

SUPREME COURT OF IDAHO

Carter v. Zollinger, 146 Idaho 842

203 P.3d 1241 (2009) · No. No. 34377 · Decided February 11, 2009

SUMMARY

The Idaho Supreme Court held that an unlawful detainer action was improper because the parties did not have a conventional landlord-tenant relationship. The court also held that findings concerning ownership, beneficial interests, or estoppel in the unlawful detainer proceeding had no preclusive effect in subsequent litigation concerning title or property interests, and awarded attorney fees and costs to the respondents.

CASE DETAILS

COURT	Supreme Court of Idaho
WRITING FOR THE COURT	Burdick, J.; Eismann, C.J.; J. Jones, J.; W. Jones, J.; Horton, J.
JURISDICTION	Idaho
DECIDED	February 11, 2009
DOCKET	No. 34377
DISPOSITION	affirmed
PROCEDURAL POSTURE	Beneficiaries of a trust appealed from the district court's affirmance of the magistrate court's summary judgment dismissing their unlawful detainer action.
STANDARD OF REVIEW	When the district court decides an appeal from the magistrate division, the Idaho Supreme Court reviews the district court's decision directly and exercises free review over the legal issues analyzed by the district court in its appellate capacity.
PRECEDENTIAL VALUE	Published Idaho Supreme Court opinion; precedential.
PARTIES	Nadene R. Carter, Norma R. Bennett, Laree Larson, Melvin S. Roberts, Beneficiaries of the Norman H. Roberts Family Revocable Trust v. Flora Zollinger, Donovan Zollinger

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QUESTIONS PRESENTED

1. Whether an unlawful detainer action may determine ownership or the nature and extent of the parties' legal or equitable interests in real property.
2. Whether the respondents were tenants at will as a matter of law and therefore subject to unlawful detainer proceedings.
3. Whether findings concerning ownership interests or estoppel in the unlawful detainer action have res judicata or collateral-estoppel effect in later litigation.
4. Whether the respondents were entitled to attorney fees and costs under Idaho Code section 6-324.

HOLDINGS

1. A trust beneficiary in possession of property held in legal title by a trustee is not necessarily a tenant at will for purposes of an unlawful detainer action. Whether a conventional landlord-tenant relationship exists depends on the individual facts of the case.
2. An unlawful detainer action is limited to determining the right to possession, including whether a landlord-tenant relationship exists and, if so, whether the tenant is in default; it cannot be used to determine paramount legal or equitable title or other ownership interests.
3. Findings in an unlawful detainer action concerning the nature or extent of ownership interests, or whether estoppel applies, have no preclusive effect in later proceedings determining the parties' rights or interests in the property.
4. The respondents, as the prevailing parties in the unlawful detainer action, were entitled to attorney fees and costs under Idaho Code section 6-324.

KEY QUOTATIONS

"If, in order to determine the right of possession, the court must determine which party has the paramount legal or equitable title, then the rights of the parties cannot be determined in an action of forcible entry and detainer." (146 Idaho 844)

"Being thus limited in its scope and purpose, a judgment rendered in such an action (unlawful detainer) can have no broader application than the proceeding itself, and, the latter being confined solely to the one issue of possession, judgments rendered therein cannot be extended to include other matters." (146 Idaho 845)

FACTUAL BACKGROUND

The Fairview property was held in trusts established by Norman and Afton Roberts, whose children included the appellants and respondent Flora Zollinger. The respondents had collected rents, paid taxes, made improvements, and moved onto the property with the understanding that they would receive it as an inheritance. After Afton Roberts's death, one appellant, acting as trustee, served a notice terminating a tenancy at will, and the appellants filed an unlawful detainer action when the respondents did not leave.

PROCEDURAL HISTORY

The appellants served the respondents with a notice terminating a tenancy at will and filed an unlawful detainer action after the respondents did not vacate the property. The magistrate court granted the respondents summary judgment, finding that no landlord-tenant relationship existed. The district court affirmed, and the Idaho Supreme Court affirmed the district court while rejecting the lower courts' additional findings concerning ownership, estoppel, and the parties' interests in the property.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The parties' respective rights and interests in the Fairview property, including the nature and extent of any interest and whether estoppel applies, must be decided in an appropriate trial-court proceeding and not treated as resolved by the unlawful detainer action.

CASES CITED

- *Losser v. Bradstreet*, 145 Idaho 670, 183 P.3d 758 (2008)
- *Robertson v. Swayne*, 85 Idaho 239, 378 P.2d 195 (1963)
- *Coe v. Bennett*, 39 Idaho 176, 226 P. 736 (1924)
- *Richardson v. King*, 51 Idaho 762, 10 P.2d 323 (1932)
- *Fry v. Weyen*, 58 Idaho 181, 70 P.2d 359 (1937)
- *Bekins v. Trull*, 69 Cal. App. 40, 230 P. 24 (1924)
- *Williams v. MacDonald*, 180 Cal. 546, 182 P. 29 (1919)
- *Estate of Clark*, 190 Cal. 354, 212 P. 622 (1922)