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Wandruszka v. City of Moscow

Supreme Court of Idaho, Moscow, April 2024 Term - August 19, 2024 - P.3d - 2024 WL 3863546

Landlords brought declaratory judgment action against city challenging validity of city's revised utility billing process for city water service reflecting city's new policy of no longer contracting directly with tenants and requiring landlords to assume liability for tenants' unpaid water bills.

The Second Judicial District Court granted summary judgment in part and denied it in part to each party. Landlords and city both appealed.

The Supreme Court held that:

- Landlords had requisite injury-in-fact to have standing;
- City could use written agreements to guarantee utility payments from tenants;
- Utility billing agreements were not secured under duress;
- Utility billing agreements were contracts of adhesion;
- Utility billing agreements had vague and indefinite lien provisions rendering agreements unenforceable; and
- Neither party was entitled to attorney fees on appeal.

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