



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
ACTING DIRECTOR

September 26, 2023

Zachary Fisher
Randall Residence of Auburn Hills, LLC
310 White Oak Road
Lawton, MI 49065

RE: License #: AL630402684
Investigation #: 2023A0602029
Randall Residence of Auburn Hills II

Dear Mr. Fisher:

Attached is the Special Investigation Report for the above referenced facility. Due to the severity of the 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. In the event that I am not available and you need to speak to someone immediately, please contact the local office at (248) 975-5053.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Berry".

Cindy Berry, Licensing Consultant
Bureau of Community and Health Systems
Cadillac Place, Ste 9-100
3026 West Grand Blvd.
Detroit, MI 48202
(248) 860-4475

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AL630402684
Investigation #:	2023A0602029
Complaint Receipt Date:	06/22/2023
Investigation Initiation Date:	06/22/2023
Report Due Date:	08/21/2023
Licensee Name:	Randall Residence of Auburn Hills, LLC
Licensee Address:	310 White Oak Road Lawton, MI 49065
Licensee Telephone #:	(248) 340-9296
Administrator:	Zachary Fisher
Licensee Designee:	Zachary Fisher
Name of Facility:	Randall Residence of Auburn Hills II
Facility Address:	3033 N. Squirrel Rd Auburn Hills, MI 48326
Facility Telephone #:	(248) 340-9296
Original Issuance Date:	09/18/2020
License Status:	REGULAR
Effective Date:	03/18/2021
Expiration Date:	03/17/2023
Capacity:	20
Program Type:	PHYSICALLY HANDICAPPED AGED ALZHEIMERS

II. ALLEGATION(S)

	Violation Established?
There has been no nurse in the building since 6/1/2023.	No
The temperature in the building was 81 degrees.	Yes
Additional Findings	Yes

III. METHODOLOGY

06/22/2023	Special Investigation Intake 2023A0602029
06/22/2023	Special Investigation Initiated - Face to Face Received pictures and additional information from complainant.
06/26/2023	Contact – Telephone call made Spoke with the licensee designee for Randall Residence of Sterling Heights, Matthew Sufnar.
06/26/2023	Contact – Telephone call made Spoke with Michael Bolling who is the Regional Vice President of Operations for Encore Management and Development.
06/28/2023	Contact – Document received Received an email from Mr. Bolling.
07/21/2023	Investigation Completed On-site Interviewed staff member, Dee Jones.
08/04/2023	Investigation Completed On-site Interviewed the new Executive Director, Tonya Carter and staff member, Dee Jones.
09/01/2023	Exit Conference Held with Michael Bolling as Mr. Fisher no longer works for the company.

ALLEGATION:

There has been no nurse in the building since 6/1/2023.

INVESTIGATION:

On 6/22/2023, a complaint was received and assigned for investigation alleging that there has been no nurse in the building since 6/01/2023 and the temperature in the building was 81 degrees Fahrenheit.

On 6/26/2023, I spoke with the licensee designee/administrator for the Sterling Heights facilities, Matthew Sufnar by telephone. Mr. Sufnar stated he had no information regarding any of the day-to-day issues with the Auburn Hills facilities. He said as of 6/01/2023, Randall Residence is now being managed by Encore Management and Development. Randall Residence LLC is no longer involved with the properties and new applications will be submitted soon. Mr. Sufnar provided the contact information for Michael Bolling who is the Regional Vice President of Operations for Encore Management and Development.

On 6/26/2023, I spoke with Mr. Bolling by telephone. Mr. Bolling stated as of 6/01/2023, Randall Residence LLC no longer manages any of the properties. Encore received notification to take over management as Randall Residence LLC was forced to cease operation and liquidate their assets. Mr. Bolling said he is aware that Randall Residence LLC has several outstanding unpaid bills and quite a few physical plant issues. He stated the buildings are sufficiently staffed but he is in the process of hiring a director of nursing. Applications will be submitted with Courtyard of Auburn Hills listed as the new name. He went on to state that at this point, he is in the process of hiring a new licensee designee/administrator.

On 07/21/2023, I conducted an unannounced on-site investigation at which time I interviewed staff member, Dee Jones and inspected the building. Ms. Jones stated she has worked for Randall Residence LLC for several years and began working as the acting director of nursing for all four buildings on 6/01/2023 when Encore took over managing the property. She has been responsible for ordering and managing resident medication and creating the staff schedules. She went on to state that Mr. Fisher left the company in January 2023 and the office manager at the time, Jenny Smith was appointed as the licensee designee/administrator. Ms. Smith resigned prior to Encore taking over as the management company. Ms. Jones stated currently there is no licensee designee or administrator working in the facility.

On 8/04/2023, I conducted an unannounced on-site investigation at which time I interviewed the new Executive Director, Tonya Carter, and the acting Director of Nursing, Dee Jones. I also inspected the facility. According to Ms. Carter, she was hired by Encore Management and Development and began working on 7/31/2023. She had no knowledge of anything prior to 7/31/2023. Ms. Carter stated she is in the process of

being appointed as the licensee designee and administrator of all four Auburn Hills buildings. Heather Dicesare will be the new Director of Nursing beginning 8/14/2023. Ms. Jones stated she will remain as the acting director of nursing until Ms. Dicesare has been appointed.

APPLICABLE RULE	
R 400.15305	Resident protection.
	(3) A resident shall be treated with dignity and his or her personal needs, including protection and safety, shall be attended to at all times in accordance with the provisions of the act.
ANALYSIS:	Based on the information obtained during the investigation, there is insufficient information to determine that residents' needs were not met as a result of no director of nursing working in the building. According to Ms. Jones, she has been working as the acting director of nursing since 6/01/2023.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION:

The temperature in the building was 81 degrees.

INVESTIGATION:

On 6/28/2023, I received an email from Mr. Bolling stating there is an issue with the air conditioning system. A HVAC company has been contacted and will conduct an inspection of the system on 6/28/2023.

On 7/21/2023, I conducted an unannounced on-site investigation at which time I interviewed staff member, Dee Jones. Ms. Jones stated there has been an issue with the air conditioning and Encore is aware of it. While in the building, it did not feel extremely hot but the thermostat in the living area had a reading of 81 degrees Fahrenheit.

On 8/04/2023, I conducted an unannounced on-site investigation at which time I interviewed the Executive Director, Tonya Carter and inspected the facility. Ms. Carter stated there has been an issue with the air conditioning, but individual air conditioning units have been installed in each resident room until the repairs can be made. I observed the thermostat in the living area and found it to have a reading of 81 degrees Fahrenheit. I also observed a portable air conditioning unit in the living area with an attached hose that led to the outside courtyard by way of a window. I inspected each

resident room and only found window air conditioning units in rooms #203, #215, and #217.

APPLICABLE RULE	
R 400.15406	Room temperature.
	All resident-occupied rooms of a home shall be heated at a temperature range between 68- and 72-degrees Fahrenheit during non-sleeping hours. Precautions shall be taken to prevent prolonged resident exposure to stale, noncirculating air that is at a temperature of 90 degrees Fahrenheit or above. Variations from the requirements of this rule shall be based upon a resident's health care appraisal and shall be addressed in the resident's written assessment plan. The resident care agreement shall address the resident's preferences for variations from the temperatures and requirements specified in this rule.
ANALYSIS:	<p>Based on the information obtained during the investigation and my own observation, there is sufficient information to determine that the temperature in the building had a reading of 81 degrees Fahrenheit.</p> <p>On 6/26/2023, Mr. Bolling stated there was an issue with the air conditioning unit and it was scheduled for repair. On 7/21/2023 and 8/04/2023, the building had a temperature reading of 81 degrees Fahrenheit. On 8/04/2023, I observed a portable air conditioning unit in the living area of the building and individual air conditioning units in resident rooms #203, #215, and #217.</p>
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 6/22/2023, I received and reviewed 38 pictures and 1 video of large amounts of water on the interior of the facilities. It is unclear what pictures are associated with what building. The pictures showed large water stains in some resident rooms, hallways, and the living and dining areas. I did not observe any mold in any of the pictures.

On 6/26/2023, I spoke with the licensee designee for Randall Residence of Sterling Heights, Matthew Sufnar. Mr. Sufnar stated that Randall Residence is now being managed by Encore Management and Development as of 6/01/2023. Randall Residence is no longer involved with the properties and new applications will be

submitted soon. Mr. Sufnar provided the contact information for Michael Bolling who is the Regional Vice President of Operations for Encore Management and Development.

On 6/26/2023, I spoke with Mr. Bolling by telephone. Mr. Bolling stated as of 6/01/2023, Randall Residence no longer manages any of the properties. Encore received notification to take over management as Randall Residence LLC was forced to cease operation and liquidate their assets. Mr. Bolling said he is aware that Randall Residence has several outstanding unpaid bills and quite a few physical plant issues. He had no knowledge of any floods or mold in the building. Applications will be submitted with Courtyard of Auburn Hills listed as the new facility name. He went on to state that at this point, he is in the process of hiring a new licensee designee/administrator.

On 8/04/2023, I conducted an unannounced on-site investigation at which time I interviewed the new Executive Director, Tonya Carter, and the acting Director of Nursing, Dee Jones. I also inspected the facility. According to Ms. Carter, she was hired by Encore Management and Development and began working on 7/31/2023. She had no knowledge of anything prior to 7/31/2023. Ms. Carter stated she is in the process of being appointed as the licensee designee and administrator of all four Auburn Hills buildings.

Ms. Jones said there was a flood in 2021 that affected all four buildings, but she had no information regarding if mold was detected or not. She went on to state that Mr. Fisher left the company in January 2023 and the office manager at the time, Jenny Smith was appointed as the licensee designee/administrator. Ms. Smith resigned prior to Encore taking over as the management company.

On 8/04/2023, I inspected the facility and did not observe any water damage or mold.

On 9/01/2023, I conducted an exit conference with Michael Bolling, the Regional Vice President of Operations for Encore Management and Development as Zachary Fisher no longer works for the company and Randall Residence LLC is no longer the management company. I informed Mr. Bolling that a recommendation of revocation will be made as Randall Residence abandoned their duties as licensee. Mr. Bolling stated he has already submitted new applications for each building and has been in contact with the licensing unit.

APPLICABLE RULE	
R 400.15202	Administrator; qualifications.
	(1) A home shall have an administrator who shall not have less than 1 year of experience working with persons who are mentally ill, developmentally disabled, physically handicapped, or aged.

ANALYSIS:	<p>Based on the information obtained during the investigation, there is sufficient information to determine that the facility is operating without a qualified administrator.</p> <p>Zachary Fisher resigned from his position in January 2023 and Randall Residence LLC failed to submit documentation to qualify a new administrator. As of 6/01/2023, Randall Residence LLC no longer serves as the management company.</p>
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.15103	Licenses; required information; fee; effect of failure to cooperate with inspection or investigation; posting of license; reporting of changes in information.
	(5) An applicant or licensee shall give written notice to the department of any changes in information that was previously submitted in or with an application for a license, including any changes in the household and in personnel-related information, within 5 business days after the change occurs.
ANALYSIS:	<p>Based on the information obtained during the investigation, there is sufficient information to determine that Randall Residence LLC did not notify the department that there was a change in management company. Randall Residence LLC also failed to notify the department that the licensee designee/administrator, Zachary Fisher resigned from his position in January 2023.</p>
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.15403	Maintenance of premises.
	(1) A home shall be constructed, arranged, and maintained to provide adequately for the health, safety, and well-being of occupants.

ANALYSIS:	<p>Based on the information obtained during the investigation, and my own observation, there is insufficient information to determine that there is mold in the facility. During the unannounced on-site investigation, I did not observe any mold or water damage in the facility.</p> <p>Ms. Jones stated there was a flood in 2021 but she had no information regarding a mold issue in the building.</p>
CONCLUSION:	VIOLATION NOT ESTABLISHED

IV. RECOMMENDATION

I recommend revocation of this license.



09/20/2023

Cindy Berry
Licensing Consultant

Date

Approved By:



09/22/2023

Denise Y. Nunn
Area Manager

Date