

BOISE, AUGUST 15, 2024, AT 10:30 A.M.

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 51053

EUGENE TURLEY and KARLEEN)
DAVIS, husband and wife,)
)
Plaintiffs-Counterdefendants-)
Respondents,)
)
v.)
)
KAREN KOONCE, an individual; and)
SCOTT PARKER, an individual,)
)
Defendants-Counterclaimants-)
Appellants.)
)

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Lynn G. Norton, District Judge.

Johnson May; Matthew T. Christensen, Boise, for appellants.

Gravis Law, PLLC; Andrew J. Howard, Boise, for respondents.

Karen Koonce and Scott Parker appeal from the district court’s summary judgment in favor of Eugene Turley and Karleen Davis for an alleged breach of contract and from the award of attorney fees. The issues in this case relate to a lease agreement, and addendums thereto, between the parties. Koonce and Parker asserted that despite their valid exercise of a renewal option, Turley and Davis sent them a notice to vacate the property, which was followed by an unlawful detainer complaint. Koonce and Parker counterclaimed for breach of contract and remained in possession of the property for three months during which time they attempted to pay rent. Turley and Davis refused to accept the rent payments and amended their complaint to allege breach of contract and unjust enrichment claims against Koonce and Parker. Both parties eventually filed motions for summary judgment. The district court denied Koonce and Parker’s motion but granted summary judgment in favor of Turley and Davis. The district court awarded damages for three months of unpaid rent and costs and attorney fees to Turley and Davis, which award was later reduced pursuant to Koonce and Parker’s motion. Koonce and Parker appeal. Both parties request costs and attorney fees on appeal.