



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

May 28, 2019

Craig Taylor
Craig.Taylor@kiscosl.com

Exempt from Review – Acquisition of Facility

Record #: 2953
Facility Name: The Elms at Abbotswood
Type of Facility: Adult Care Home
FID #: 150329
Acquisition by: KRC Greensboro Limited Partnership
Business #: 2246
County: Guilford

Dear Mr. Taylor:

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 Home 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,

Celia C. Inman
Celia C. Inman
Project Analyst

Martha J. Frisone
Martha J. Frisone
Chief

cc: Construction Section, DHSR
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.ncdohhs.gov/dhsr • TEL: 919-855-3873

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

## Inman, Celia C

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**From:** Taylor, Craig <Craig.Taylor@kiscosl.com>  
**Sent:** Thursday, May 23, 2019 3:50 PM  
**To:** Inman, Celia C  
**Subject:** [External] The Elms at Abbotswood - CON exemption letter

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Celia,  
As part of a corporate restructuring to facilitate refinancing of the property, KC Greensboro Expansion, LLC (FID: 150329) will transfer ownership of the Elms at Abbotswood senior living facility to its affiliate, KRC Greensboro Limited Partnership. KC Greensboro Expansion, LLC received certificates of need for a total of 48 adult care home beds in 2015 and 2016. Because KC Greensboro Expansion, LLC is an affiliate of KRC Greensboro Limited Partnership, the transfer will not cause any change in the management and ultimate ownership of the facility. The transaction is expected to become effective on or about June 20, 2019.

Because of the quickly approaching closing date of the transaction, we would appreciate receiving a CON exemption letter at your earliest convenience. Thank you very much for assistance with this matter and throughout the CON process for the Elms.

Best regards,  
Craig

Craig A. Taylor  
General Counsel  
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