

WASHINGTON STATE COURT OF APPEALS DIVISION THREE

CASE SUMMARIES FOR ORAL ARGUMENT

The following summaries are drawn from briefs and lower court judgments. The summaries have not been reviewed for accuracy by the judges and are intended to provide a general idea of facts and issues presented in the cases. The summaries should not be considered official court documents. Facts and issues presented in these summaries should be checked for accuracy against records and briefs, available from the Court, which provide more specific information.

Date of Hearing: Tuesday, September 10, 2019
Location: Spokane, 500 North Cedar

9:00 a.m.

1) **No.: 36220-5-III**

Case Name: In re the Estate of Clara V. Larson

County: Spokane

Case Summary: Gordon and Clara Larson had two children, Norman Larson and Connie Mitchell. Following the passing of Gordon and Clara Larson, Norman Larson became personal representative of Gordon Larson's trust and Clara Larson's estate. In the course of distributing the assets of both the trust and estate, Norman Larson claimed to be the beneficiary of the real property held in trust. Connie Mitchell believed herself to be the beneficiary of that same real estate and other assets claimed by her brother.

Thereafter, Connie Mitchell filed a lawsuit under TEDRA, chapter 11.96A RCW, seeking the assets she claimed as hers and removal of her brother as trustee and personal representative. The trial court found Norman Larson's actions as personal representative and trustee fell below the required standards of good faith, diligence, and undivided loyalty. Norman Larson was ordered to close Clara Larson's probate, deed Connie Mitchell her undivided one-half interest in the real property held in Gordon Larson's trust, and waive any claim for past due rent. Norman Larson appeals.

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