

SUMMARY STATEMENT

Fletcher v. Lone Mountain Road Association, Docket. No. 46099

The Fletchers appealed the district court's denial of attorney fees on remand after an amended judgment was entered in their favor. On remand, the district court concluded that the governing subdivision's covenants, conditions, and restrictions ("CC&Rs") did not provide a basis for an award of attorney fees. The Supreme Court reversed the district court's decision, holding that the Fletchers' declaratory judgment action constituted an "enforcement action" under section 5.1 of the CC&Rs.