

FRIDAY, AUGUST 23, 2024, at 8:50 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

**DANIEL PHILLIP GENHO, an)
individual, dba GENHO)
CONSTRUCTION,)
)
Plaintiff-Respondent,)
)
v.)
)
RIVERDALE HOT SPRINGS, LLC, an)
Idaho Limited Liability Company, dba)
RIVERDALE RESORT; RIVERDALE)
RESORT AND SPA, LLC, an Idaho)
Limited Liability Company, dba)
RIVERDALE RESORT,)
)
Defendant-Appellants,)
)
TIPPETTS, INC., an Idaho Corporation)
and NORTHERN TITLE COMPANY,)
INC., a Utah Corporation,)
)
Defendants.)
_____)**

Docket No. 50294

Appeal from the District Court of the Sixth Judicial District of the State of Idaho, Franklin County. Mitchell W. Brown, District Judge.

Silvey Law Office LTD, Boise, attorneys for Appellant.

May, Rammell & Wells, Pocatello, attorneys for Respondent.

This appeal asks the Court to determine whether the Idaho Contractor Registration Act (ICRA) prohibits equitable remedies for contractors who become licensed under the Act midway through a construction project. I.C. § 54-5201–5228. The case arises from a dispute between Daniel Genho and Riverdale Resort LLC over construction work Genho did for Riverdale. Towards the end of the project, the parties had a payment dispute. Riverdale refused to pay Genho and prevented him from retrieving his tools and purchased materials from Riverdale’s property.

Genho sued for breach of contract, unjust enrichment, conversion, and foreclosure on a mechanic's lien. The district court granted Riverdale's motion for directed verdict on the breach of contract claim, but denied it on Genho's three other claims. Riverdale argues that the district court erred by only granting a direct verdict on Genho's breach of contract claim. Riverdale argues that Genho's equitable claims for unjust enrichment, conversion, and the lien are also barred under the ICRA because Genho was not a registered Idaho contractor at all times while he was acting as a contractor for Riverdale. Accordingly, Riverdale asks this Court to vacate the district court's judgment on all counts.