

SUPREME COURT OF THE STATE OF DELAWARE

Delgado v. Mosley

No. 86, 2017 (Del. Dec. 11, 2017) · No. No. 86, 2017 · Decided December 11, 2017

SUMMARY

The Delaware Supreme Court affirmed the Court of Chancery’s judgment concerning ownership and partition of real property held by Heather M. Delgado and Maurice A. Mosley. The court upheld the determination that Mosley held a 75% interest and Delgado held a 25% interest, based on their unequal contributions to the property. It also rejected Delgado’s arguments for a constructive trust and attorney’s fees.

CASE DETAILS

COURT	Supreme Court of the State of Delaware
WRITING FOR THE COURT	Karen L. Valihura; Leo E. Strine, Jr., Chief Justice; Karen L. Valihura, Justice; James T. Vaughn, Jr., Justice
JURISDICTION	Delaware
DECIDED	December 11, 2017
DOCKET	No. 86, 2017
DISPOSITION	affirmed
PROCEDURAL POSTURE	Delgado appealed from the Court of Chancery's post-trial bench decision and order denying her motion for reargument.
STANDARD OF REVIEW	The Supreme Court found no error or abuse of discretion in the Court of Chancery's judgment and affirmed on the basis of and for the reasons assigned by that court.
PRECEDENTIAL VALUE	Published Delaware Supreme Court opinion
PARTIES	Heather M. Delgado v. Maurice A. Mosley

TOPICS

- partition
- deeds
- constructive trust
- appellate procedure
- remedies

PRACTICE AREAS

- real estate
- trusts
- remedies
- appellate procedure

QUESTIONS PRESENTED

1. Whether the Court of Chancery erred in determining that Delgado held only a 25% interest in the property.
2. Whether the Court of Chancery erred by declining to impose a constructive trust based on Delgado's investment and alleged unjust enrichment.
3. Whether the Court of Chancery erred by declining to award Delgado attorneys' fees.

HOLDINGS

1. The Court of Chancery did not err in determining that Mosley held a 75% interest and Delgado held a 25% interest in the property.
2. The Court of Chancery properly declined to impose a constructive trust in Delgado's favor.
3. The Court of Chancery properly declined to award Delgado attorneys' fees.

KEY QUOTATIONS

“After careful consideration of Delgado’s opening brief and the record below, this Court has determined that the judgment of the Court of Chancery should be affirmed on the basis of and for the reasons assigned by the Court of Chancery in its November 22, 2016 post-trial bench ruling and its January 30, 2017 bench ruling denying Delgado’s motion for reargument.” (¶ 7)

“Nonetheless, the trial court concluded that the presumption of 50/50 ownership in this case had been rebutted and that, in light of the parties’ unequal contributions to the value of the property, Mosley retained a 75% interest in the property and Delgado held a 25% interest in the property.” (¶ 5)

FACTUAL BACKGROUND

Mosley purchased the disputed property in 1984, lived there, and operated his plumbing business on it. During the parties' relationship, Delgado used equity from another property to obtain a loan in her sole name and contributed approximately \$50,000 toward improvements to Mosley's property. In 2011, the parties executed and recorded a quitclaim deed conveying the property from Mosley to both Mosley and Delgado, without specifying their respective ownership interests. After the relationship ended, Mosley sought rescission of the deed, while Delgado sought partition or a constructive trust.

PROCEDURAL HISTORY

Mosley sued in the Court of Chancery seeking, among other relief, rescission of a quitclaim deed. Delgado counterclaimed for partition and later amended her counterclaim to seek partition or a constructive trust. After a one-day trial, the Court of Chancery denied Mosley's rescission claim, determined that Mosley owned a 75% interest and Delgado owned a 25% interest in the property, and denied Delgado's motion for reargument. The Delaware Supreme Court affirmed.

DISPOSITION

affirmed

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