

SUMMARY STATEMENT
BrunoBuilt, Inc. v. Briggs Engineering, Inc.
Docket No. 49176

This appeal stems from a professional malpractice suit following a 2016 landslide in the Boise foothills. BrunoBuilt, Inc., was finalizing construction on a custom home at the time. Following damages to the lot and utilities, BrunoBuilt filed a professional negligence suit against numerous engineers and engineering firms involved in the construction of the subdivision, arguing that they failed to identify preexisting landslide conditions and other geological circumstances that made residential development unsafe at this site.

Over two years later, in the fall of 2018, BrunoBuilt discovered additional damage to the custom home itself. It then brought suit against additional defendants, including Briggs Engineering, arguing that the statute of limitations did not accrue until 2018 because the house was a “separate property” from the lot itself under the economic loss rule. The district court rejected this argument and awarded summary judgment to Briggs Engineering because BrunoBuilt’s action was time barred by the two-year statute of limitations under Idaho Code section 5-219(4).

The Idaho Supreme Court affirmed the district court’s award of summary judgment to Briggs Engineering, Inc., concluding that BrunoBuilt’s action was time barred. The Court determined that the malpractice claim began to accrue in 2016 when the landslide first damaged the property. Additionally, because the house and lot were both the subject of the same underlying transaction, there were no recoverable property damages to a property other than that which is the subject of the transaction. Thus, BrunoBuilt’s compensable claims in tort should have been brought within the two-year statute of limitations period.

******This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.******