



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

March 7, 2024

Robb A. Leandro
robbleandro@parkerpoe.com

No Review

Record #: 4387
Date of Request: February 26, 2024
Facility Name: Reserve at Mills Farm
FID #: 200772
Business Name: Reserve at Mills Farm, LLC
Business #: 3765
Project Description: Change the licensee from Reserve at Mills Farm, LLC to Reserve at Mills Farm I, LLC
County: Wake

Dear Robb A. Leandro:

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

Crystal Kearney, Project Analyst

Micheala Mitchell

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
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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER



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Atlanta, GA
Charleston, SC
Charlotte, NC
Columbia, SC
Greenville, SC
Raleigh, NC
Spartanburg, SC
Washington, DC

February 26, 2024

Via E-mail [micheala.mitchell@dhhs.nc.gov]

Michaela Mitchell
Chief, Healthcare Planning and Certificate of
Need Section

Re: No Review Request for The Reserve at Mills Farm

Dear Ms. Mitchell:

Our firm represents Reserve at Mills Farm, LLC, a North Carolina LLC, the current licensee of the adult care home known as The Reserve at Mills Farm, HAL-092-228, located at 3000 Mills Chase Loop, Apex, North Carolina, 27523.

A proposed new licensee, Reserve at Mills Farm I, LLC, a Delaware LLC, has submitted an application to the Adult Care Licensure Section to change the licensee of The Reserve at Mills Farm from Reserve at Mills Farm, LLC to Reserve at Mills Farm I, LLC.

By this letter, Reserve at Mills Farm I, LLC requests confirmation from the Certificate of Need Section that this proposed change of licensee of the adult care home is not subject to Certificate of Need review pursuant to Article 9 of N.C. Gen. Stat. § 131E.

Please provide written confirmation that the proposed change of the licensee of the adult care home The Reserve at Mills Farm is exempt from CON review pursuant to Article 9 of N.C. Gen. Stat. § 131E.

Thank you for your consideration. If you have any questions please feel free to reach out to us directly.

Sincerely,

A handwritten signature in black ink that reads 'Robb A. Leandro'.

Robb A. Leandro
Parker Poe Adams & Bernstein

From: [Mitchell, Micheala L](#)
To: [Stancil, Tiffany C](#)
Subject: FW: [External] FW: Please print
Date: Monday, February 26, 2024 4:36:54 PM
Attachments: [Letter to Ms. Mitchell - No Review Request for The Reserve at Mills Farm 02.26.2024.pdf](#)

Tiffany,

Would you mind logging this as a no review and assigning to Crystal? I think she is Wake County.

Micheala Mitchell, JD
[NC Department of Health and Human Services](#)
[Division of Health Service Regulation](#)
Section Chief, Healthcare Planning and CON Section
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2704 Mail Service Center
Raleigh, NC 27699-2704
Office: 919 855 3879
Micheala.Mitchell@dhhs.nc.gov

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From: Leandro, Robert A. <robbleandro@parkerpoe.com>
Sent: Monday, February 26, 2024 4:19 PM
To: Mitchell, Micheala L <Micheala.Mitchell@dhhs.nc.gov>
Subject: [External] FW: Please print

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Micheala,

I hope you are doing well. Please find attached a CON No Review Letter. I believe this is a very straight-forward request, which really involves substituting a North Carolina LLC for a Delaware LLC. The individuals who own the facility is not changing. My client is having to make this change at the request of a lender, so we would appreciate if the Agency's response can be expedited so that the closing can occur early next week.

Robb

Robert Leandro

Partner

Find our latest health care analysis [here](#)



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