

APPELLATE COURT OF MARYLAND

Angela Wallace v. Evert R. Hawk, II

Wallace v. Hawk · No. No. 230, September Term, 2024; C-02-CV-22-000679 · Decided December 18, 2025

SUMMARY

The Appellate Court of Maryland held that Maryland’s heart balm statute, Family Law § 3-102, did not bar claims for fraud and breach of fiduciary duty arising from alleged misrepresentations about a romantic relationship, shared home purchase, financial contributions, and real estate commissions. The court also held that a third-party payment of a real estate commission did not preclude an unjust enrichment claim or potential restitution. The court vacated the circuit court’s judgments and answered both appellate questions in the affirmative.

CASE DETAILS

COURT	Appellate Court of Maryland
WRITING FOR THE COURT	Tang, J.; Beachley, J.; Battaglia, J.; Lynne A. Battaglia, Senior Judge, specially assigned
JURISDICTION	Maryland
DECIDED	December 18, 2025
DOCKET	No. 230, September Term, 2024; C-02-CV-22-000679
DISPOSITION	vacated
PROCEDURAL POSTURE	Angela Wallace appealed after the Circuit Court for Anne Arundel County granted judgment for Evert Hawk on her fraud and breach-of-fiduciary-duty claims at the close of her case and granted summary judgment for Hawk on her unjust-enrichment claim.
STANDARD OF REVIEW	De novo review applied to the trial court's determination that the fraud and breach-of-fiduciary-duty claims were barred by statute and case law, with evidence and reasonable inferences viewed in the light most favorable to Wallace. Summary-judgment legal conclusions were also reviewed de novo.
PRECEDENTIAL VALUE	Published, precedential opinion of the Appellate Court of Maryland
PARTIES	Angela Wallace v. Evert R. Hawk, II

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QUESTIONS PRESENTED

1. Whether Maryland Family Law § 3-102 barred Wallace's fraud and breach-of-fiduciary-duty claims because they were allegedly based on a promise to marry.
2. Whether the circuit court properly granted summary judgment on Wallace's unjust-enrichment claim on the ground that the commission was paid by third parties rather than by Wallace.
3. Whether the statute was unconstitutional as applied under Article 19 of the Maryland Declaration of Rights.

HOLDINGS

1. Family Law § 3-102 did not bar Wallace's fraud and breach-of-fiduciary-duty claims because their real basis was Hawk's alleged deception about the relationship, the planned household, and his financial commitments concerning the house—not his failure to marry Wallace.
2. A benefit supporting an unjust-enrichment claim need not come directly from the plaintiff's own funds. The fact that the sellers paid Hawk's real-estate commission did not defeat Wallace's claim.
3. The court did not reach the constitutional challenge because the appeal could be resolved on nonconstitutional grounds.

KEY QUOTATIONS

“Thus, the real basis of Angela’s claims was not that Evert wronged her by not marrying her. Instead, her claims were rooted in Evert’s deception about the nature of their relationship and his financial commitments concerning the Brownstone house.” (at 25)

“However, as we have explained, the fact that the sellers paid the commission to Evert does not defeat the unjust enrichment claim.” (at 38)

FACTUAL BACKGROUND

Angela Wallace and Evert Hawk began dating in 2016 and discussed an exclusive relationship, combining households, and purchasing a home together. Wallace alleged that Hawk represented he would contribute half of the down payment and household expenses, would waive his real-estate commission, and was in a long-term monogamous relationship, while concealing other relationships. Wallace purchased a home in her name, paid the down payment and initial expenses, and later learned that Hawk received a \$13,253.25 commission from the transaction. She sued for fraud, breach of fiduciary duty, and unjust enrichment.

PROCEDURAL HISTORY

Wallace sued Hawk for fraud, breach of fiduciary duty, and unjust enrichment arising from their relationship, a home purchase, and Hawk's receipt of a real-estate commission. The circuit court initially denied summary judgment on the fraud and fiduciary-duty claims because material factual disputes existed, but granted summary judgment on unjust enrichment. After Wallace presented her case at trial, the court granted Hawk's motion for judgment on the fraud and fiduciary-duty claims, concluding that Maryland's heart-balm statute barred them. The court denied Wallace's motion to alter or amend, and Wallace timely appealed.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The judgments entered by the Circuit Court for Anne Arundel County against Wallace on Counts III, IV, and V were vacated, and the case was remanded for further proceedings not inconsistent with the opinion. Hawk was ordered to pay costs.

CASES CITED

- Miller v. Ratner, 114 Md. App. 18 (1997)
- Bradley v. Bradley, 208 Md. App. 249 (2012)
- Hill v. Cross Country Settlements, LLC, 402 Md. 281 (2007)
- Plitt v. Greenberg, 242 Md. 359 (1966)
- Alternatives Unlimited, Inc. v. New Baltimore City Board of School Commissioners, 155 Md. App. 415 (2004)
- State v. Lancaster, 332 Md. 385, 403 n.13 (1993)
- Di Blasio v. Kolodner, 233 Md. 512 (1964)
- Pavlicic v. Vogtsberger, 136 A.2d 127 (Pa. 1957)
- Piccininni v. Hajus, 429 A.2d 886 (Conn. 1980)
- Hanna J Invs., LLC v. Dlin, Case No. WMN-10-2255, 2010 WL 5099251 (D. Md. Dec. 8, 2010)
- Yang v. Lee, 163 F. Supp. 2d 554 (D. Md. 2001)
- Braude v. Robb, 255 Md. App. 383 (2022)
- Green v. H & R Block, Inc., 355 Md. 488 (1999)
- Messing v. Bank of Am., N.A., 373 Md. 672 (2003)
- Jurgensen v. New Phoenix Atl. Condo. Council of Unit Owners, 380 Md. 106 (2004)
- Campbell v. Jenifer, 222 Md. 106 (1960)

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