



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

December 18, 2024

Lijo Antony
Walnut Creek Living, LLC
2695 Powderhorn Ridge Rd.
Rochester Hills, MI 48309

RE: Application #: AS500418262
Walnut Creek of Shelby
46496 Kramer Dr.
Shelby Township, MI 48316

Dear Mr. Antony:

Attached is the Original Licensing Study Report for the above referenced facility. The study has determined substantial violations of applicable licensing statutes and administrative rules. Therefore, denial of issuance of a license is recommended. You will be notified in writing of the Agency's intention 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 (517) 284-9727.

Sincerely,

A handwritten signature in cursive script that reads "Kristine Cilluffo".

Kristine Cilluffo, Licensing Consultant
Bureau of Community and Health Systems
Cadillac Place
3026 West Grand Blvd Ste 9-100
Detroit, MI 48202
(248) 285-1703

enclosure

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

I. IDENTIFYING INFORMATION

License #:	AS500418262
Applicant Name:	Walnut Creek Living, LLC
Applicant Address:	2695 Powderhorn Ridge Rd. Rochester Hills, MI 48309
Applicant Telephone #:	(248) 568-7194
Administrator/Licensee Designee:	Lijo Antony
Name of Facility:	Walnut Creek of Shelby
Facility Address:	46496 Kramer Dr. Shelby Township, MI 48316
Facility Telephone #:	(248) 568-7194
Application Date:	02/21/2024
Capacity:	6
Program Type:	PHYSICALLY HANDICAPPED AGED ALZHEIMERS

II. METHODOLOGY

02/21/2024	Enrollment
02/21/2024	PSOR on Address Completed
02/21/2024	Application Incomplete Letter Sent 1326/RI030
02/21/2024	Contact - Document Sent forms sent
04/24/2024	Contact- Face to Face Meeting with Lijo Antony at Oaktree Place renewal inspection
05/06/2024	Contact- Telephone call received Received text message from Complainant 2
05/07/2024	Contact- Telephone call made Text message to and from Complainant 2. Complainant 2 indicated residents were returned to home on March 12 th .
05/09/2024	Contact- Document Sent Email to and from Lijo Antony. Mr. Antony indicated six residents were returned to the home.
06/10/2024	Contact- Face to Face Microsoft Teams meeting with Lijo Antony, Jennifer Hiller and AFC Area Manager, Denise Nunn.
07/19/2024	Contact - Document Sent Second app incomplete
08/21/2024	Contact- Document Sent Email to and from Lijo Antony. Mr. Antony informed that recommendation has been changed to referral to Attorney General for injunctive relief
09/10/2024	Contact - Document Sent 10-day letter sent.
10/07/2024	Inspection Completed-BCAL Sub. Non-Compliance Denial of issuance based on owner continuing to operate unlicensed

12/13/2024	Inspection Completed On-Site Completed unannounced onsite inspection. Staff did not provide any information or allow me entrance into the home. I left a business card and requested a call.
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III. DESCRIPTION OF FINDINGS & CONCLUSIONS

The evaluation is based upon the requirements of P.A. 218 of the Michigan Public Acts of 1979, as amended, and the Administrative Rules and Regulations applicable to the license of small group facilities (1-6), licensed or proposed to be licensed after 05/24/1924.

A. Physical Description of Facility

Walnut Creek of Shelby is an unlicensed adult foster care home located in Shelby Township, MI. The home has operated with between 6-8 residents. The home has operated over a capacity of six residents without approval from the Bureau of Fire Services (BFS). Walnut Creek of Shelby is owned by Walnut Creek Properties, LLC.

B. Program Description

I received a complaint on 01/02/2024 alleging that the home located at 46496 Kramer Drive (UA500418144) was operating without a license. I completed Special Investigation Report #2024A0604005, which determined that unlicensed adult foster care was being provided at the home.

BITS indicates that an application was submitted for this address on 02/21/2024, with the home name Walnut Creek of Shelby (AS500418262). Applicant is Walnut Creek Living, LLC and licensee designee/administrator is listed as Lijo Antony. Mr. Antony is an approved licensee designee/administrator for his licensed facilities which include Meadows Assisted Living II, Oaktree Place Senior Living and The Barns Senior Living 2.

During the unlicensed investigation, Mr. Antony provided untruthful information and denied having knowledge of the home having residents or providing adult foster care. He stated that he owned the home, and it was being leased to Fata Salihovic. Mr. Antony provided a copy of the lease agreement. However, Ms. Salihovic later denied leasing the home from Mr. Antony.

On 02/05/2024, I completed an onsite investigation with Mr. Antony present. Mr. Antony stated that he had “evicted” Ms. Salihovic and still denied knowledge of the home operating as an adult foster care home. He stated that the home was being renovated and had damage due to the tenant’s cleaning company. I observed a large dumpster in the driveway. I completed a walkthrough of home and found that all bedrooms were

empty. There were workers present at the home. The home was being painted and all the flooring was torn up. Mr. Antony stated that there was chemical damage to the flooring due to their cleaning company. There was no evidence that anyone was living at the home during the onsite.

On 02/22/2024, I interviewed Relative 1, Relative 2 and Relative 3 who all identified Mr. Lijo Antony as the owner and operator of the home. None of the relatives had heard of Fata Salihovic. It was reported that the home was providing 24-hour care and supervision to residents, and payments were being made to Walnut Creek, which is Mr. Antony's company. During the unlicensed investigation, families were contacted and told that residents would need to move temporarily to Mr. Antony's other homes including Beacon Square (Walnut Creek Life, LLC) and The Barns Senior Living in Rochester, for the home to be renovated. Relative 1 and Relative 3 were informed that residents could return the last week of February 2024. It was reported that there were between six to eight residents living in the home. Services provided included medication administration, meal preparation, assistance with hygiene and bathing, toileting, and dressing

On 02/23/2024, I completed an exit conference with manager, Jennifer Hiller. Owner, Lijo Antony, indicated that he is out of the country for a family emergency and that he asked Ms. Hiller to contact me. Ms. Hiller stated that there were six residents living in the home, however, provided the first names of seven. I informed Ms. Hiller of my findings including that I spoke with relatives and was informed that Mr. Antony has been operating the home and residents were recently moved temporarily for renovation. No one has heard of Fata Salihovic. I informed Ms. Hiller that residents should not be returned to home without a license as the home is providing 24-hour care and supervision. Ms. Hiller denied any knowledge of residents returning to the home the following week and stated that she has not hired any staff for the home. I also informed Ms. Hiller that BFS and zoning approval is required for a medium home with over six residents. Ms. Hiller stated that an application has been submitted for licensing.

On 02/26/2024, I sent an email to Lijo Antony notifying him of my findings. I also informed Mr. Antony that residents should not be returned to the home until an inspection is completed and he receives approval for licensure. In addition, I informed Mr. Antony that a medium adult foster care license is required for over six residents and would require BFS and zoning approval.

On 04/24/2024, I had a face-to-face meeting with Lijo Antony at Oaktree Place Senior Living. Mr. Antony indicated that the home remains empty, and he is deciding whether to proceed with licensure of home. He indicated that he would notify licensing once a decision has been made.

On 05/07/2024, I was informed by Complainant 2 that residents were returned to the Kramer Road home on 03/12/2024. On 05/09/2024, Lijo Antony confirmed by email that he in fact returned six residents to the home despite being informed that residents should not be returned until the home obtained a license.

On 06/10/2024, A Microsoft Teams meeting was held with Lijo Antony, Jennifer Hiller and Area Manager. Mr. Antony again confirmed that six residents were returned to the home. He indicated that he did not have a choice because the resident's families wanted them to return and not remain at his other homes. Mr. Antony stated that there is someone interested in purchasing the business. Mr. Antony was told he should notify Lansing if he does not plan to proceed with application he submitted for address. Mr. Antony was informed that the home should obtain a license or a referral to the attorney general will be made.

On 07/09/2024, I received an unlicensed facility response form from Lijo Antony. Mr. Antony indicated on the form that he intended to complete the licensing process. Mr. Antony submitted an application for the home located at 46496 Kramer Drive on 02/21/2024. The enrollment is for Walnut Creek of Shelby (AS500418262).

On 07/10/2024, I sent an email to Lijo Antony. I requested that he follow up with the licensing unit in Lansing to provide required information for the enrollment as they sent the application incomplete letter on 02/21/2024. Mr. Antony indicated that he had not received any letters yet. I instructed Mr. Antony to contact the licensing unit and request the letter to be resent if he has not received anything and that I would send him a letter with items I will need for licensure once the application gets assigned to the local office. BITS indicates Mr. Antony was sent a second application incomplete letter by the licensing unit on 07/19/2024.

On 08/21/2024, I sent an email to Lijo Antony informing him that I would be changing the recommendation as there has been no activity on his application that was submitted on 02/21/2024 and residents were returned after he was informed that the home cannot operate without a license. I informed Mr. Antony that the recommendation would be changed to referral to Attorney General for injunctive relief. On 08/21/2024, I received a response from Mr. Antony stating Kramer (business only) is sold to another party. He indicated that they should be filing for their own license. Mr. Antony has been the only known operator at Kramer Drive address. As of 11/08/2024, there are no other enrollments for this address in BITS.

On 09/10/2024, a 10-day continued interest letter was sent to Mr. Antony by the Licensing Unit.

On 09/24/2024, I received an email from the Licensing Unit, Haley Hoyt, indicating that they have not received a response from applicant.

On 12/13/2024, I completed an unannounced onsite inspection at the home. An unknown person, who appeared to be staff, answered door and left to get another individual when I identified myself. I spoke to Maxine Shaw who also appeared to be staff, however, would not indicate if she was working at the home. She was wearing medical scrubs. Ms. Shaw would not provide any information regarding the home, residents, position or owner/operator of facility. During the onsite inspection, I observed

two individuals that appeared to be residents in the living room while I was standing outside the front door of the home. I also observed two wheelchairs in the living room, one occupied and one unoccupied. The home also has a wheelchair ramp located on the right side of the home. The home appears to have continued operating as an unlicensed adult foster care.

The staff present did not allow me to enter home. I was unable to interview residents or staff. Ms. Shaw did agree to take my card and give to owner/operator. I requested that owner/operator contact me. As of 12/18/2024, I have not received a call from anyone regarding the home.

C. Rule/Statutory Violations

<p>MCL 400.713</p>	<p>License required; application; forms; investigation; on-site evaluation; issuance or renewal of license; disclosures; maximum number of persons; stating type of specialized program; issuance of license to specific person at specific location; transferability of license; sale of facility; notice; items of noncompliance; refusal by department to issue or renew license; conditions; unlicensed facility; violation as misdemeanor; penalty; receipt of completed application; issuance of license within certain time period; inspections; report; criminal history and records check; storage of fingerprints in automated fingerprint identification system database; convictions; "completed application" defined.</p>
	<p>(1) A person, partnership, corporation, association, or a department or agency of the state, county, city, or other political subdivision shall not establish or maintain an adult foster care facility unless licensed by the department.</p>
<p>I received a complaint on 01/02/2024 that alleged the home located at 46496 Kramer Drive (UA500418144) was operating without a license. I completed Special Investigation Report #2024A0604005, which determined that unlicensed adult foster care was being provided. The home continues to operate without a license. During the investigation, Mr. Antony denied having knowledge of any residents in the home or adult foster care being provided. It was later found that residents were temporarily removed from the home during the investigation. Relatives were told that residents were being moved temporarily to Mr. Antony’s other homes while renovations were being made. Lijo Antony and Jennifer Hiller were both notified that residents should not be returned until the home was licensed.</p> <p>On 05/07/2024, I was informed by Complainant 2 that residents were returned to the Kramer Road home on 03/12/2024. On 05/09/2024, Lijo Antony confirmed by email</p>	

<p>that he in fact returned six residents to the home despite being informed that residents should not be returned until the home obtained a license.</p> <p>BITS indicates that an application was submitted for address on 02/21/2024, with home name Walnut Creek of Shelby (#AS500418262). Applicant is Walnut Creek Living, LLC and licensee designee/administrator is listed as Lijo Antony. As of 09/24/2024, Mr. Antony had not responded to licensing unit's continuing interest letter.</p>	
	VIOLATION ESTABLISHED

MCL 400.713	<p>License required; application; forms; investigation; on-site evaluation; issuance or renewal of license; disclosures; maximum number of persons; stating type of specialized program; issuance of license to specific person at specific location; transferability of license; sale of facility; notice; items of noncompliance; refusal by department to issue or renew license; conditions; unlicensed facility; violation as misdemeanor; penalty; receipt of completed application; issuance of license within certain time period; inspections; report; criminal history and records check; storage of fingerprints in automated fingerprint identification system database; convictions; "completed application" defined.</p>
	<p>(3) Before issuing or renewing a license, the department shall investigate the activities and standards of care of the applicant and shall make an on-site evaluation of the facility. On-site inspections conducted in response to the application may be conducted without prior notice to the applicant. On-site inspections conducted for renewing a license may be conducted within 12 months before the expiration date of the current license without impact on the license renewal date or the license fee. Subject to subsections (9), (10), and (11), the department shall issue or renew a license if satisfied as to all of the following:</p> <p style="padding-left: 40px;">(b) The applicant's compliance with this act and rules promulgated under this act.</p> <p style="padding-left: 40px;">(c) The good moral character of the applicant, or owners, partners, or directors of the facility, if other than an individual. Each of these persons shall be not less than 18 years of age.</p> <p style="padding-left: 40px;">(d) The physical and emotional ability of the applicant, and the person responsible for the daily operation of the facility to operate an adult foster care facility.</p>

<p>On 02/05/2024, I completed an onsite investigation with Mr. Antony present. Mr. Antony stated that he had “evicted” Ms. Salihovic and still denied knowledge of the home operating as an adult foster care home. He stated that the home had damage due to the tenant’s cleaning company. I observed a large dumpster in driveway. I completed a walkthrough of home and found that all bedrooms were empty. There were workers present at the home. The home was being painted and all the flooring was torn up. Mr. Antony stated that there was chemical damage to the flooring due to their housekeeping company. There was no evidence that anyone was living at the home. I later found that Mr. Antony had told relatives that residents had to be moved temporarily to his other homes due to renovations.</p>	
	VIOLATION ESTABLISHED

R 400.14201	Qualifications of administrator, direct care staff, licensee, and members of household; provision of names of employee, volunteer, or member of household on parole or probation or convicted of felony; food service staff.
	(11) A licensee, direct care staff, and an administrator shall be willing to cooperate fully with a resident, the resident's family, a designated representative of the resident and the responsible agency.
<p>Mr. Antony has not provided truthful information. He stated that the home was being operated by Fata Salihovic. However, no relatives had heard of this individual. He also did not inform relatives that residents needed to be moved due to unlicensed investigation. He relocated resident’s temporarily indicating that renovations needed to be made to the home and stated that residents could return once completed.</p>	
	VIOLATION ESTABLISHED

R 400.14201	Qualifications of administrator, direct care staff, licensee, and members of household; provision of names of employee, volunteer, or member of household on parole or probation or convicted of felony; food service staff.
	(9) A licensee and the administrator shall possess all of the following qualifications: (a) Be suitable to meet the physical, emotional, social, and intellectual needs of each resident.
<p>Mr. Lijo Antony is not suitable as an administrator for Walnut Creek of Shelby. Mr. Antony provided untruthful information to licensing during unlicensed investigation.</p>	

Mr. Antony denied having any knowledge of residents living in the home despite being the individual operating the home as an unlicensed adult foster care and owning the home. Mr. Antony only allowed licensing to enter the home once he temporarily moved all residents and started renovations for the home to appear unoccupied.

After completion of investigation, Mr. Antony continued to provide untruthful information and returned residents to home despite being informed that he could not operate without a license.

On 02/26/2024, I informed Mr. Antony that residents should not be returned to home until inspection is completed and receives approval for licensure. In addition, I informed Mr. Antony that a medium adult foster care license is required for over six residents and would require BFS and zoning approval.

On 04/24/2024, I had a face-to-face Meeting with Lijo Antony at Oaktree Place Senior Living. Mr. Antony again indicated that the home remained empty. On 05/07/2024, I was informed by Complainant 2 that residents were returned to the Kramer Road home on 03/12/2024. On 05/09/2024, Lijo Antony confirmed by email that he in fact returned six residents to the home despite being informed that residents should not be returned until the home obtained a license.

VIOLATION ESTABLISHED

IV. RECOMMENDATION

I recommend denial of issuance of a license for this AFC adult small group Home, Walnut Creek of Shelby (capacity 1-6).

Also, recommendation for a referral to the Office of Attorney General to seek injunctive relief through Circuit Court in SIR# 2024A0604005 remains in effect.

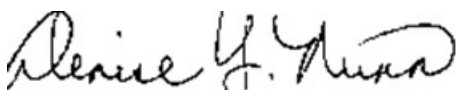


12/18/2024

Kristine Cilluffo
Licensing Consultant

Date

Approved By:



12/18/2024

Denise Y. Nunn

Date

Area Manager