

Third District Court of Appeal

State of Florida, July Term, A.D., 2009

Opinion filed November 25, 2009.
Not final until disposition of timely filed motion for rehearing.

No. 3D07-1079
Lower Tribunal No. 04-1214

United Automobile Insurance Company,
Appellant,

vs.

Total Health Care of Florida, Inc., etc.,
Appellee.

An appeal from the County Court for Miami-Dade County, Andrew S. Hague, Judge.

Michael J. Neimand, for appellant.

Panter, Panter & Sampedro and Christian Carrazana, for appellee.

Before SUAREZ, ROTHENBERG, and LAGOA, JJ.

PER CURIAM.

United Automobile Insurance Company (“United”) appeals the trial court’s entry of final summary judgment in favor of Total Health Care of Florida,

Inc. (“Total Health”). In granting final summary judgment, the trial court certified the following question as one of great public importance:

WHETHER THE CANCELLATION OF A NO FAULT INSURANCE POLICY CAN BE EFFECTIVE *AB INITIO* IN LIGHT OF THE MANDATORY REQUIREMENTS IMPOSED BY THE FLORIDA NO FAULT LAW, §§ 627.730-7405, FLORIDA STATUTES (2007)?

We have jurisdiction pursuant to Florida Rule of Appellate Procedure 9.030(b)(4)(A). Based on the authority of United Automobile Insurance Company v. Salgado, 34 Fla. L. Weekly D1578 (Fla. 3d DCA Aug. 5, 2009), we answer the question in the affirmative, reverse the trial court’s order granting final summary judgment, and remand for further proceedings consistent with that opinion.