

Third District Court of Appeal

State of Florida, January Term, A.D. 2008

Opinion filed June 11, 2008.

Not final until disposition of timely filed motion for rehearing.

Nos. 3D07-3284 & 3D08-258
Lower Tribunal No. 06-6740

All Seasons Condominium Association, Inc.,
Appellant,

vs.

Edward Busca and Flor D. Busca,
Appellees.

Appeals from non-final orders from the Circuit Court for Miami-Dade County, Thomas S. Wilson, Jr., Judge.

Pyszka, Blackmon, Levy, Mowers & Kelley, and Cindy J. Mishcon, for appellant.

Bradshaw Lotspeich, for appellees.

Before GREEN, SUAREZ, and CORTIÑAS, JJ.

PER CURIAM.

This is an appeal from a partial summary judgment awarding the appellees damages for loss of rental income. We reverse.

Taking, as we must, the facts in the light most favorable to the appellant, we find that there is a genuine issue of material fact on whether the association's actions were reasonable and/or material. See Virtual Computacion y Comunicaciones, S.R.L. v. Fischzang, 776 So. 2d 327, 328 (Fla. 3d DCA 2001) (reviewing court must read summary judgment record in light most favorable to non-moving party). Accordingly, we reverse.