

*This opinion is nonprecedential except as provided by
Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A24-1616**

In re the Estate of Trisha J Ingersoll a/k/a Trisha Jolee Ingersoll,
Trisha Ingersoll f/k/a Trisha Offerman, Deceased.

**Filed May 19, 2025
Affirmed
Frisch, Chief Judge**

Hennepin County District Court
File No. 27-PA-PR-22-527

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Considered and decided by Slieter, Presiding Judge; Frisch, Chief Judge; and Chutich, Judge.*

NONPRECEDENTIAL OPINION

FRISCH, Chief Judge

In this probate dispute, appellant argues that the district court abused its discretion by failing to adequately consider his request for imposition of a constructive trust over decedent's estate. Appellant argues the district court abused its discretion by instead

* Retired justice of the Minnesota Supreme Court, serving as judge of the Minnesota Court of Appeals by appointment pursuant to Minn. Const. art. VI, § 10, and Minn. Stat. § 2.724, subd. 3 (2024).

applying the intestacy statute to appoint decedent's surviving spouse as personal representative of the estate and to determine that the surviving spouse was the sole heir. Because we conclude that the district court properly applied the intestacy statute, adequately considered appellant's request to impose a constructive trust, and otherwise acted within its discretion, we affirm.

FACTS

Decedent Trisha Ingersoll died intestate in 2022. She and respondent Chad Ingersoll married in 2013 and remained married at the time of her death. Appellant Chad Offerman is decedent's brother. Upon decedent's death, Offerman petitioned the district court for a formal adjudication of intestacy, determination of heirs, and formal appointment of a personal representative. Although Offerman identified in his petition that Ingersoll was decedent's spouse and an interested party, Offerman sought appointment as personal representative and a determination of heirs. Ingersoll thereafter objected to Offerman's petition and submitted his own petition seeking appointment as the personal representative and a determination that he be named the sole heir to the estate. The following facts were elicited during a five-day bench trial and determined by the district court.

Around February 2020, the relationship between Ingersoll and decedent appears to have fractured, and Ingersoll moved out of the couple's shared home. During this time, decedent conveyed to her friends and family that she and Ingersoll were contemplating or in the process of getting a divorce. Ingersoll did not believe that the couple was getting divorced and did not see or sign any documents related to a divorce.

Offerman believed that Ingersoll and decedent were getting divorced. Text messages between Offerman and decedent spanning February 2020 to December 2021 reflect discussions about decedent seeking a divorce from Ingersoll. In the messages, decedent told Offerman she was “going through the divorce,” that “the paperwork has been signed,” but that nothing had gone “through the court.” At times Offerman encouraged decedent to file for divorce herself. Neither Ingersoll nor decedent began a dissolution proceeding in any court, and no judgment exists terminating the marriage.

Following the five-day bench trial, the district court filed an order, in pertinent part, declaring that decedent died intestate; determining that Ingersoll was decedent’s surviving spouse, sole heir, and entitled to her entire estate; and appointing Ingersoll as personal representative of decedent’s estate in an unsupervised administration.

Offerman appeals.

DECISION

On appeal, Offerman argues that the district court abused its discretion by failing to consider his argument for the imposition of a constructive trust, the benefit of which would entitle him to the entirety of decedent’s estate. A constructive trust is an “equitable remedy” that a court may impose “to prevent unjust enrichment.” *In re Est. of Savich*, 671 N.W.2d 746, 751 (Minn. App. 2003) (quotation omitted). Imposition of a “constructive trust requires the holder of the title to property to convey that property to another that has a superior equitable ownership claim.” *In re Est. of Figliuzzi*, 979 N.W.2d 225, 232-33 (Minn. 2022). A constructive trust may be appropriate when there is fraud or wrongdoing and also in circumstances when “it would be morally wrong for the property holder to

retain the property.” *Savich*, 671 N.W.2d at 751 (quotation omitted); *see also Knox v. Knox*, 25 N.W.2d 225, 229 (Minn. 1946) (“[W]here a party obtains the legal title to land by fraud or bad faith, or by taking advantage of confidential or fiduciary relations, or in any other unconscientious manner, so that he cannot justly retain the property, equity will impress a constructive trust upon it in favor of the party who is equitably entitled to it.” (emphasis omitted) (quotation omitted)).

The party seeking a constructive trust bears the burden to establish by clear and convincing evidence that the remedy is necessary to prevent unjust enrichment. *In re Est. of Eriksen*, 337 N.W.2d 671, 674 (Minn. 1983). To succeed on a claim of unjust enrichment, a “plaintiff must show that the defendant was enriched illegally or unlawfully or in a manner that is morally wrong.” *Herlache v. Rucks*, 990 N.W.2d 443, 450 (Minn. 2023) (quotation and citation omitted). To do so, a plaintiff may show “that a party was unjustly enriched in the sense that the term ‘unjustly’ could mean illegally or unlawfully,” or that “it would be *morally wrong* for one party to enrich himself at the expense of another.” *Hepfl v. Meadowcroft*, 9 N.W.3d 567, 572 (Minn. 2024) (quotations omitted). But a showing of “mere enrichment alone does not suffice.” *Id.*

A district court has “broad discretion when fashioning [equitable] remedies.” *Gabler v. Fedoruk*, 756 N.W.2d 725, 730 (Minn. App. 2008). And we “review equitable determinations for abuse” of that broad discretion. *City of North Oaks v. Sarpal*, 797 N.W.2d 18, 23 (Minn. 2011). “A district court abuses its discretion if its decision is against the facts in the record or if its ruling is based on an erroneous view of the law.”

State ex rel. Swan Lake Area Wildlife Ass'n v. Nicollet Cnty. Bd. of Cnty. Comm'rs, 799 N.W.2d 619, 625 (Minn. App. 2011) (quotations omitted).

Offerman argues that the district court abused its discretion because its order denying his petition did not address whether to impose a constructive trust or whether Ingersoll is unjustly enriched by the district court's determination that Ingersoll was the sole heir to that estate. We note that, as a threshold matter, the district court's order declaring that decedent died intestate, determining that Ingersoll was decedent's surviving spouse, sole heir, and entitled to her entire estate, and appointing Ingersoll as personal representative of decedent's estate in an unsupervised administration comports with the intestacy statutes. Minn. Stat. §§ 524.2-102(1)(i) (providing that the intestate share of a decedent's surviving spouse is the entire estate when decedent has no other descendants), 524.3-203(a)(2) (providing that, when a decedent dies intestate, their surviving spouse has priority among persons seeking appointment as personal representative) (2024).

Offerman does not argue on appeal that the district court erred in its interpretation of the applicable statutes. Instead, he argues that the district court abused its discretion because it did not, as an alternative to statutory directives, meaningfully consider his request to impose a constructive trust. We disagree because the district court's order reflects that it adequately considered Offerman's requested equitable remedy, and any lack of specificity in the district court's order was otherwise harmless.

In its order, the district court demonstrated that it considered Offerman's request for imposition of a constructive trust.¹ The district court found that (1) neither the decedent nor Ingersoll were prevented from dissolving their marriage and had "ample time and ability" to do so, (2) friends and family offered and would have assisted decedent in dissolving the marriage, (3) decedent had "ample time and ability" to execute estate planning documents or change her beneficiary designations but did not do so, (4) decedent had "unfettered access to her financial accounts during her lifetime," and (5) decedent knew that her assets would pass to Ingersoll if she died in the event she did not end the marriage or make other arrangements. Although Offerman notes that he presented contrary evidence at trial, on appeal, Offerman does not contest the district court's factual findings, all of which are supported by the evidence in the record.

By making these findings, the district court expressly considered the equities presented by the circumstances of this case. Specifically, the district court rejected Offerman's assertion that decedent depended on Ingersoll to complete the divorce and because he did not do so, Ingersoll would be illegally, unlawfully, or immorally enriched if he were to inherit decedent's estate. *See Hepfl*, 9 N.W.3d at 571-72. In so doing, the district court relied on uncontested evidence that decedent understood that Ingersoll would be entitled to her estate if she died, that decedent had the capacity and ability to make

¹ To the extent that Offerman argues that the district court erroneously concluded that it lacked "the authority to apply a constructive trust," we decline to reach this issue. Ingersoll conceded that equitable remedies were available to Offerman. Given that concession and the district court's demonstrated consideration of Offerman's requested equitable relief, we assume without deciding that imposition of a constructive trust was an available equitable remedy in this case.

alternate arrangements including divorcing Ingersoll, and that decedent chose not to do so. These findings support the district court’s conclusion that Offerman failed to demonstrate by “clear and convincing evidence” that a constructive trust was necessary to prevent unjust enrichment. *Eriksen*, 337 N.W.2d at 674. We discern no abuse of discretion in the district court’s decision to deny Offerman’s requested equitable relief. *See City of North Oaks*, 797 N.W.2d at 23.

We do not agree with Offerman that the district court’s statement that it was “declin[ing] to analyze whether [Offerman] is entitled to equitable relief” signals a misapprehension of the law. The district court expressly considered the equities presented by the circumstances in its order, which addressed Offerman’s equitable claims, analyzed and distinguished constructive-trust caselaw, and included factual findings specific to Offerman’s requested relief.

We are also unpersuaded that the authorities cited by Offerman compel a different result. In *Gilbert v. State*, the supreme court concluded that the district court abused its discretion in granting a postconviction petition when the district court “provided no analysis or discussion” of one of the state’s arguments. 2 N.W.3d 483, 487 (Minn. 2024); *see also Cocchiarella v. Driggs*, 870 N.W.2d 103, 107-08 (Minn. App. 2015) (remanding because the district court “did not mention” appellant’s claim for damages in the order on appeal despite no argument or conclusion that damages were unavailable or appellant’s failure to urge the court to address the claim), *rev’d on other grounds*, 884 N.W.2d 621 (Minn. 2016). Unlike the district court here—which discussed Offerman’s requested relief

and made factual findings relevant to his claim—the district courts in *Gilbert* and *Cocchiarella* offered *no* discussion of a relevant and dispositive claim.

Finally, even assuming that the district court was required to set forth the basis for rejecting Offerman’s claim with more specificity, we conclude that any error was harmless. Here, the district court’s order contains sufficient uncontested findings to establish that Offerman failed to demonstrate by clear and convincing evidence that Ingersoll was unjustly enriched. *See* Minn. R. Civ. P. 61 (requiring that harmless error be ignored); *Goldman v. Greenwood*, 748 N.W.2d 279, 285 (Minn. 2008) (citing this aspect of Minn. R. Civ. P. 61). Based on the district court’s findings of fact—which are supported by the record and not contested on appeal—Offerman has not shown that he was prejudiced by any alleged inadequacies in the district court’s order. *See Kallio v. Ford Motor Co.*, 407 N.W.2d 92, 98 (Minn. 1987) (stating that “[a]lthough error may exist, unless the error is prejudicial, no grounds for reversal exist”).²

Affirmed.

² Because we reject Offerman’s constructive-trust argument and affirm the district court’s order, we do not reach his argument that we must remand for the district court to reconsider its appointment of Ingersoll as personal representative.