IN THE SUPREME COURT OF NOVA SCOTIA

Citation: Nova Scotia Real Estate Commission (Re), 2004 NSSC 72

Date: 2004/03/31

Docket: S. H. No. 216426

Registry: Halifax

In the Matter of: *The Real Estate Trading Act*, S.N.S. 1996 c.28, as amended;

and

In the Matter of: An application of the Nova Scotia Real Estate Commission, on behalf of certain real estate brokerages, for an Order to have undistributed trust funds transferred to the Nova Scotia Real Estate Commission pursuant to s. 32 of the *Real Estate Trading Act*, as amended.

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Judge: The Honourable Justice John M. Davison

Heard: March 5 and 16, 2004 in Halifax, Nova Scotia

Subject: Trusts

Summary: An Application in Chambers on behalf of the Nova Scotia Real Estate Commission pursuant to s. 32 of the *Real Estate Trading Act*, 1996, c.28.s.1 for an order transferring stale, unclaimed trust funds to the commission.

Result: The Application was dismissed as there was no evidence the requirements for transfer set out in s. 32 (5) were met.

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