



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

MARLON I. BROWN, DPA  
DIRECTOR

October 30, 2024

Theresa and Randy Huston  
2479 Hadden  
Muskegon, MI 49441

|                  |                    |
|------------------|--------------------|
| RE: License #:   | AF610395832        |
| Investigation #: | 2024A0356055       |
|                  | Glenside Manor AFC |

Dear Mr. & Ms. Huston:

Attached is the Special Investigation Report for the above referenced facility. Due to the quality-of-care and physical plant violations, disciplinary action against your license is recommended. You will be notified in writing of the department's action and your options for resolution of this matter.

Please review the enclosed documentation for accuracy and contact me with any questions. If I am not available and you need to speak to someone immediately, please contact the local office at (616) 356-0100.

Sincerely,

Elizabeth Elliott, Licensing Consultant  
Bureau of Community and Health Systems  
350 Ottawa, N.W.  
Grand Rapids, MI 49503  
(616) 901-0585

enclosure

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

**I. IDENTIFYING INFORMATION**

|                                       |                                   |
|---------------------------------------|-----------------------------------|
| <b>License #:</b>                     | AF610395832                       |
| <b>Investigation #:</b>               | 2024A0356055                      |
| <b>Complaint Receipt Date:</b>        | 08/27/2024                        |
| <b>Investigation Initiation Date:</b> | 08/27/2024                        |
| <b>Report Due Date:</b>               | 10/26/2024                        |
| <b>Licensee Name:</b>                 | Theresa Huston and Randell Huston |
| <b>Licensee Address:</b>              | 2479 Hadden<br>Muskegon, MI 49441 |
| <b>Licensee Telephone #:</b>          | (231) 759-0453                    |
| <b>Name of Facility:</b>              | Glenside Manor AFC                |
| <b>Facility Address:</b>              | 2479 Hadden<br>Muskegon, MI 49441 |
| <b>Facility Telephone #:</b>          | (231) 759-0453                    |
| <b>Original Issuance Date:</b>        | 02/11/2019                        |
| <b>License Status:</b>                | 1ST PROVISIONAL                   |
| <b>Effective Date:</b>                | 06/22/2024                        |
| <b>Expiration Date:</b>               | 12/21/2024                        |
| <b>Capacity:</b>                      | 6                                 |
| <b>Program Type:</b>                  | MENTALLY ILL<br>AGED              |

## II. ALLEGATION(S)

|   | Violation Established? |
|---|------------------------|
| Licensee Randy Huston is Resident A's legal guardian.   | Yes                    |
| Randy and Theresa Huston have no documentation that they have provided Resident A with spending money and have mismanaged Resident A's funds by failing to document them. | Yes                    |
| Additional Findings   | Yes                    |

## III. METHODOLOGY

|            |   |
|------------|---|
| 08/27/2024 | Special Investigation Intake<br>2024A0356055  |
| 08/27/2024 | APS Referral<br>Brett Kortman, Muskegon Co. DHHS, APS worker assigned to investigate.     |
| 08/27/2024 | Special Investigation Initiated - Telephone<br>Brett Kortman, APS.                        |
| 08/27/2024 | Contact - Document Received<br>Text from T. Huston requesting to speak to me later today. |
| 09/03/2024 | Contact - Telephone call received<br>Brett Kortman, APS, Muskegon Co. DHHS.               |
| 09/11/2024 | Inspection Completed On-site  |
| 09/11/2024 | Contact - Face to Face<br>Brett Kortman, Resident A, Randy and Theresa Huston.            |
| 09/11/2024 | Contact - Document Received<br>Reviewed facility documents.                               |
| 10/07/2024 | Contact-Telephone call made<br>Brett Kortman, APS   |
| 10/15/2024 | Contact-Document received<br>Brett Kortman, APS   |
| 10/24/2024 | Inspection Completed On-site  |
| 10/24/2024 | Contact-Face to Face  |

|            |   |
|------------|---|
|            | Resident's A, B, C, D, E & F. Randy and Theresa Huston. |
| 10/29/2024 | Exit Conference-Licensee Theresa Huston.                |

**ALLEGATION:** Licensee Randy Huston is Resident A's legal guardian.

**INVESTIGATION:** On 08/27/2024, I received an BCAL (Bureau of Children and Adult Licensing) online complaint. The complainant reported that Randy Huston, Licensee is the legal guardian of Resident A. Brett Kortman, Adult Protective Services Worker with Muskegon County DHHS (Department of Health and Human Services) was assigned to investigate.

On 08/27/2024, I interviewed Mr. Kortman via telephone. Mr. Kortman stated he initiated his complaint with a face-to-face visit at the home and interviewed Resident A. Mr. Kortman stated Resident A requested to speak to him (Mr. Kortman) outside of the house because he (Resident A) was concerned that Mr. Huston would listen to their conversation. Mr. Kortman stated Resident A confirmed that the Licensee, Randy Huston is his legal guardian.

During special investigation, SI20240356017 dated 12/26/2023, Licensee, Randy Huston confirmed that he was the legal guardian for Resident A. At that time, I discussed with the licensees, Randy and Theresa Huston, the need for Mr. Huston to pursue a new guardian for Resident A as being the legal guardian for a resident in his home is a violation of the AFC licensing rules. On 01/23/2024, I received a copy of the legal guardianship papers, and the guardianship was established on 01/05/2016 prior to the opening of this home on 02/11/2019. Mr. & Mrs. Huston stated they would begin to explore alternative guardianship options for Resident A.

On 09/11/2024, Mr. Kortman and I conducted an unannounced inspection at the home and interviewed Resident A outside. Resident A stated Mr. Huston continues to act as his legal guardian. He stated he has no idea if Mr. Huston has done anything toward setting up a new legal guardian for him. Resident A stated he does not want Mr. Huston to act as his legal guardian any longer.

On 09/11/2024, Mr. Kortman and I interviewed Mr. & Mrs. Huston at the home, and they confirmed again that Mr. Huston is still Resident A's legal guardian and has been for several years. Ms. Huston acknowledged a change in guardianship is necessary as Mr. Huston is experiencing serious health problems and Resident A will need a new guardian. Mr. & Ms. Huston stated they have been overwhelmed by Mr. Huston's health issues and have not taken any steps towards finding a replacement guardian for Resident A but stated they understand it is necessary as it is against the licensing rules and stated there may come a time soon where Mr. Huston will be unable to act as Resident A's guardian. Mr. Kortman stated he will pursue a change in the legal guardianship of Resident A.

On 10/15/2024, I interviewed Mr. Kortman. Mr. Kortman stated he arranged for a court appointed guardian for Resident A and is in the process of petitioning the Probate court to change Resident A's guardianship.

On 10/29/2024, I conducted an exit conference with Ms. Huston via telephone. Ms. Huston stated they had every intention to work on getting the guardianship changed for Resident A from Mr. Huston to an outside, public guardian but due to the serious medical issues Mr. Huston has had which worsened over the past year, it had not gotten done. Ms. Huston stated a change in Resident A's guardianship was going to happen, she knew it had to be done and had she known this would result in disciplinary action against their license, she would have treated it as a priority. Ms. Huston stated she would like to read the report and discuss with Mr. Huston before any decisions are made about their license.

| <b>APPLICABLE RULE</b> |  |
|------------------------|--|
| <b>R 400.1404</b>      | <b>Licensee, responsible person, and member of the household; qualifications.</b>  |
|                        | (9) A licensee, responsible person, or member of the household shall not be the legal guardian of a resident living in the home, except where a person is a relative or where the guardianship relationship existed before the promulgation of these rules.  |
| <b>ANALYSIS:</b>       | <p>The complainant reported that Mr. Huston (Licensee) is the legal guardian of Resident A.</p> <p>Based on an interview with Resident A and a review of legal documents, Mr. Huston was appointed the legal guardian for Resident A on 01/05/2016. To date, no actions have been taken on Mr. Huston's part to secure an alternative legal guardian for Resident A and therefore, a violation of this applicable rule is established.</p> |
| <b>CONCLUSION:</b>     | <b>VIOLATION ESTABLISHED</b>   |

**ALLEGATION:** Randy and Theresa Huston have no documentation that they have provided Resident A with spending money and have mismanaged Resident A's funds by failing to document them.

**INVESTIGATION:** On 08/27/2024, I received an BCAL (Bureau of Children and Adult Licensing) online complaint. The complainant reported that Randy Huston, Licensee, is mismanaging Resident A's funds and he does not give Resident A any spending money. The complainant reported Resident A is supposed to get \$50.00 a week spending money but has not received this in over 6 months and when he did

get money from Mr. Huston, Mr. Huston took the money back and spent it at the casino.

On 08/27/2024, I interviewed Mr. Kortman via telephone. Mr. Kortman stated he initiated his complaint with a face-to-face visit at the home and interviewed Resident A. Mr. Kortman stated Resident A requested to speak to him outside of the house because he (Resident A) was concerned that Mr. Huston would listen to their conversation. Mr. Kortman stated Resident A reported his income was about \$2,700.00, he paid \$2,000.00 for his monthly AFC rate, \$300.00 for cigarettes and should get \$100.00 a week spending money. Mr. Kortman stated Resident A reported he does not get his weekly spending money.

On 09/11/2024, Mr. Kortman and I conducted an unannounced inspection at the home and interviewed Resident A outside. Resident A stated he is supposed to get \$50.00 a week spending money but he is unsure how much he pays monthly for the AFC rate. Resident A stated he smokes ½ pack of Maverick cigarettes a day and that Mr. Huston buys the cigarettes for him. Resident A stated at times, Mr. Huston gets lotto tickets for him, but he (Resident A) does not get money to spend himself. Resident A stated he has asked Mr. Huston for an accounting of his funds but he has never gotten one and when he asked Mr. Huston about an accounting, he stated Mr. Huston said, "oh well," or that it is "too much work" or that we "shouldn't worry about it." Resident A stated when he asks for an accounting of his funds, Mr. Huston always gives excuses and does not produce anything to show him how his funds are being spent. Resident A stated he thinks Mr. Huston owes him at least \$700.00, "if not more."

On 09/11/2024, Mr. Kortman and I interviewed Mr. & Mrs. Huston at the home. Mr. Huston stated Resident A's income is about \$2,600.00-2,800.00 a month. He reported that he could not remember the exact amount, and that the monthly AFC rate is \$2,000.00. Mr. Huston stated he spends \$300.00 on cigarettes for Resident A monthly, \$200.00 for medications and gives Resident A \$50.00 weekly for spending. I requested to review Resident A's Funds I and II forms, Ms. Huston got Resident A's file and stated the Funds I & II forms are not in the file. Ms. Huston stated the documents were ruined when coffee was spilled on them, and they have not been replaced. Mr. Huston stated when Resident A requests funds, "sometimes I will say, I will get it to you tomorrow and then I do." Mr. Huston acknowledged he does not keep track or document Resident A's spending money or rent on the required Resident Funds II form and has no documentation of Resident A's fund transactions. Mr. Huston acknowledged that he knows he is required to document Resident A's spending money on a Funds II form but stated he did not realize he is supposed to keep track of Resident A's monthly rent on a Funds II form also. Mr. Huston stated he does not have either of those documented on the Funds II forms and Mr. & Ms. Huston stated there is no money onsite for Resident A for review. Mr. Huston stated Resident A's funds are spent in full each month on rent, cigarettes, medications and what he gives Resident A for spending money, so Resident A does not currently have any personal spending money.

On 09/11/2024, I reviewed the Resident Care Agreement (RCA) for Resident A. The RCA is dated 01/05/2024 and was signed by Theresa Huston, Licensee and Randy Huston as the designated representative. The RCA documented the basic fee of \$1800.00 a month as the AFC rent fee for Resident A.

On 10/15/2024, I interviewed Mr. Kortman. Mr. Kortman stated he is waiting for Mr. Huston to provide financial statements so he (Mr. Kortman) can review Resident A's finances but to date, he has not received any financial records from Mr. Huston to support or refute Mr. Huston's explanation of how Resident A's finances are handled.

On 10/24/2024, I conducted an unannounced inspection at the facility and interviewed Resident B. Resident B stated he handles his own finances. Resident B stated Mr. Huston takes him to the bank. Resident B stated his social security check is in the amount of \$791.00 and is directly deposited into his own account, in his own name. Resident B stated he withdraws \$750.00 in funds and pays Mr. Huston \$700.00 for rent and keeps \$50.00 monthly for spending money. Resident B stated he pays his own telephone bill and buys his own vaping materials with the spending money of \$50.00. Resident B stated the remainder of the money remains in his account.

On 10/24/2024, I conducted an unannounced inspection at the facility and interviewed Residents C & D. Resident C stated he has a guardian and representative payee who pays Mr. & Ms. Huston rent and he got \$200.00 cash from Ms. Huston for spending money. Resident C stated he is a new resident to the home and moved in on 10/02/2024. Resident C stated he does not know if he is going to get the same amount of spending money every month. Resident D stated he has a legal guardian and representative payee who pays Mr. & Ms. Huston rent and he received \$20.00 from Ms. Huston since he moved in on 10/02/2024 as spending money. Resident D stated he does not know how much spending money he gets monthly. Resident D stated he wants all his money because he does not want Mr. & Ms. Huston to hold on to it.

On 10/24/2024, I attempted to interview Resident E at the home, but Resident E was unable to participate in an interview due to age related issues and cognitive deficits.

On 10/24/2024, I interviewed Resident F at the home. Resident F stated his representative payee brings his money to the facility, pays the rent and the remainder of the funds is handled by Mr. & Ms. Huston. Resident F stated he "thinks" he gets \$44.00 a month in spending money, given to him in cash by Ms. Huston.

On 10/24/2024, Mr. & Ms. Huston produced Resident Funds II forms for Resident A, C, D and F. When I conducted an inspection at the home on 09/11/2024, Mr. Huston reported he did not have a Resident Funds II form for Resident A. Mr. & Ms. Huston

stated they do not have a Resident Funds II form for Resident B or E. Resident A, C, D & F's Resident Funds II forms are for the month of October only. Mr. & Ms. Huston stated they did not realize that they are required to keep Resident Funds II forms when they usually do not handle resident funds.

On 10/24/2024, I reviewed the Resident Funds II form for Resident A. The form has the following dates and documentation:

- 10/06/2024 amount withdrawn of \$100.00 for spending money, signed by Resident A.
- 10/21/2024, amount withdrawn of \$89.00 for cigarettes, signed by Resident A.
- 10/21/2024, amount withdrawn of \$100.00 for spending money, signed by Resident A.

Resident A confirmed that he signed the Resident Funds II form but only signed it today, 10/24/2024 and stated that the \$200.00 spending money was given to him over the past two months, not all in October 2024. Resident A stated Mr. Huston kept the \$89.00 documented on the Resident Funds II form and purchased cigarettes for him (for Resident A). Resident A stated he does not know how much is spent on cigarettes at one time or during a month.

Mr. Huston stated Resident A has an account at Best Financial Credit Union in his own name. Mr. Huston acknowledged that his name is also on the account as Resident A's legal guardian and conservator.

I reviewed the Resident Funds II form for Resident C. The form has a date of 10/05/2024, with \$200.00 spending money, signed by Resident C. Resident C confirmed that he received \$200.00 spending money from Ms. Huston.

I reviewed the Resident Funds II form for Resident D. The form has a date of 10/05/2024, with a deposit of \$60.00, a withdrawal of \$20.00, and a balance of \$40.00, signed by Resident D. Ms. Huston stated she did not have the remaining \$40.00 at the facility and she deposited Resident D's check into her own checking account, withdrew \$20.00 for Resident D's spending money and has the rest of his spending money in her account for his spending when he wants it.

I reviewed Best Financial Credit Union statements for Resident A for the months of August and September 2024. The checking account is in Resident A's name with Mr. Huston listed on the account as Resident A's conservator. The August statement documented a beginning balance of \$12.20, with three deposits in the amount of \$3,436.12, and nine withdrawals in the amount of \$3,439.80 leaving a balance of \$8.52. The account shows that \$2,720.00 was withdrawn by Ms. Huston.



The September statement documented a beginning balance of \$8.52, with three deposits in the amount of \$3,436 and six withdrawals in the amount of \$3,395.90, leaving a balance of \$48.74. The account shows that \$3,325.00 was withdrawn by Ms. Huston.

On 10/25/2024, I interviewed Resident C & D's legal guardian and representative payee via telephone, Raquel Peters. Ms. Peters stated she pays Mr. & Ms. Huston \$700.00 monthly for Resident C's rent and Wendy Curtis, the representative payee for Resident C's Veteran's benefits pays Mr. & Ms. Huston \$800.00 monthly for Resident C's rent for a total of \$1500.00 monthly rent. Ms. Peters stated Resident A has \$300-400.00 a month spending money. Ms. Peters stated she writes a check to Ms. Huston for Resident C's rent and writes a separate check to Ms. Huston for Resident C's spending. Ms. Peters stated she paid for Resident C to be moved into the facility in October 2024 so his spending money would not be as much this month.

On 10/25/2024, I interviewed Ms. Peters via telephone. Ms. Peters stated Resident D receives \$1056.50 monthly income, she pays his rent at the facility, and he has approximately \$75-100.00 spending each month. Ms. Peters stated she writes a check to Ms. Huston for Resident D's rent and writes a separate check to Ms. Huston for Resident D's spending. Ms. Peters stated she paid for Resident D to be moved into the facility in October 2024 and therefore, his spending money would not be as much this month.

On 10/29/2024, I conducted an exit conference with Ms. Huston via telephone. Ms. Huston stated she would like to read the report and discuss the findings with Mr. Huston before any decisions are made about their license.

| <b>APPLICABLE RULE</b> |  |
|------------------------|--|
| <b>R 400.1421</b>      | <b>Handling of resident funds and valuables.</b>   |
|                        | (3) A licensee shall have a resident's funds and valuables transaction form completed and on file for each resident. A department form shall be used unless prior authorization for a substitute form has been granted in writing by the department.   |
| <b>ANALYSIS:</b>       | <p>The complainant reported that Mr. Huston, does not provide Resident A with any spending money.</p> <p>Resident A initially reported he does not get spending money but on a subsequent visit he reported getting \$200.00 spending money over the past two months.</p> <p>Resident B, C, D &amp; F reported they get spending money each month.</p> |

|                    |  |
|--------------------|--|
|                    | <p>Resident A's August 2024 bank statement shows that \$2,720.00 was withdrawn by Ms. Huston. Resident A's September 2024 bank statement shows that \$3,325.00 was withdrawn by Ms. Huston.</p> <p>The only funds documented on the required Resident Funds II forms are for Residents A, C, D &amp; F for the month of October 2024. Documentation for previous months has not been maintained as required by licensing rules.</p> <p>There are no Resident Funds II forms for Residents B or E. There are no Resident Funds II forms for Resident A's bank withdrawals made by Ms. Huston for August or September 2024.</p> <p>Based on investigative findings, there is a preponderance of evidence to show that the resident funds forms are not completed and on file for each resident. There is incomplete documentation of the incoming and outgoing of resident funds. Therefore, a violation of this applicable rule is established.</p> |
| <b>CONCLUSION:</b> | <b>VIOLATION ESTABLISHED</b>   |

| <b>APPLICABLE RULE</b> |   |
|------------------------|---|
| <b>R 400.1421</b>      | <b>Handling of resident funds and valuables.</b>  |
|                        | (4) All resident funds and trust fund accounts shall be kept separate and apart from all funds and monies of the licensee.  |
| <b>ANALYSIS:</b>       | <p>Ms. Huston deposited Resident D's funds into her own checking account, withdrew spending money for Resident D and left \$40.00 of Resident D's money in her account for Resident D's future use.</p> <p>Mr. Huston's name is on Resident A's Best Financial Credit Union account as Resident A's conservator.</p> <p>Based on investigative findings, Resident A and D's funds are not kept separate and apart from all funds and monies of the licensee. Therefore, a violation of this applicable rule is established.</p> |
| <b>CONCLUSION:</b>     | <b>VIOLATION ESTABLISHED</b>  |

## ADDITIONAL FINDINGS

**INVESTIGATION:** On 09/11/2024, Mr. Kortman and I conducted an unannounced inspection at the home and upon entering the home, there was a strong smell of cat urine in the home. Mr. Kortman stated he conducted an unannounced visit to the home on 08/27/2024 and did not detect the strong smell of cat urine that we experienced at this inspection.

This rule was substantiated during special investigation SI2023A0356017 dated 02/06/2023 (Corrective Action Plan submitted 03/03/2023), SI2023A0356040 dated 07/20/2023, (Corrective Action Plan submitted 08/03/2023), and 2024A0356017 dated 02/28/2024, (Corrective Action Plan submitted 04/23/2024). Mr. & Ms. Huston addressed the maintenance of premise issues by submitting corrective action plans (CAPs) with the final CAP approval placing the home on a six-month provisional license. The CAPs stated Mr. & Mrs. Huston scrubbed the carpet and flooring, monitored the litter boxes more closely, cleaned the litter boxes out more often and changed the litter more frequently. As a response to these CAPs, I conducted unannounced inspections at the facility on 08/03/2023, 09/21/2023, 06/03/2024 as follow-ups to the CAPs and did not detect the smell of cat urine in the home. In addition, on 06/12/2023 Gene Gray and on 08/27/2024 Brett Kortman, Adult Protective Service (APS) workers, conducted unannounced inspections at the home as follow-up on APS referrals and reported they did not detect the smell of cat urine in the home at that time.

On 10/29/2024, I conducted an exit conference with Ms. Huston via telephone. Ms. Huston stated they have kept up with the cleanliness of the home and will continue to do so. Ms. Huston stated she would like to read the report and discuss the findings with Mr. Huston before any decisions are made about their license.

| APPLICABLE RULE   |  |
|-------------------|--|
| <b>R 400.1426</b> | <b>Maintenance of premises.</b>  |
|                   | (1) The premises shall be maintained in a clean and safe condition.  |
| <b>ANALYSIS:</b>  | <p>On 09/11/2024, Mr. Kortman and I conducted an unannounced inspection at the home and upon entering the home, there was a strong smell of cat urine.</p> <p>Based on the strong smell of cat urine present in the home on 09/11/2024 along with the previous occasions when this was cited, it is evident that the licensees have been unable to correct and maintain the maintenance of premise issue that has persisted at this home and therefore a violation of this applicable rule is established.</p> |

|                    |  |
|--------------------|--|
| <b>CONCLUSION:</b> | <b>REPEAT VIOLATION ESTABLISHED</b><br>Based on completed special investigations dated 02/06/2023, 07/20/2023, and 02/28/2024. |
|--------------------|--|

#### IV. RECOMMENDATION

A six-month provisional license was issued on 06/22/2024 based on citations from SI2024A0356017 for quality-of-care violations. Due to the subsequent quality-of-care and physical plant violations cited in this report, I recommend the revocation of this license.



10/30/2024

Elizabeth Elliott  
Licensing Consultant

Date

Approved By:



10/30/2024

Jerry Hendrick  
Area Manager

Date