

**FRIDAY, APRIL 19, 2024, AT 8:50 A.M.**

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

**AARON SEVERINSEN**

**Plaintiff-Appellant,**

**v.**

**THOMAS AND MICHELLE,  
TUELLER, SEARLE PROPERTIES,  
LLC, STONELY FARM, LLC, JOHN  
and JANE DOES 1-50,**

**Defendants-Respondents.**

**Docket No. 50261**

Appeal from the District Court of the Seventh Judicial District of the State of Idaho,  
Bingham County. Darren B. Simpson, District Judge.

Olsen Taggart PLLC, Idaho Falls, attorneys for Appellant.

Banks Gaffney, PLLC, Idaho Falls, attorney for Respondents.

This appeal concerns the purchase and sale of real property and what property sellers are required to disclose under the Idaho Property Condition Disclosure Act (the “IPCDA”). Aaron Severinsen appeals from the district court’s order granting Thomas and Michelle Tuellers’ motion for partial summary judgment and denying Severinsen’s motion to amend. Severinsen asserts that the Tuellers fraudulently induced his purchase of real property with misrepresentations on the property disclosure form and in the description of the property listing. Severinsen argues the district court: (1) misapplied the IPCDA; (2) erred in finding there were no materially disputed facts on summary judgment; (3) incorrectly applied authority interpreting damages; (4) failed to grant Severinsen leave to amend; and (5) abused its discretion in awarding the Tuellers’ attorneys’ fees and costs.