

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.

OPINION

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

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