



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

October 15, 2024

James C. Wrenn, Jr.  
jwrenn@smithlaw.com

**No Review**

**Record #:** 4596  
**Date of Request:** October 2, 2024  
**Facility Name:** Crown Colony  
**FID #:** 970852  
**Business Name:** Taylor and Hart Management, LLC  
**Business #:** 3878  
**Project Description:** Acquisition of real property by 291 Commercial Dr NC, LLC  
**County:** Iredell

Dear James C. Wrenn, Jr.:

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 representation in your request and 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. **As a reminder, it is unlawful to offer or develop a new institutional health service without first obtaining a certificate of need. The Department reserves the right to impose sanctions, including civil penalties and the revocation of a license, upon any entity that offers or develops a new institutional health service without first obtaining a certificate of need.**

Please do not hesitate to contact this office if you have any questions.

Sincerely,

Chalice L. Moore, Project Analyst

Micheala Mitchell, Chief

cc: Adult Care Licensure and Certification 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  
<https://info.ncdhhs.gov/dhsr/> • TEL: 919-855-3873

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

SMITH, ANDERSON, BLOUNT,  
DORSETT, MITCHELL, & JERNIGAN, L.L.P.

LAWYERS

OFFICES

Wells Fargo Capitol Center  
150 Fayetteville Street, Suite 2300  
Raleigh, North Carolina 27601

JAMES C. WRENN, JR.  
DIRECT DIAL: (919) 821-6645  
E-Mail: [jwrenn@smithlaw.com](mailto:jwrenn@smithlaw.com)

September 9, 2024

MAILING ADDRESS  
P.O. Box 2611  
Raleigh, North Carolina  
27602-2611

TELEPHONE: (919) 821-1220  
FACSIMILE: (919) 821-6800

**Via email only**

Ms. Micheala Mitchell  
Chief  
NC Division of Health Service Regulation  
Healthcare Planning and Certificate of Need Section  
809 Ruggles Drive  
Raleigh, NC 27603  
[micheala.mitchell@dhhs.nc.gov](mailto:micheala.mitchell@dhhs.nc.gov)

Ms. Julie Faenza  
Project Analyst  
NC Division of Health Service Regulation  
Healthcare Planning and Certificate of Need Section  
809 Ruggles Drive  
Raleigh, NC 27603  
[Julie.Faenza@dhhs.nc.gov](mailto:Julie.Faenza@dhhs.nc.gov)

**Re: Crown Colony  
Taylor & Hart Management, LLC (Operating Entity)  
TTB ENTERPRISES, L.L.C. (Real Estate Entity)  
291 Commercial Drive, Mooresville, NC 28115  
License Number: HAL-049-0210**

Dear Ms. Mitchell and Ms. Faenza:

I represent Taylor & Hart Management, LLC & TTB ENTERPRISES, L.L.C. Please be advised that the real property located at 291 Commercial Drive, Mooresville, NC 28115 owned by TTB ENTERPRISES, L.L.C. has been sold to 291 Commercial Dr NC, LLC, a Delaware limited liability company. As a result, the Facility is no longer a licensed adult care home. G.S. §131D-184(a)(8) states, in part, that “[a] facility not currently licensed as an adult care home that was licensed as an adult care home within the preceding 12 months is considered an existing health service facility for the purposes of this subdivision.”

Ms. Micheala Mitchell  
Chief  
NC Division of Health Service Regulation  
Ms. Julie Faenza  
Project Analyst  
NC Division of Health Service Regulation  
September 9, 2024  
Page 2

Please note that the deeds conveying said property to 291 Commercial Dr NC, LLC expressly and plainly reserved the certificate of need rights to TTB ENTERPRISES, L.L.C. as follows:

The Agreement of Purchase and Sale dated May 6, 2024 by and between Grantor and Grantee contains a reservation of all Certificate of Need Rights associated with the former adult care home known as Crown Colony. All certificate of need rights to relocate adult care home beds to another location under Article 9, Chapter 131E of the North Carolina General Statutes are expressly reserved to Grantor. Grantee agrees to cooperate with the transfer of such rights to a third-party purchaser and/or to cooperate with Grantor or a third-party purchaser with the respect to the transfer or relocation of such rights to another location.

As always, thank you for your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. C. Wrenn, Jr.", is positioned below the word "Sincerely,".

James C. Wrenn, Jr.

Cc: Megan Lamphere, MSW, Chief, Adult Care Licensure Section,  
[megan.lamphere@dhhs.nc.gov](mailto:megan.lamphere@dhhs.nc.gov) and [DHSR.Adultcare.LicensingUnit@dhhs.nc.gov](mailto:DHSR.Adultcare.LicensingUnit@dhhs.nc.gov)

**From:** [Mitchell, Micheala L](#)  
**To:** [Stancil, Tiffany C](#)  
**Subject:** FW: [External] FW: Taylor \_ Hart - Letter to CON Section re sale of property(12555096.3)  
**Date:** Wednesday, September 25, 2024 10:37:03 AM  
**Attachments:** [Taylor \\_ Hart - Letter to CON Section re sale of property\(12555096.3\).pdf](#)

---

Morning Tiffany-

Would you mind logging the attached no review and assigning to Chalice?

Thanks,

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

---

**From:** Mitchell, Micheala L  
**Sent:** Wednesday, September 25, 2024 10:31 AM  
**To:** 'Amy Erwin' <[aerwin@smithlaw.com](mailto:aerwin@smithlaw.com)>  
**Subject:** RE: [External] FW: Taylor \_ Hart - Letter to CON Section re sale of property(12555096.3)

Amy!

Thank you so much for the ping on this! I meant to circle back with you but obviously failed to do that. My apologies!

Julie Faenza now works for the Department of Justice. The new analyst assigned to cover CON matters in Mecklenburg County is Chalice Moore. Her email address is [chalice.moore@dhhs.nc.gov](mailto:chalice.moore@dhhs.nc.gov).

I'll go ahead and have our administrative staff log this and send it over to Chalice. She may reach out to you with some questions.

Best,

Micheala

Micheala Mitchell, JD  
[NC Department of Health and Human Services](#)

[Division of Health Service Regulation](#)  
Section Chief, Healthcare Planning and CON Section  
809 Ruggles Drive, Edgerton Building  
2704 Mail Service Center  
Raleigh, NC 27699-2704  
Office: 919 855 3879  
[Micheala.Mitchell@dhhs.nc.gov](mailto:Micheala.Mitchell@dhhs.nc.gov)

---

**From:** Amy Erwin <[aerwin@smithlaw.com](mailto:aerwin@smithlaw.com)>  
**Sent:** Wednesday, September 25, 2024 8:42 AM  
**To:** Mitchell, Micheala L <[Micheala.Mitchell@dhhs.nc.gov](mailto:Micheala.Mitchell@dhhs.nc.gov)>  
**Subject:** [External] FW: Taylor \_ Hart - Letter to CON Section re sale of property(12555096.3)

You don't often get email from [aerwin@smithlaw.com](mailto:aerwin@smithlaw.com). [Learn why this is important](#)

**CAUTION:** External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Hi Micheala-

I just wanted to follow-up on the below and attached.

Please let me know if you need anything else or have any questions.

THANKS!

**AMY E. ERWIN, NCCP | SENIOR PARALEGAL**

[aerwin@smithlaw.com](mailto:aerwin@smithlaw.com) | [bio](#)

919.838.2079 | [vcard](#) | [smithlaw.com](http://smithlaw.com) | [map](#)



[Sign up](#) to receive legal updates

---

**From:** Amy Erwin  
**Sent:** Thursday, September 12, 2024 10:18 AM  
**To:** Mitchell, Micheala L <[Micheala.Mitchell@dhhs.nc.gov](mailto:Micheala.Mitchell@dhhs.nc.gov)>  
**Subject:** FW: Taylor \_ Hart - Letter to CON Section re sale of property(12555096.3)

Hi Michaela-

I've attempted to email the attached to Julie Faenza twice and her support staff once (as listed on the NC DHHS website), however, I have gotten an undeliverable message for each. I'm unsure of who else I should direct the letter to. If you have the correct person and email address that would be much appreciated and then I will forward it on.

Thank you so much for your time and assistance!

**AMY E. ERWIN, NCCP | SENIOR PARALEGAL**

[aerwin@smithlaw.com](mailto:aerwin@smithlaw.com) | [bio](#)

919.838.2079 | [vcard](#) | [smithlaw.com](http://smithlaw.com) | [map](#)



????????????????



[Sign up](#) to receive legal updates

---

**From:** Amy Erwin

**Sent:** Wednesday, September 11, 2024 10:39 AM

**To:** Mitchell, Micheala L <[Micheala.Mitchell@dhhs.nc.gov](mailto:Micheala.Mitchell@dhhs.nc.gov)>; Faenza, Julie M <[Julie.Faenza@dhhs.nc.gov](mailto:Julie.Faenza@dhhs.nc.gov)>

**Subject:** Taylor \_ Hart - Letter to CON Section re sale of property(12555096.3)

Please find attached a CON reservation letter for your review and consideration.

Please let me know if you have any questions or concerns.

THANKS!

**AMY E. ERWIN, NCCP | SENIOR PARALEGAL**

[aerwin@smithlaw.com](mailto:aerwin@smithlaw.com) | [bio](#)

919.838.2079 | [vcard](#) | [smithlaw.com](http://smithlaw.com) | [map](#)



????????????????



[Sign up](#) to receive legal updates

**IMPORTANT:** This e-mail message is intended solely for the individual or individuals to whom it is

addressed. It may contain confidential attorney-client privileged information and attorney work product. If the reader of this message is not the intended recipient, you are requested not to read, copy or distribute it or any of the information it contains. Please delete it immediately and notify us by return e-mail or by telephone (919) 821-1220.

---

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized State official. Unauthorized disclosure of juvenile, health, legally privileged, or otherwise confidential information, including confidential information relating to an ongoing State procurement effort, is prohibited by law. If you have received this email in error, please notify the sender immediately and delete all records of this email.