

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2014*

**KENNETH CANNATO** a/k/a **KENNETH CANNATO JR.**, and **DIANA CANNATO**,  
Appellants,

v.

**HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR WELLS FARGO ASSET SECURITIES CORPORATION, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES, 2007-1**,  
Appellee.

No. 4D13-3007

[October 8, 2014]

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Joel T. Lazarus, Judge; L.T. Case No. 062009CA007369 (11).

Bruce K. Herman of The Herman Law Group, P.A., Fort Lauderdale, for appellants.

MaryEllen M. Farrell and Dean A. Morande of Carlton Fields Jordan Burt, P.A., West Palm Beach, for appellee.

***ON CONFESSION OF ERROR***

PER CURIAM.

Kenneth and Diana Cannato appeal from a final summary judgment of foreclosure. The Cannatos argue that there remains a genuine issue of material fact as to whether HSBC Bank had standing at the time it filed the foreclosure complaint. HSBC Bank concedes this argument has merit. We agree with the parties that there is still a genuine issue of material fact as to this issue. Accordingly, we reverse the entry of final summary judgment and remand for further proceedings.

*Reversed and Remanded.*

DAMOORGIAN, C.J., STEVENSON and KLINGENSMITH, JJ., concur.

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***Not final until disposition of timely filed motion for rehearing.***