



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

April 30, 2020

HCP Plymouth Township MI OpCo LLC
In Care of Legal Counsel Arent Fox LLP Kathryn L. Steffen
1717 K Street, NW
Washington, DC 20006-5344

RE: License #: AH820396376
Investigation #: 2020A1011044
Brighton Gardens of Northville

Dear M. Young, M. Harrison, M. Boethel:

Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- How compliance with each rule will be achieved.
- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.
- How continuing compliance will be maintained once compliance is achieved.
- The signature of the responsible party and a date.

If you desire technical assistance in addressing these issues, please feel free to contact me. In any event, the corrective action plan is due within 15 days. Failure to submit an acceptable corrective action plan will result in disciplinary action.

Sincerely,

Andrea Krausmann, Licensing Staff
Bureau of Community and Health Systems
51111 Woodward Avenue 4th Floor, Suite 4B
Pontiac, MI 48342
(586) 256-1632

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS
SPECIAL INVESTIGATION REPORT**

I. IDENTIFYING INFORMATION

License #:	AH820396376
Investigation #:	2020A1011044
Complaint Receipt Date:	04/30/2020
Investigation Initiation Date:	04/30/2020
Report Due Date:	06/30/2020
Licensee Name:	HCP Plymouth Township MI OpCo LLC
Licensee Address:	Suite 1200 1920 Main Street Irvine, CA 92614
Licensee Telephone #:	(949) 407-0365
Administrator:	None appointed
Authorized Representative:	None appointed
Name of Facility:	Brighton Gardens of Northville
Facility Address:	15870 N. Haggerty Rd. Plymouth, MI 48170
Facility Telephone #:	(734) 420-7917
Original Issuance Date:	12/23/2019
License Status:	TEMPORARY
Effective Date:	12/23/2019
Expiration Date:	06/22/2020
Capacity:	120
Program Type:	AGED ALZHEIMERS

II. ALLEGATION(S)

	Violation Established?
There is no appointed authorized representative.	Yes
There is no appointed administrator.	Yes
Additional Findings	Yes

III. METHODOLOGY

04/30/2020	Special Investigation Intake 2020A1011044
04/30/2020	Special Investigation Initiated - Letter Responded to email again received from Thomas Patterson, having received no explanation from the licensee.

ALLEGATION:

There is no appointed authorized representative.

INVESTIGATION:

On 4/7/20, I received an email about a staff member in the facility having tested positive for Covid-19 from Thomas Patterson, who signed his email as Senior Executive Director Brighton Gardens.

I reviewed the licensing file and determined Lance Davis was the appointed authorized representative and administrator for Brighton Gardens effective 12/23/19.

In addition, I determined the current membership interest of the licensee of HCP Plymouth Township MI OpCo, LLC were:

- Kendall Young Executive Vice President
- Matthew Harrison Vice President and Corporate Secretary
- Paul Boethel Senior Vice President
- HCP S-H Sunrise OpCo HoldCo LLC Sole member

I did not know by what authority Mr. Patterson was acting, so I responded to the email and copied Mr. Davis.

On 4/14/20, I received another email from Mr. Patterson about two residents having tested positive for Covid-19. I again responded with technical assistance that this is a reportable incident and I requested correspondence from Mr. Davis.

On 4/17/20 Mr. Patterson responded “Lance Davis, current Administrator is working on the change forms to submit” with no further explanation.

On 4/23/20, I sent an email to Mazie Pilut-Garbarz, Regional Director of Operations of the contracted management company known as Sunrise Senior Living, and copied Mr. Davis, requesting the status of Mr. Davis as the authorized representative and administrator for Brighton Gardens.

On 4/24/20, Mr. Davis stated by telephone that he left his positions as authorized representative and administrator on 4/6/20, and that I should be hearing from a legal department.

On 4/24/20, Ms. Pilut-Garbarz submitted an email affirming that I should receive notification from a legal department of the change by the close of business that Friday 4/24/20, or no later than Monday 4/27/20.

To date of this report, I received no written notification from the licensee HCP Plymouth Township MI OpCo LLC of an appointed authorized representative for the facility.

APPLICABLE RULE	
R 325.1911	License applications; authorized representatives; notices.
	(5) In matters relating to the licensing of the home, the director may continue to deal with the authorized representative until the director is notified in writing that a new authorized representative has been appointed with equal power and the former authorized representative is no longer authorized to act.

ANALYSIS:	The previously appointed licensee authorized representative vacated his position on 4/6/20. That individual is not available to represent the licensee interests to the department. Since the former authorized representative's departure, the ownership has not complied with this rule by providing timely written notification.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION:

There is no appointed administrator.

INVESTIGATION:

To date of this report, I received no written notification of an appointed administrator for the facility.

APPLICABLE RULE	
R 325.1921	Governing bodies, administrators, and supervisors.
	(1) The owner, operator, and governing body of a home shall do all of the following: (d) Appoint a competent administrator who is responsible for operating the home in accordance with the established policies of the home.
ANALYSIS:	The licensee has not appointed an administrator to lead the daily operations of the facility.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

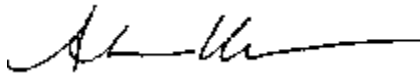
Lance Davis left his positions as authorized representative and administrator on 4/6/20. Licensee HCP Plymouth Township MI OpCo LLC provided no written notice

to the department within five business days of the change to the information as previously indicated.

APPLICABLE RULE	
R 325.1913	Licenses and permits; general provisions.
	(2) The applicant or the authorized representative shall give written notice to the department within 5 business days of any changes in information as submitted in the application pursuant to which a license, provisional license, or temporary nonrenewable permit has been issued.
ANALYSIS:	Licensee HCP Plymouth Township MI OpCo LLC provided no written notice to the department within five business days of the appointment changes.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Contingent upon an acceptable corrective action plan, it is recommended that the status of the license remain unchanged.

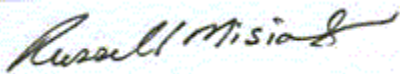


4/30/20

 Andrea Krausmann
 Licensing Staff

Date

Approved By:



4/30/20

 Russell B. Misiak
 Area Manager

Date