

## SUMMARY STATEMENT

*Stanley Consultants, Inc. v. Integrated Financial Associates, Inc.*, Docket No. 40514

The Idaho Supreme Court vacated and remanded the Ada County district court's decision as to the priority date for engineer's liens under Idaho Code section 45-506, as well as the district court's decision granting Knife River's motion for summary judgment as to its lien priority. This case consolidated several individual cases dealing with common claims for nonpayment against the developer of the Summer Wind at Orchard Hills subdivision and golf course development in Canyon County, Idaho.

There were essentially two distinct cases on appeal. First, Stanley Consultants, Inc. ("Stanley") appealed the district court's decision that for purposes of Idaho Code section 45-506, an engineer's lien dates back only to the date actual physical work was performed on-site.

Second, IFA cross-appealed the district court's decision granting Knife River's summary judgment motion based on the district court's decision that Knife River had a valid lien priority date for the work Knife River did on roadways and golf cart paths. IFA also appeals the district court's decision on the proper designation of land necessary to support Knife River's lien.

With respect to Stanley's appeal, the Idaho Supreme Court held that the priority date for an engineer's lien is the date the engineer commenced to furnish any professional services authorized under contract, regardless of where the services were rendered. On IFA's cross-appeal, the Idaho Supreme Court held that the district court erred when it granted Knife River's summary judgment motion for several reasons. These included: (1) Knife River's Proposal was ambiguous and there was a genuine issue of material fact as to whether Knife River's Proposal encompassed the cart path work; (2) the roadways and cart paths were "improvements" for purposes of applying Idaho code section 45-508; and (3) Idaho Code section 45-505 required the district court to take evidence on the amount of land necessary for the convenient use and occupation of the roads and cart paths subject to Knife River's lien claim. The Court awarded costs to Stanley.