



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

September 16, 2020

Neil L. Pruitt, Jr., Chairman & CEO
dlegarth@nc.rr.com

Exempt from Review – Acquisition of Facility

Record #: 3354
Facility Name: Brookridge Assisted Living
Type of Facility: Adult Care Home
FID #: 920043
Acquisition by: Whitaker Glen, Inc.
Business #: 2684
County: Wake

Dear Mr. Pruitt:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your representations, the above referenced proposal is exempt from certificate of need (CON) review in accordance with N.C. Gen. Stat. §131E-184(a)(8). Therefore, the above referenced business may proceed to acquire the health service facility identified above without first obtaining a CON. The Agency’s determination is limited to the question of whether or not the above referenced business would have to obtain a CON if the current owners of the health service facility do in fact sell it to the business listed above. Note that pursuant to N.C. Gen. Stat. §131E-181(b): “A recipient of a certificate of need, or any person who may subsequently acquire, in any manner whatsoever permitted by law, the service for which that certificate of need was issued, is required to materially comply with the representations made in its application for that certificate of need.”

If the business listed above does acquire the facility, you should contact the Agency’s Adult Care Licensure Section to obtain instructions for changing ownership of the existing facility.

It should be noted that this Agency's position is based solely on the facts represented by you and that any change in facts as represented would require further consideration by this Agency and a separate determination regarding whether a certificate of need would be required. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

[Handwritten signature of Michael J. McKillip]

Michael J. McKillip
Project Analyst

[Handwritten signature of Martha J. Frisone]

Martha J. Frisone
Chief

cc: Adult Care Licensure Section, DHSR

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION
HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603
MAILING ADDRESS: 809 Ruggles Drive, 2704 Mail Service Center, Raleigh, NC 27699-2704
https://info.ncdhhs.gov/dhsr/ • TEL: 919-855-3873



September 11, 2020

Ms. Martha Frisone, Chief  
Healthcare Planning and Certificate of Need  
NC Division of Health Service Regulation  
809 Ruggles Drive  
Raleigh, North Carolina 27603

**RE: Request for Exemption to CON Review for Adult Care Home Change in Ownership / Wake County**

Dear Ms. Frisone:

I am writing you today to request an exemption from Certificate of Need review pursuant to NCGSA § 131E-184 in connection with a transaction involving the change of ownership of Brookridge Assisted Living, a 55-bed licensed adult care home located at 312 Lynch Street, Apex, NC 27502 (the "Facility"). The Facility's license number is HAL-092-146. The current owner of the real property comprising the Facility is Brookridge Assisted Living, Inc. (the "Owner"). Owner has entered into an agreement to sell real property comprising the Facility to Whitaker Glen, Inc. The Owner is in the process of ramping down operations at the Facility and at the time of the transaction the Facility will be closed.

Whitaker Glen, Inc. is in the process of submitting a Certificate of Need application to relocate the licensed adult care home beds from the current location in southeast Wake County to the yet-to-be-developed Mayview Assisted Living Center in Raleigh.

We would appreciate your confirmation of CON exemption at your earliest convenience.

A handwritten signature in blue ink, appearing to read "Neil L. Pruitt, Jr.", is written over a horizontal line.

Neil L. Pruitt, Jr.  
Chairman & CEO  
Mayview Assisted Living Center, LLC  
Mayview Healthcare Properties, Inc.  
Whitaker Glen, Inc.

**From:** [dlegarth@nc.rr.com](mailto:dlegarth@nc.rr.com)  
**To:** [Mckillip, Mike](#); [Waller, Martha K](#)  
**Cc:** ["Aneel Gill"](#)  
**Subject:** [External] Letter of CON Exemption  
**Date:** Thursday, September 10, 2020 10:49:34 AM  
**Attachments:** [CON Exemption Letter.pdf](#)

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Good Morning Mike,

Attached please find a Letter of CON Exemption for the change in ownership of an adult care home facility in Wake County.

**David Legarth**



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P.O. Box 1936  
Apex, NC 27502

**FedEx/UPS Address:**  
108 Curley Maple Court  
Apex, NC 27502

**Phone:**  
(919)244-7609