



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

Pat McCrory
Governor

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Ambassador (Ret.)
Secretary DHHS

Drexdal Pratt
Division Director

May 20, 2015

Paul Boethel, Principal
15455 Dallas Parkway, 6th Floor
Addison, TX 75001

Exempt from Review – Acquisition of Facility


Facility: Regency Retirement Village
Type of Facility: Adult Care Home
Acquisition by: SH Regency Charlotte, LLC
County: Mecklenburg
FID #: 970591

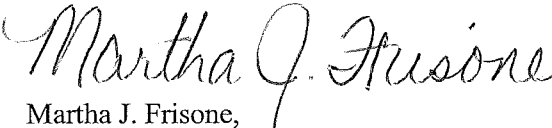
Dear Mr. Boethel:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of May 8, 2015, the above referenced proposal is exempt from certificate of need review in accordance with G.S 131E-184(a)(8). Therefore, SH Regency Charlotte, 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 Home 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,


Fatimah Wilson
Project Analyst


Martha J. Frisone,
Assistant Chief, Certificate of Need

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



Healthcare Planning and Certificate of Need Section

www.ncdhhs.gov

Telephone: 919-855-3873 • Fax: 919-715-4413

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

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

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May 8, 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



Re: Notice of Exempt Acquisition of Regency Retirement Village Charlotte pursuant to Section 131E-184(a)(8) of the North Carolina General Statutes

Dear Ms. Frisone:

I am writing on behalf of SH Regency Charlotte Owner LLC (the "Buyer"), 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 Regency Retirement Village Charlotte (License Number HAL-060-073), a licensed adult care home located at 9120 Willow Ridge Road, Pineville, North Carolina 28210 (Mucklenburg County), North Carolina (the "Facility").

The Facility is currently owned by Charlotte Investors, LLC. The Facility is leased to and operated by Charlotte Senior Services, LLC. Pursuant to the transaction, the Facility will be acquired by the Buyer and will be operated by SH Regency Charlotte Leasing LLC, pursuant to a lease agreement. Following the conclusion of the transaction, the Facility will continue to be operated as an adult care home.

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 214-535-6071. Thank you for your consideration of this request.

Best regards,

A handwritten signature in black ink, appearing to read "Paul Boethel".

Paul Boethel