

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2013

GIL L. SERRANO, ONELIA SERRANO and TIULANG VALDES,
Appellants,

v.

**HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR WELLS
FARGO ASSET SECURITIES CORPORATION, MORTGAGE ASSET-
BACKED PASS-THROUGH CERTIFICATES, SERIES 2007-PA1,**
Appellee.

No. 4D11-1767

[February 20, 2013]

PER CURIAM.

Appellants Gil L. Serrano, Onelia Serrano, and Tiulang Valdes, defendants below, appeal a final summary judgment of foreclosure in favor of appellee HSBC Bank USA, N.A. as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Asset-Backed Pass-Through Certificates, Series 2007-PA1. We reverse the summary judgment because there remains a genuine issue of material fact regarding whether appellee complied with the condition precedent contained in the mortgage to provide pre-suit notice of acceleration. *See Dominko v. Wells Fargo Bank, N.A.*, 102 So. 3d 696 (Fla. 4th DCA 2012). We find no merit in the other issues briefed by appellants.

Reversed and remanded.

STEVENSON, GERBER and CONNER, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Joel T. Lazarus, Judge; L.T. Case No. 09-26205 21.

Garry W. Johnson and Bruce K. Herman of 511-Law.com, Fort Lauderdale, for appellants.

Donna L. Eng and Dean A. Morande of Carlton Fields, P.A., West Palm

Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.