

SUMMARY STATEMENT

Adams v. Kimberley One Townhouse Owner's Association, Inc., Docket No. 42192

The Idaho Supreme Court upheld the Ada County Fourth District Court's ruling that Kimberley One Townhouse Owner's Association had not inappropriately amended the subdivision's restrictive covenants to prohibit the rental of subdivision properties for periods of less than six months. Virgil Adams, who had been renting his subdivision residence to short-term renters as a vacation property, complained that the amendment was an unreasonable restriction on the use of his property and was not in keeping with the original restrictive covenants. The Supreme Court held that because the original covenants clearly provided for their amendment and the amendment was accomplished in the required manner, the district court had correctly ruled. Although the original covenants allowed for leasing or renting a subdivision property, the amendment in question merely restricted any leasing or rental to a minimum term.