

NOT FINAL UNTIL TIME EXPIRES FOR REHEARING, AND IF FILED, DETERMINEDe

IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
APPELLATE DIVISION

WELLS FARGO BANK NA,e
Appellant,

vs.

KIMBERLY HARDIN,
Appellee.e

Ref. No.: 16-0044AP-88B
UCN: 522016AP000044X00XCT.e

FILED
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CIVIL COURT REC. DEPT.

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ORDER AND OPINIONe

Appellant challenges the trial court's order denying its motion to dismiss for lack of jurisdiction based on improper venue under the Federal Real Estate Settlement Procedures Act ("RESPA"). This case is governed by our recent decision in *Wells Fargo NA v. Terrence Brown*, No. 16-000046AP-88B (Fla. 6th Cir. Ct. Dec. 28, 2016) (holding that venue under RESPA is proper where the subject property is located or where the servicer is located when it commits a RESPAe violation). Accordingly, we reverse the order and remand the case for further proceedings.e

ORDERED AND ADJUDGED that the Order on Defendant's Motion to Dismiss ise REVERSED and REMANDED. e

DONE AND ORDERED in Chambers, at St. Petersburg, Pinellas County, Florida this 19 day of January, 2017.

Original Order entered on January 19, 2017, by Circuit Judges Jack Day, Amy M. Williams, and Thomas M. Ramsberger.

Copies furnished to:

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