

**SUMMARY STATEMENT**  
*Eagle Springs HOA v. Rodina*  
Docket No. 46323

This appeal stems from a dispute between Jan Rodina and the Eagle Springs Homeowners' Association ("the HOA"). The dispute began when Rodina undertook a construction project installing a fence and retaining wall. Rodina claimed that he had received permission for the project, but the HOA told him that his project exceeded the scope of the permission he had received. In May 2016, the HOA filed a complaint in Ada County district court seeking injunctive relief to remove the fence, wall, and other aspects of Rodina's project. Rodina asserted, among other defenses, that the HOA approved his project and waived the right to enforce certain provisions of the subdivision's Covenants, Conditions, and Restrictions. The district court awarded summary judgment in favor of the HOA and granted injunctive relief. The Idaho Supreme Court affirmed the district court, determining that the HOA did not approve his project as built and that Rodina failed to show that a genuine issue of material fact precluding the award of summary judgment against him.