

Bond Case Briefs

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Hoffman v. Board of the Local Improvement District No. 1101

Supreme Court of Idaho, Boise, November 2016 Term - January 4, 2017 - P.3d - 2017 WL 33717

Landowners appealed assessments by county board for water system in local improvement district. Parties entered mediation and signed memorandum of settlement. Landowners then filed notice of settlement seeking enforcement of memorandum.

The District Court denied landowners' summary judgment motion, granted unopposed motion by district and county board, and required landowners to pay attorney fees. Landowners appealed.

The Supreme Court of Idaho held that:

- District Court could treat memorandum as non-integrated and consider extrinsic evidence in determining that landowners' execution of release of claims was material term, and
- Landowners could be required to pay attorney fees for appeal without reasonable basis in fact or law.

Trial court could treat as non-integrated handwritten memorandum of settlement following mediation and consider extrinsic evidence in determining that landowners' execution of release of claims was material term and memorandum was not enforceable settlement of landowners' claims against improvement district and county board to challenge assessments. Court did not look to extrinsic evidence in order to interpret terms of the memorandum, but was attempting to determine whether an enforceable contract had been formed.

Statute providing exclusive remedy of appeal by person who had filed objections to assessment roll or any other person aggrieved by confirmation of assessment did not preclude district court from requiring landowners to pay attorney fees to county board and local improvement district under statute entitling prevailing party to reasonable attorney fees, unless otherwise provided by statute, in any proceeding involving state agency or a political subdivision, if non-prevailing party acted without reasonable basis in fact or law.

Supreme Court would affirm award of attorney fees to county board and local improvement district for landowners' appeal challenging assessments without a reasonable basis in fact or law, where landowners made no effort to identify objections and grievances which prompted appeal and did not attempt to address district court's reasons for awarding fees, but contended that broad scope of statutory right to appeal created a low bar for reasonableness of an appeal.