

SUMMARY STATEMENT

ACI Northwest Inc. v. Monument Heights, LLC – Docket No. 41269

In a case arising out of Kootenai County, ACI Northwest Inc. (ACI) sought judicial foreclosure of its two mechanic's liens on property encumbered by two deeds of trust. The district court determined that ACI's liens were lost and unenforceable against the property because ACI failed to name or join the trustees in its action within the six-month statute of limitations in Idaho Code section 45-510. Thus, the district court granted summary judgment to Monument Heights LLC, Dan Jacobson, Sage Holdings LLC, Steven Lazar, the Mitchell A. Martin and Karen C. Martin Family Trust dated August 9, 2005, Devon Chapman, HLT Real Estate LLC, Anthony St. Louis, Andrea Stevens, and Lilly Properties Inc. ACI appealed to the Idaho Supreme Court.

This Court reaffirmed its holding in *ParkWest Homes, LLC v. Barnson (ParkWest II)*, 154 Idaho 678, 302 P.3d 18 (2013), that an action to enforce a mechanic's lien on property encumbered by a deed of trust must name the trustee, who hold legal title to the property, within the statutory time limitation in Idaho Code section 45-510. Failure to name the trustee within the prescribed time limitation results in the mechanic's lien being lost against legal title, the trustee's interest in the property. This Court determined that the district court properly applied *ParkWest II* and therefore affirmed the district court's decision.