



DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HEALTH SERVICE REGULATION

ROY COOPER
GOVERNOR

MANDY COHEN, MD, MPH
SECRETARY

MARK PAYNE
DIRECTOR

February 12, 2018

James C. Wrenn, Jr.
Hooper, Hicks & Wrenn, PLLC
P.O. Box 247
Oxford NC 27565

Exempt from Review – Acquisition of Facility

Record #: 2512
Facility Name: North Pointe Assisted Living of Garner
Type of Facility: Adult Care Home
FID #: 920425
Acquisition by: Foundation Group I, LLC
County: Wake

Dear Mr. Wrenn:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of February 7, 2018, the above referenced proposal is exempt from certificate of need review in accordance with N.C. Gen. Stat. §131E-184(a)(8). Therefore, Foundation Group I, 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 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.”*

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,

Michael J. McKillip
Project Analyst

Martha J. Frisone
Chief, Healthcare Planning and
Certificate of Need Section

cc: Adult Care Licensure Section, DHR
Sharetta Blackwell, Program Assistant Healthcare Planning, DHR

HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION
WWW.NCDHHS.GOV
TELEPHONE 919-855-3873

LOCATION: EDGERTON BUILDING • 809 RUGGLES DRIVE • RALEIGH, NC 27603
MAILING ADDRESS: 2704 MAIL SERVICE CENTER • RALEIGH, NC 27699-2704
AN EQUAL OPPORTUNITY/ AFFIRMATIVE ACTION EMPLOYER



LAW OFFICES OF
HOPPER, HICKS & WRENN, PLLC

P.O. BOX 247, 111 GILLIAM STREET
OXFORD, NORTH CAROLINA 27565

N. KYLE HICKS
JAMES C. WRENN, JR.
GERALD T. KOINIS
C. GILL FRAZIER, II

TELEPHONE: 919-693-8161
FACSIMILE: 919-693-9938
www.hopperhickswrenn.com

February 7, 2018

VIA EMAIL ONLY

Lisa Pittman
Assistant Chief, Certificate of Need
Division of Health Service Regulation, Healthcare Planning & CON Section
NC DHHS
2704 Mail Service Center
Raleigh, NC 27699-2704

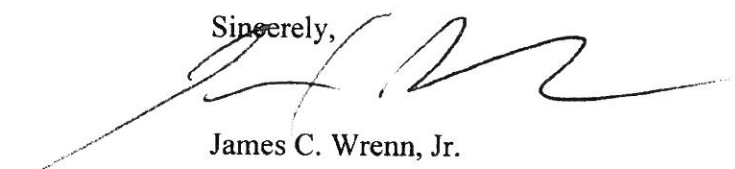
Dear Ms. Pittman:

I represent Foundation Group I, LLC. Foundation Group I, LLC intends to acquire certain real property owned by Garner ALF, LLC, upon which is located a 126-bed adult care home known as North Pointe Assisted Living of Garner (the "Facility"). The Facility was operated as an adult care home prior to adult care homes becoming subject to Article 9, Chapter 131E of the North Carolina General Statutes and is therefore a "grandfathered" facility. The Facility is operated by North Pointe Assisted Living of Garner, LLC (license number HAL-092-186). Foundation Group I, LLC has entered into an agreement with Garner ALF, LLC pursuant to which Foundation Group I, LLC will acquire the real property upon which the Facility is located along with any associated certificate of need rights ("CON"). North Pointe Assisted Living of Garner, LLC will continue to lease the real property and will hold the license for the Facility.

Please confirm that the acquisition of Facility from Garner ALF, LLC by Foundation Group I, LLC constitutes the acquisition of an existing health service facility and is exempt from review by the North Carolina Department of Health and Human Services, Division of Health Service Regulation, Healthcare Planning and Certificate of Need Section ("CON Section") pursuant to G.S. 131D-184(a)(8).

Please let me know if you have any questions. As always, we appreciate your review of this matter.

Sincerely,



James C. Wrenn, Jr.

Cc: Mike McKillip

{A0150202.DOCX}

State of North Carolina

Department of Health and Human Services
Division of Health Service Regulation

*Effective January 1, 2017, this license is issued to
North Pointe Assisted Living of Garner, LLC
to operate an Adult Care Home known as
North Pointe Assisted Living of Garner
located at 1437 Aversboro Road
Garner, NC, Wake County.*

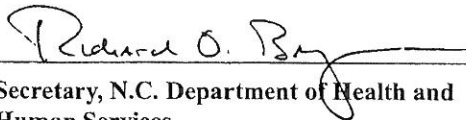
*This license is issued subject to the statutes of the State of North
Carolina, is not transferable and shall expire
December 31, 2017.*

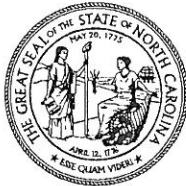
License Number: HAL-092-186

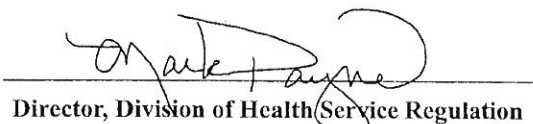
Capacity: 126

Special Care Units: Yes No

Authorized by:


Secretary, N.C. Department of Health and
Human Services




Director, Division of Health Service Regulation