

Report on Examination

of

Deland Senior Care, LLC

Deland, FL

as of

December 31, 2024



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SCOPE OF EXAMINATION

The Florida Office of Insurance Regulation (“OIR”), Life & Health Financial Oversight Unit conducted a routine examination of Deland Senior Care, LLC, pursuant to section 651.105, Florida Statutes. The objective of the examination was to determine the extent of compliance with the provisions of Chapter 651, Florida Statutes, and Rule Chapter 69O-193, Florida Administrative Code. The examination covered the period of June 1, 2021, to December 31, 2024.

COMPANY HISTORY

Deland Senior Care, LLC, a Florida for-profit corporation, was granted a certificate of authority by the OIR to offer continuing care contracts on June 11, 2021. The organization operates the continuing care retirement community (“CCRC”) facility known as Deland Senior Care, located in Deland, Florida. Deland Senior Care, LLC is managed by Clear Choice Healthcare.

Deland Senior Care operates during the calendar year from January 1 through December 31. As of December 31, 2024, Deland Senior Care reported in its Annual Report filed with the OIR: 283 Continuing Care Units consisting of 108 Independent Living Units, 26 Assisted Living Units, 130 Skilled Nursing Units, and 19 in Rental Units. At that time, there were 227 individuals residing at Deland Senior Care. The facility reported, pursuant to continuing care contract, 91 residents in Independent Living, 17 residents in Assisted Living and Memory Care, and one resident in Skilled Nursing. The facility reported 118 residents without a continuing care contract.

SUMMARY OF FINDINGS

Resident Contracts and Related Forms

Finding 1:

In one instance, pursuant to section 651.022(2)(g), and 651.033(4), Florida Statutes, and Rule 69O-193.018, Florida Administrative Code, Deland Senior Care failed to utilize a wait list contract form that was approved by the OIR.

Resident Council Required Disclosures

Finding 2:

In four instances, pursuant to section 651.085(3), Florida Statutes, Deland Senior Care failed to provide documentation demonstrating that the designated Resident Representative was notified by the provider at least 14 days prior to of any meeting of the full governing body at which the annual budget and proposed changes or increases in resident fees or services are on the agenda or will be discussed.

Finding 3:

In four instances, pursuant to section 651.091(2)(h), Florida Statutes, Deland Senior Care failed to provide documentation demonstrating that the information described in section 651.085(4), Florida Statutes, was delivered in writing to the President or Chair of the Residents' Council.

Disclosure Documents

Finding 4:

In 12 instances, pursuant to section 651.091(3), Florida Statutes, Deland Senior Care failed to make full disclosure, obtain written acknowledgment of receipt, and provide copies of the disclosure

documents to the prospective resident or his or her legal representative, as required by subsections 651.091(3)(a) through (l), Florida Statutes, in effect as of January 1, 2020.

Finding 5:

In 13 instances, pursuant to section 651.091(3), Florida Statutes, Deland Senior Care failed to make full disclosure, obtain written acknowledgment of receipt, and provide copies of the disclosure documents to the prospective resident or his or her legal representative, as required by subsections 651.091(3)(a) through (m), Florida Statutes, in effect as of July 1, 2023.

Finding 6:

In 2 instances, pursuant to section 651.091(4), Florida Statutes, as amended effective January 1, 2020, and July 1, 2023, Deland Senior Care failed to provide documentation demonstrating a true and complete copy of the current full disclosure document to be used was filed with the OIR before use.

Subsequent event: On August 1, 2025, Deland Senior Care submitted to the OIR all statutorily required disclosure documents pursuant to section 651.091(4), Florida Statutes.

Annual Filings

Finding 7:

In one instance, pursuant to section 651.026(1), Florida Statutes, and Rule 69O-193.005(3), Florida Administrative Code, Deland Senior Care failed to file an Annual Report on Form OIR-A3-470 with the OIR within 120 days of the last day of the fiscal year of the provider.

Notifications to the OIR

Finding 8:

In one instance, pursuant to Rule 69O-136.042(6), Florida Administrative Code, Deland Senior Care failed to submit the required documentation to comply with the filing requirements of section 651.043(2), Florida Statutes, with respect to the information required to be filed under section 651.022(2), Florida Statutes, for each new management company or manager not employed by a management company.

Finding 9:

In one instance, pursuant to section 651.026(2)(a), Florida Statutes, Deland Senior Care failed to notify the OIR of any change in status with respect to the information required to be filed under section 651.022(2), Florida Statutes, for each new management company or manager not employed by a management company.

Finding 10:

In one instance, pursuant to section 651.043(2), Florida Statutes, Deland Senior Care failed to provide notification to the OIR in writing or electronically of any change in management within 10 business days.

MINIMUM LIQUID RESERVE

As of December 31, 2024, Deland Senior Care had a Minimum Liquid Reserve that was funded in accordance with section 651.035, Florida Statutes.

SUMMARY OF RECOMMENDATIONS

Resident Contracts and Related Forms

Finding 1: The OIR recommends that Deland Senior Care ensure that each contract utilized in providing continuing care, and any addenda, is submitted to the OIR and approved prior to use, in accordance with section 651.022(2)(g), Florida Statutes. Deland Senior Care should submit the waitlist contract to the OIR for approval to bring it into compliance with statutory requirements.

Resident Council Required Documents

Findings 2 and 3: The OIR recommends that Deland Senior Care establish adequate procedures and controls to ensure the statutory availability, distribution, and posting of reports and records are distributed to the President or Chair of the Residents' Council, in accordance with section 651, Florida Statutes.

Disclosure Documents

Findings 4, 5, and 6: The OIR recommends that Deland Senior Care comply with section 651.091(4), Florida Statutes, if any future revisions to the disclosure documents are necessary.

Annual and Quarterly Filings

Finding 7: The OIR recommends that Deland Senior Care submit its annual filings within the required timeframes, in accordance with section 651.026, Florida Statutes, and Rule 69O-193.005, Florida Administrative Code.

Notifications to the OIR

Findings 8, 9, and 10: The OIR recommends that Deland Senior Care ensure the OIR is provided with timely information and documentation regarding managers or management companies, in accordance with the requirements of Chapter 651, Florida Statutes, and Rule Chapter 690, Florida Administrative Code.

CONCLUSION

This Report of Examination is based upon the information provided to the OIR from Deland Senior Care and additional research conducted by the OIR.

The following individuals from the Florida Office of Insurance Regulation participated in the examination: Michael Rockwell, Financial Administrator; Steven Waites, Financial Specialist; Al Garabedian, Financial Specialist.

Respectfully submitted,



Carolyn M. Morgan
Director
Life & Health Financial Oversight
Florida Office of Insurance Regulation
Date Signed: 3/10/26