



North Carolina Department of Health and Human Services  
Division of Health Service Regulation

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Division Director

April 28, 2015

J. Melvin Deaton  
PO Box 2568  
Hickory, NC 28603-2568

**Exempt from Review – Acquisition of Facility**

Facility: Nana’s Assisted Living Facility  
Type of Facility: Adult Care Home  
Acquisition by: Black Mountain Property Holdings, LLC  
County: Buncombe  
FID #: 920322

Dear Mr. Deaton:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of March 26, 2015, the above referenced proposal is exempt from certificate of need review in accordance with G.S 131E-184(a)(8). Therefore, Black Mountain Property Holdings, LLC may proceed to acquire the above referenced health service facility without first obtaining a certificate of need. However, you need to contact the Agency’s Adult Care Licensure Section to obtain instructions for changing ownership of the existing facility. Note that pursuant to G.S. 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.”*

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. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Julie Halatek  
Project Analyst

Martha J. Frisone  
Assistant Chief, Certificate of Need

cc: Adult Care Licensure Section, DHHS  
Assistant Chief, Healthcare Planning



**Healthcare Planning and Certificate of Need Section**

www.ncdhhs.gov

Telephone: 919-855-3873 • Fax: 919-733-8139

Location: Edgerton Building • 809 Ruggles Drive • Raleigh, NC 27603

Mailing Address: 2704 Mail Service Center • Raleigh, NC 27699-2704

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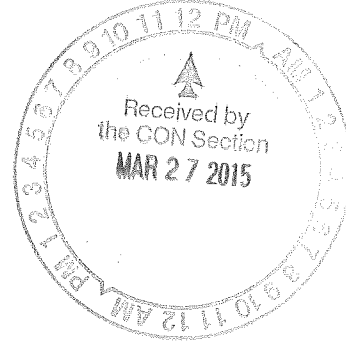
# ***Black Mountain Property Holdings, LLC***

*Post Office Box 2568  
Hickory, North Carolina 28603-2568*

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March 26, 2015

Ms. Martha Frisone, Assistant Chief  
Division of Health Service Regulation  
Healthcare Planning and Certificate of Need Section  
North Carolina Department of Health & Human Services  
2704 Mail Service Center  
Raleigh, NC 27699-2704  
Via Email: [Martha.Frisone@dhhs.nc.gov](mailto:Martha.Frisone@dhhs.nc.gov) and FedEx Delivery



**Re: Notice of Exempt Acquisition of Nana's Assisted Living Facility (FID: 920322) pursuant to Section 131E-184(a)(8) of the North Carolina General Statutes**

Dear Ms. Frisone:

I am writing on behalf of Black Mountain Property Holdings, LLC, to provide notice to the N.C. Department of Health and Human Services, Division of Health Service Regulation, Healthcare Planning and Certificate of Need Section (the "Agency") of a transaction involving Nana's Assisted Living Facility (License Number: HAL-011-331), a licensed adult care home located at 1114 Montreat Road, Black Mountain (Buncombe County), North Carolina (the "Facility").

The Facility is currently owned by Assisted Living Group of Black Mountain, LLC. The Facility is leased to and operated by Nana's Assisted Living Facility LLC (the "Current Licensed Operator"). Pursuant to the transaction, the Facility will be acquired by Black Mountain Property Holdings, LLC (the "Buyer"). Following the conclusion of the transaction, the Facility will continue to be operated as an adult care home and the Facility will continue to be operated by the Current Licensed Operator pursuant to its lease agreement with the Buyer.

The acquisition of the Facility will not involve the development of any new health service facility or otherwise qualify as a "new institutional health service" which would be subject to review under applicable Certificate of Need statutes or regulations. Pursuant to this letter, the Buyer hereby requests that the Agency confirm that the acquisition of the Facility is exempt from Certificate of Need review and approval pursuant to Section 131E-184(a)(8) of the North Carolina General Statutes.

If you require additional information, please contact me at (828) 261-7312. Thank you for your consideration of this request.

Best regards,

J. Melvin Deaton