

IN THE SUPREME COURT OF NOVA SCOTIA  
Citation: Johnson v. Greater Corp. Condominiums Inc., 2002 NSSC 245

Date: 20021114  
Docket: SH 173807  
Registry: Halifax

Between:

Kenneth Johnson et al

Plaintiff

v.

Greater Corp. Condominiums Inc.

Defendant

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Judge: The Honourable Justice M. Heather Robertson

Heard: October 15, 2002, in Halifax

Written Decision: November 14, 2002

Subject: Vendor Purchaser Law. Application for Summary Judgment for breach of a purchase agreement for a condominium unit. *Civil Procedure Rules* 13.01, 13.02

Summary: Agreed delays in closing arising from two vendor purchaser applications. Failure to close transaction. Suit for damages or specific performance. Unit sold by defendant for higher price one week following failed closing date.

Held: Application for summary judgment granted. Defendant had not demonstrated real issue to be tried. Documents previously tendered. Adjustment to condo fee only outstanding matter. Defendant's failure to close gave rise to damages including return of deposit, damages representing difference between fair market value of property as of date of breach and the contract price for the sold unit, damages arising from purchasers' financing costs, pre-judgment interest and costs.

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