

**BOISE, MONDAY, NOVEMBER 7, 2025, AT 11:10 A.M.**

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

**NORTH HENRY’S LAKE HOMEOWNERS )  
ASSOCIATION, INC., an Idaho nonprofit )  
corporation, )**

**Plaintiff-Appellant, )**

**v. )**

**BRYAN NORTON; HENRY VIRGIL LLC; )  
PROPERTIES IDAHO LLC; and C&N )  
PERSPECTIVES LLC, )**

**Defendants-Respondents. )**

**Docket No. 51990**

Appeal from the District Court of the Seventh Judicial District of the State of Idaho,  
Fremont County. Joel E. Tingey, District Judge.

Givens Pursley LLP, Boise, and Vial Fotheringham, LLP, Meridian, for Appellant.

Liberty Law Idaho PLLC, Meridian, for Respondents.

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This appeal concerns whether Idaho Code section 55-3211’s prohibition on covenants, conditions, and restrictions (CCRs) that restrict short-term rentals in a subdivision without the express written consent of the property owner at the time the CCRs are added or amended protects a particular property owner or a particular property. North Henry’s Lake Homeowners Association (“the HOA”) appeals from the district court’s judgment dismissing its complaint for injunctive and declaratory relief. The HOA sought a judicial declaration that the defendant homeowners were bound by the HOA’s CCRs that prohibited any property in the subdivision from being leased as a short-term rental and further sought an injunction to prevent the homeowners from doing so. The district court granted summary judgment in favor of the homeowners, concluding that the restriction on short-term rentals did not apply to the property at-issue because neither the owner of the property at the time that restriction was added to the CCRs, nor any subsequent owner, consented to the restriction. The HOA appeals, contending the district court erroneously interpreted section 55-3211 to protect the property when the statute protects only the owner of the property at the time the restriction on short-term rentals is added or amended. The HOA further contends the statute plainly provides for the enforcement of short-term rental restrictions against subsequent owners who purchase the property after that restriction was recorded.