

FLORIDA THIRD DISTRICT COURT OF APPEAL

Ilse Gevaert v. Allan Teh

No. 3D24-2280 · No. No. 3D24-2280 · Decided September 17, 2025

SUMMARY

The Third District Court of Appeal of Florida affirmed the denial of Ilse Gevaert’s petition to relocate her minor child from Miami, Florida, to Studio City, California. The court held that the trial court properly considered the statutory relocation factors and that its determination that relocation was not in the child’s best interest was supported by competent, substantial evidence.

CASE DETAILS

COURT	Florida Third District Court of Appeal
WRITING FOR THE COURT	Gooden, J.; Fernandez, J.; Miller, J.
JURISDICTION	Florida Third District Court of Appeal
DECIDED	September 17, 2025
DOCKET	No. 3D24-2280
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from an order denying the mother's petition to relocate the minor child from Miami, Florida, to Studio City, California.
STANDARD OF REVIEW	The denial of relocation is reviewed for abuse of discretion, and the trial court's statutory findings are upheld when supported by competent, substantial evidence.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Ilse Gevaert v. Allan Teh

TOPICS

- relocation
- child custody
- standard of review
- appellate procedure
- family law procedure

PRACTICE AREAS

- family law
- child custody
- relocation
- appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion in denying Gevaert's petition to relocate the minor child after considering the statutory best-interest factors.
2. Whether Teh presented sufficient evidence under section 61.13001(8), Florida Statutes, to establish that the proposed relocation was not in the child's best interest.

HOLDINGS

1. The trial court properly considered the broader range of best-interest factors identified in section 61.13001(7), Florida Statutes, rather than limiting its analysis to the school-related expert testimony.
2. The trial court did not abuse its discretion in denying relocation because its findings were supported by competent, substantial evidence and Teh met his statutory burden to show that relocation was not in the child's best interest.

FACTUAL BACKGROUND

Ilse Gevaert sought to relocate the parties' minor child from Miami, Florida, to Studio City, California. Gevaert relied in part on expert testimony concerning which schools would be best for the child. The trial court considered the broader statutory best-interest factors, scrutinized the evidence presented by both parties, and found that Allan Teh established that relocation was not in the child's best interest.

PROCEDURAL HISTORY

The Circuit Court for Miami-Dade County denied Ilse Gevaert's petition to relocate the minor child. The trial court found that Allan Teh met his burden and that relocation was not in the child's best interest. Gevaert appealed, arguing that Teh had not presented sufficient evidence to overcome her expert's testimony.

DISPOSITION

affirmed

CASES CITED

- Sanabria v. Sanabria, 271 So. 3d 1101, 1104 (Fla. 3d DCA 2019)
- Eckert v. Eckert, 107 So. 3d 1235, 1237 (Fla. 4th DCA 2013)

OPINION

Ilse Gevaert v. Allan Teh

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed September 17, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D24-2280 Lower Tribunal No. 19-7811-FC-04 _____ Ilse Gevaert, Appellant, vs. Allan Teh, Appellee. An Appeal from the Circuit Court for Miami-Dade County, Spencer Multack, Judge. Hoffman, Larin & Agnetti, P.A., and John B. Agnetti and Daniel H. Kent, for appellant. Buchbinder & Elegant, P.A., and Harris J. Buchbinder, for appellee. Before FERNANDEZ, MILLER and

GOODEN, JJ. GOODEN, J. Appellant Ilse Gevaert appeals an order denying her petition to relocate her minor child from Miami, Florida to Studio City, California. She asserts that, when the burden shifted, Appellee Allan Teh did not produce sufficient evidence that the proposed relocation was not in the best interest of the child. See § 61.13001(8), Fla. Stat. (2024). Specifically, she asserts that his evidence did not overcome her expert witness' testimony. But this argument suffers from tunnel vision. Indeed, the expert witness' testimony focused solely on what schools are best for the child. Whereas the trial court was required to consider a wider range of factors— those set forth in section 61.13001(7), Florida Statutes. See § 61.13001(7)(a)-(k), Fla. Stat. And it did. In reaching its conclusion, the trial court scrutinized the evidence presented by both parties and performed a detailed analysis of the factors in 61.13001(7), Florida Statutes. Ultimately, it found Teh met his burden and the proposed relocation was not in the best interest of the child. The trial court did not abuse its discretion by denying relocation. *Sanabria v. Sanabria*, 271 So. 3d 1101, 1104 (Fla. 3d DCA 2019). Its findings are supported by competent, substantial evidence. *Id.* See also *Eckert v. Eckert*, 107 So. 3d 1235, 1237 (Fla. 4th DCA 2013) (“The trial court’s 2 decision will be affirmed if the statutory findings are supported by substantial competent evidence.”). And so, we affirm. Affirmed. 3