

Report on Examination

of

Presbyterian Retirement Communities, Inc.

d/b/a

Westminster Oaks

Tallahassee, FL

as of

March 31, 2024



Contents

Scope of Examination	1
Company History.....	1
Summary of Findings	2
Minimum Liquid Reserve	5
Summary of Recommendations.....	5
Conclusion	7

SCOPE OF EXAMINATION

The Florida Office of Insurance Regulation (“OIR”), Life & Health Financial Oversight unit, conducted a routine examination of Presbyterian Retirement Communities, Inc. d/b/a Westminster Oaks (“Westminster Oaks”), 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 July 1, 2019, through March 31, 2024.

COMPANY HISTORY

Presbyterian Retirement Communities, Inc., d/b/a Westminster Oaks, a Florida not-for-profit corporation, was granted a certificate of authority by the OIR to offer continuing care contracts on April 5, 1982. Presbyterian Retirement Communities, Inc., operates Westminster Oaks, a continuing care retirement community (“CCRC”) facility located in Tallahassee, Florida, that is managed by Westminster Services, Inc., an affiliated entity.

Westminster Oaks operates during the fiscal year from April 1 through March 31. As of March 31, 2024, Westminster Oaks reported in its Annual Report filed with the OIR: 635 Continuing Care Units consisting of 407 Independent Living Units, 47 Assisted Living Units, 23 Memory Care Units, 120 Skilled Nursing Units, and 38 Rental Units. As of March 31, 2024, there were 745 individuals reported residing at Westminster Oaks. The facility reports, pursuant to a continuing care contract, 519 residents in Independent Living, 69 residents in Assisted Living and Memory Care, and 91 residents in Skilled Nursing. The facility also reported 66 residents without a continuing care contract.

SUMMARY OF FINDINGS

Notifications to the OIR

Finding 1:

In five instances, pursuant to section 651.0261(1), Florida Statutes and Rule 69O-193.005(2), Florida Administrative Code, Westminster Oaks failed to file the Quarterly Report on Form OIR-A3-974 within 45 days after the end of the fiscal quarter.

Finding 2:

In one instance, pursuant to section 651.026(1), Florida Statutes and Rule 69O-193.005(3), Florida Administrative Code, Westminster Oaks 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.

Finding 3:

In 10 instances, pursuant to section 651.043(2), Florida Statutes, Westminster Oaks failed to provide notification to the OIR in writing or electronically of any change in management within 10 business days.

Disclosure Documents

Finding 4:

In one instance, pursuant to section 651.091(4), Florida Statutes, Westminster Oaks failed to provide documentation demonstrating that a true and complete copy of the full disclosure documents that are used, were filed with the OIR before use.

Finding 5:

In one instance, pursuant to section 651.091(3), Florida Statutes, Westminster Oaks failed to make full disclosure to the prospective resident or his or her legal representative a concise summary of the last examination report issued by the OIR as outlined in section 651.091(3)(a), Florida Statutes.

Finding 6:

In one instance, pursuant to section 651.091(2)(b), Florida Statutes, Westminster Oaks failed to make full disclosure to the prospective resident or his or her legal representative a concise summary of the last examination report issued by the OIR as outlined in section 651.091(3)(b), Florida Statutes.

Resident Council Required Disclosures

Finding 7:

In one instance, pursuant to section 651.091(2), Florida Statutes, Westminster Oaks did not provide documentation demonstrating that the newly elected President or Chair of the Residents' Council received a copy of chapter 651 within 30 days after the election.

Finding 8:

In one instance, pursuant to section 651.091(2)(e), Florida Statutes, Westminster Oaks failed to provide a copy of the final examination report and corrective action plan to the President or Chair of the Residents' Council within 60 days after issuance of the report.

Finding 9:

In two instances, pursuant to section 651.091(2)(g), Florida Statutes, Westminster Oaks failed to provide documentation demonstrating that a copy of the full annual statement was delivered to the

President or Chair of the Residents' Council within 30 days after filing the Annual Report with the OIR.

Finding 10:

In two instances, pursuant to section 651.091(2)(g), Florida Statutes, Westminster Oaks failed to provide documentation demonstrating that a copy of the most recent third-party financial audit filed with the Annual Report was delivered to the President or Chair of the Residents' Council within 30 days after filing the Annual Report with the OIR.

Finding 11:

In two instances, pursuant to section 651.091(2)(i), Florida Statutes, Westminster Oaks failed to provide documentation demonstrating that a summary of entrance fees collected, and refunds made during the time-period covered in the Annual Report and the refund balances due at the end of the report period was delivered to the President or Chair of the Residents' Council.

Finding 12:

In two instances, pursuant to section 651.091(2)(j), Florida Statutes, Westminster Oaks failed to provide documentation demonstrating that a copy of each quarterly statement was delivered to the President or Chair of the Residents' Council within 30 days after the quarterly statement is filed with the OIR.

Quarterly Meetings with Residents

Finding 13:

In three instances, pursuant to section 651.085(1), Florida Statutes, Westminster Oaks failed to accurately report the dates on which quarterly meetings were held in the Annual Report as required under section 651.026, Florida Statutes.

Finding 14:

In 15 instances, pursuant to section 651.085(1), Florida Statutes, Westminster Oaks failed to provide documentation demonstrating that residents were provided at least 7 days' advance notice of each quarterly meeting.

MINIMUM LIQUID RESERVE

As of March 31, 2024, Westminster Oaks had a Minimum Liquid Reserve that was funded in accordance with section 651.035, Florida Statutes.

SUMMARY OF RECOMMENDATIONS

Notifications to the OIR

Findings 1 and 2: The OIR recommends Westminster Oaks submits the annual and quarterly filings within the appropriate timeframes, in accordance with section 651.026, section 651.0261, Florida Statutes, and Rule 69O-193.005, Florida Administrative Code.

Finding 3: The OIR recommends that Westminster Oaks 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 69O-193, Florida Administrative Code.

Disclosure Documents

Findings 4, 5, and 6: The OIR recommends that Westminster Oaks strengthen its compliance procedures to ensure full disclosure to prospective residents and their legal representatives, in accordance with section 651.091, Florida Statutes.

Resident Council Required Disclosures

Findings 7 through 12: The OIR recommends that Westminster Oaks 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 651.091, Florida Statutes.

Quarterly Meetings with Residents

Findings 13 and 14: The OIR recommends Westminster Oaks maintains documentation to demonstrate that the statutory quarterly meetings with residents are properly notified, in accordance with section 651.085(1), Florida Statutes.

CONCLUSION

This Report of Examination is based upon the information provided to the OIR from Westminster Oaks 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,



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Director
Life & Health Financial Oversight
Florida Office of Insurance Regulation
Date Signed: 12/4/25