



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor
KODY H. KINSLEY • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

November 27, 2023

Antonia A. Peck
Toni.Peck@wbd-us.com

No Review

Record #: See Attachment A
Date of Request: October 27, 2023
Facility Name: See Attachment A
FID #: See Attachment A
Business Name: Brookdale Senior Living Communities Inc.
Business #: 2585
Project Description: Change in licensee of the facility
County: See Attachment A

Dear Antonia A. Peck:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your correspondence regarding the project described above. Based on the CON law **in effect on the date of this response to your request**, the project as described is not governed by, and therefore, does not currently require a certificate of need. If the CON law is subsequently amended such that the above referenced proposal would require a certificate of need, this determination does not authorize you to proceed to develop the above referenced proposal when the new law becomes effective.

This determination is binding only for the facts represented in your correspondence. If changes are made in the project or in the facts provided in the correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by this office.

Please do not hesitate to contact this office if you have any questions.

Sincerely,

Crystal Kearney, Project Analyst

Micheala Mitchell, Chief

cc: Adult Care Licensure Section, DHSR

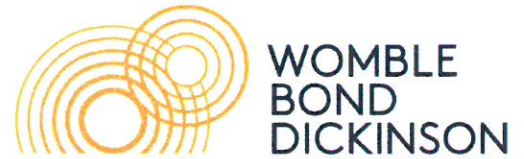
NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION
HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION

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

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Attachment A

Record #	Name of Facility	Type of Facility	County	FID	Current Licensee	New Lessee/Licensee
4303	Brookdale Berkeley Boulevard (1800 N. Berkley Blvd., Goldsboro, NC 27534)	ACH	Wayne	970654	Brookdale Senior Living Communities Inc.	RSS/ Goldsboro Operations, LLC
4304	Brookdale Shelby (1425 E. Marion Street, Shelby, NC 28150)	ACH	Cleveland	970653	Brookdale Senior Living Communities Inc.	RSS/Shelby Operations, LLC
4305	Brookdale W. Arlington Boulevard (2105 W. Arlington Blvd., Greenville, NC 27834)	ACH	Pitt	970889	Brookdale Senior Living Communities Inc.	RSS/ Greenville Operations, LLC
4306	Brookdale Rocky Mount (650 Goldrock Road, Rocky Mount, NC 27804)	ACH	Nash	970906	Brookdale Senior Living Communities Inc.	RSS/ Rocky Mount Operations, LLC
4307	Brookdale New Bern (1336 S. Glenburnie Road, New Bern, NC 28562)	ACH	Craven	970888	Brookdale Senior Living Communities Inc.	RSS/Shelby Operations, LLC



October 26, 2023

Micheala Mitchell, Chief
Healthcare Planning and Certificate of Need Section
Division of Health Services Regulation
Adult Care Licensure Section
801 Biggs Drive
Raleigh, North Carolina 27603

**Via e-mail : Micheala.mitchell@dhhs.nc.gov;
and Federal Express**

**Re: Notice of Intent to Change Licensee of Existing Health Service
Facilities (Adult Care Homes)pursuant to N.C. Gen. Stat. §131E-
184(a)(8)**

Womble Bond Dickinson (US) LLP

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Durham, NC 27703

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Toni Peck

Partner

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E-mail: Toni.Peck@wbd-us.com

Dear Ms. Mitchell,

This correspondence is to provide prior notice to the North Carolina Department of Health and Human Services, Healthcare Planning and Certificate of Need Section (the "Agency") of the intent to change licensees of the five (5) facilities listed on Schedule A (collectively, the "Facilities" and individually, a "Facility"). These changes in licensees are a result of the changes in lessees of the Facilities as is further described in Schedule A, which will be effective December 31, 2023. Each Facility will be subject to a lease ("Master Lease") between the current owner of the Facilities and RSS/LTC Acquisitions, LLC, the parent entity that is the sole (has one hundred percent (100%) ownership interest) owner of each of the new lessees/licensees ("New Lessee/Licensee"). Pursuant to the Master Lease, RSS/LTC Acquisition, LLC will sublease the applicable Facility to each New Lessee/Licensee. The Master Lease contains an option to purchase (the "Option") the Facilities. While we do not believe this Option subjects the changes in licensees to a request for exemption from review under N.C. Gen. Stat. §131E-184(a)(8), in the event the Agency contends that an exemption is necessary, please consider this letter to be the required prior notice under the exemption and confirm that the New Lessees/Licensees are permitted to lease the Facilities as described herein without CON review.

Please feel free to contact me should you have any questions. Thank you in advance for your prompt consideration of this notice.

Best regards,

Womble Bond Dickinson (US) LLP

**Antonia A. Peck
Partner**

October 26, 2023
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Attachment/Enclosure

Schedule A

Attached

SCHEDULE A

FACILITY NAME (AND ADDRESS)	COUNTY	FID #	CURRENT LICENSEE	NEW LESSEE/LICENSEE
Brookdale Berkeley Boulevard (1800 N. Berkeley Blvd., Goldsboro, NC 27534)	Wayne	970654	Brookdale Senior Living Communities, Inc.	RSS/Goldsboro Operations, LLC
Brookdale Shelby (1425 E. Marion Street, Shelby, NC 28150)	Cleveland	970653	Brookdale Senior Living Communities, Inc.	RSS/Shelby Operations, LLC
Brookdale W. Arlington Boulevard (2105 W. Arlington Blvd., Greenville, NC 27834)	Pitt	970889	Brookdale Senior Living Communities, Inc.	RSS/Greenville Operations, LLC
Brookdale Rocky Mount (650 Goldrock Road, Rocky Mount, NC 27804)	Nash	970906	Brookdale Senior Living Communities, Inc.	RSS/Rocky Mount Operations, LLC
Brookdale New Bern (1336 S. Glenburnie Road, New Bern, NC 28562)	Craven	970888	Brookdale Senior Living Communities, Inc.	RSS/Shelby Operations, LLC