

ROY COOPER • Governor

MANDY COHEN, MD, MPH • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

March 28, 2019

Alexander B. Foster Arnall, Golden, Gregory, LLP 171 17th Street NW, Suite 2100 Atlanta GA 30363-1031

Exempt from Review - Acquisition of Facility

Record #:

2907

Facility Name:

Carillon Assisted Living of Garner

Type of Facility:

Adult Care Home

FID #:

160385

Acquisition by:

GAHC3 Garner NC ALF, LP

Business #:

3015

County:

Wake

Dear Mr. Foster:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your representations, the above referenced proposal is exempt from certificate of need (CON) review in accordance with N.C. Gen. Stat. §131E-184(a)(8). Therefore, the above referenced business may proceed to acquire the health service facility identified above without first obtaining a CON. The Agency's determination is limited to the question of whether or not the above referenced business would have to obtain a CON if the current owners of the health service facility do in fact sell it to the business listed above. 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."

In the event that the business listed above does acquire the facility, you should contact the Agency's Adult Care Licensure Section to obtain instructions for changing ownership of the existing facility.

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 regarding whether or not a certificate of need would be required. 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, DHSR

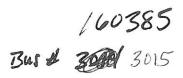
NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603

MAILING ADDRESS: 809 Ruggles Drive, 2704 Mail Service Center, Raleigh, NC 27699-2704

www.ncdhhs.gov/dhsr • TeL: 919-855-3873

Arnall Golden Gregory LLP



290 Atlanta Office 171 17th Street NW, Suite 2100 Atlanta, GA 30363-1031 Direct phone: 404.873.8598 Direct fax: 404.873.8599 E-mail: alex.foster@agg.com

March 15, 2019

VIA FEDERAL EXPRESS

Ms. Martha Frisone North Carolina Department of Health and Human Services 2704 Mail Service Center Raleigh, NC 27699-2704



Re: Request for Certificate of Need Exemption: Change of Real Estate Owner of Carillon Assisted Living of Garner

Dear Ms. Frisone:

The purpose of this letter is to request an exemption letter for the change of real estate owner for Carillon Assisted Living of Garner (the "Facility"), an adult care home located at 200 Minglewood Drive, Garner, NC 27529 (the "Transaction"). The change of real estate owner is scheduled to occur on or before March 31, 2019. Following the Transaction, GAHC3 Garner NC ALF, LP will own the land and building associated with the Facility. The change will not affect the operator of the Facility (the "Operator"), which will remain the same following the transaction. The Operator will continue to exist and the federal tax identification number of the Operator will not change. In addition, none of the Facility's day-to-day operations should be impacted, as only the real estate owner will change.

It is our understanding that the Transaction does not require any additional filings with your office prior to the change taking place and that we may proceed with consummating the proposed change. We respectfully request a CON exemption letter from your office confirming our understanding.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.



Sincerely,

ARNALL GOLDEN GREGORY LLP

Alexander B. Foster

POC 1348

cc:

Mr. Brooks Barton Hedy S. Rubinger, Esq.