

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

BUNNIE STRAUB,
Appellant,

v.

**WELLS FARGO BANK, N.A., CHRIS STRAUB, JP MORGAN CHASE
BANK, NATIONAL ASSOCIATION,** as successor in interest to
WASHINGTON MUTUAL BANK f/k/a WASHINGTON MUTUAL BANK,
F.A., and **FAIRCONDO, INC.,** a Condominium Association,
Appellees.

No. 4D14-2604

[November 4, 2015]

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Susan R. Lubitz, Judge; L.T. Case No. 502012CA011910AW.

Ronald E. D'Anna and Kristin J. Mentzer of McClosky, D'Anna & Dieterle, LLP, Boca Raton, for appellant.

Susan Capote and Joseph D. Wargo of Wargo & French, LLP, Miami, for appellee JP Morgan Chase Bank, N.A.

STEVENSON, J.

We affirm the lower court's order disbursing the surplus proceeds to subordinate lienholders following a foreclosure sale. We write to clarify that, under section 45.031, Florida Statutes (2014), a foreclosure sale takes place when ownership of the property is transferred upon issuance of the certificate of title. *Allstate Mortg. Corp. of Fla. v. Strasser*, 286 So. 2d 201, 203 (Fla. 1973). Subordinate lienholders' claims to the surplus were timely where they were filed more than sixty days after the judicial sale, but within sixty days of the clerk's issuance of the certificate of title.

Affirmed.

GROSS and TAYLOR, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.