



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

April 24, 2023

Kadeja Watts
Kadeja.Watts@agg.com

Exempt from Review – Acquisition of a Facility

Record #: See Attachment A
Date of Request: April 17, 2023
Facility Name: See Attachment A
FID #: See Attachment A
Business Name: GA HC REIT II ALF TRS Lincolnton Sub, LLC
Business #: 3472
Project Description: Acquisition of adult care homes
County: See Attachment A

Dear Ms. Watts:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency), determined that the project described above is exempt from certificate of need (CON) review in accordance with G.S. 131E-184(a)(8). Therefore, the above referenced business may proceed to acquire the health service facilities identified above without first obtaining a CON. The Agency’s determination is limited to the question of whether the above referenced business would have to obtain a CON if the current owners of the health service facilities do in fact sell them to the business listed above. Note that pursuant to G.S. 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.”

If 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 determination is binding only for the facts represented by you. Consequently, if changes are made in the facts provided in your correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by the Agency.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

[Handwritten signature of Cynthia Bradford]

Cynthia Bradford
Project Analyst

[Handwritten signature of Micheala Mitchell]

Micheala Mitchell
Chief

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

Cc: Adult Care Licensure Section, DHR

Attachment A				
Record #	Facility	County	FID#	Address
4183	The Addison of Durham	Durham	100294	4713 Garrett Rd Durham, NC 27707
4184	The Addison of Fayetteville	Cumberland	080399	1164 71 st School Rd Fayetteville, NC 28314
4185	The Addison of Fuquay-Varina	Wake	000461	6516 Johnson Pond Rd. Fuquay-Varina, NC 27526
4186	The Addison of Indian Trail	Union	080125	5306 Secrest Short Cut Rd. Monroe, NC 28110
4187	The Addison of Knightdale	Wake	000453	2408 Hodge Rd. Knightdale, NC 27545
4188	The Addison of Lincolnton	Lincoln	000456	440 Salem Church Rd. Lincolnton, NC 28092



April 17, 2023

VIA FEDERAL EXPRESS

Ms. Michaela Mitchell
North Carolina Department of Health and Human Services
Chief, Certificate of Need
2704 Mail Service Center
Raleigh, North Carolina 27699-2704
Michaela.mitchell@dhhs.nc.gov

Re: Request for No Review Letter: North Carolina Adult Care Homes / Proposed Change in Direct Ownership

Dear Ms. Mitchell:

We are writing on behalf of the adult care homes listed in Attachment A (the "Homes") to inform you of a change in the direct ownership of the licensee (the "Licensee") and the entity that owns the real estate for each of the Homes, which is scheduled to occur on or about April 28, 2023 (the "Transaction").

These changes are not expected to affect the Homes' Certificates of Need. There will be no change to the Licensees as the licensees. The Licensees will continue to exist and their federal tax identification numbers will not change. In addition, other than changes resulting in the ordinary course of business, there is no intention to change the services provided by the Licensees and none of the Homes' day-to-day operations should be impacted.

We understand that, because the Transaction as described above would not constitute a change in any of the Licensees, the Transaction does not require Certificate of Need review. We also understand that the proposed Transaction would not require any additional notices or filings prior to the changes taking place. Additionally, we understand that the Licensees' existing certificates of need will not be impacted by such changes, and that we may proceed as scheduled.

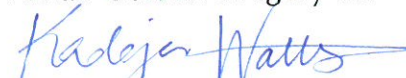
We request that your office provide a letter confirming our understanding as outlined above (i.e., a "No Review" letter). We will notify your office after the Transaction closes.

Ms. Michaela Mitchell
April 17, 2023
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Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact us.

Sincerely,

Arnall Golden Gregory LLP



Kadeja A. Watts

Enclosures

cc: Max Looper, Esq.
Hedy Rubinger, Esq.

ATTACHMENT A

Legal Entity Name	Facility DBA Name & Address
GA HC Reit II Durham Alf TRS Sub, LLC	The Addison of Durham 4713 Garrett Road Durham, North Carolina 27707
GA HC Reit II Fayetteville Alf TRS Sub, LLC	The Addison of Fayetteville 1164 71st School Road Fayetteville, North Carolina 28314
GA HC Reit II Fuquay-Varina Alf TRS Sub, LLC	The Addison of Fuquay-Varina 6516 Johnson Pond Road Fuquay-Varina, North Carolina 27526
GA HC Reit II Indian Trail Alf TRS Sub, LLC	The Addison of Indian Trail 5306 Secrest Short Cut Road Monroe, North Carolina 28110
GA HC Reit II Knightdale Alf TRS Sub, LLC	The Addison of Knightdale 2408 Hodge Road Knightdale, North Carolina 27545
GA HC Reit II Alf TRS Lincolnton Sub, LLC	The Addison of Lincolnton 440 Salem Church Road Lincolnton, North Carolina 28092