

**Report on Examination**

**of**

**Presbyterian Retirement Communities, Inc.**

**d/b/a**

**Westminster Towers of Orlando**

**Orlando, FL**

**as of**

**March 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 Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers of Orlando (“Westminster Towers”), 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 690-193, Florida Administrative Code. The examination covered the period of July 1, 2019, through March 31, 2024.

## **COMPANY HISTORY**

Presbyterian Retirement Communities, Inc., a Florida not-for-profit corporation, was granted a certificate of authority by the OIR to offer continuing care contracts on January 5, 1981. Presbyterian Retirement Communities, Inc., operates Westminster Towers, a continuing care retirement community (“CCRC”) facility located in Orlando, Florida, that is managed by Westminster Services, Inc., an affiliated entity.

Westminster Towers operates during the fiscal year from April 1 through March 31. As of March 31, 2024, Westminster Towers reported in its Annual Report filed with the OIR: 320 Continuing Care Units consisting of 154 Independent Living Units, 39 Assisted Living Units, 98 Skilled Nursing Units, and 29 Rental Units. As of March 31, 2024, there were 362 individuals reported residing at Westminster Towers. The facility reports, pursuant to a continuing care contract, 248 individuals which consists of 183 residents in Independent Living, 52 residents in Assisted Living and Memory Care, and 13 residents in Skilled Nursing. The facility reported 114 residents without a continuing care contract.

## **SUMMARY OF FINDINGS**

### Quarterly Meetings with Residents

#### Finding 1:

In seven instances, pursuant to section 651.085(1), Florida Statutes, Westminster Towers failed to accurately report the dates on which quarterly meetings were held in the Annual Report.

### Contracts with Affiliates

#### Finding 2:

In one instance, pursuant to section 651.1151(3), Florida Statutes, Westminster Towers failed to include a provision that the contract will be canceled upon issuance of an order by the OIR, in a contract with an affiliate, an entity controlled by the provider, or an entity controlled by an affiliate of the provider for administrative, vendor, or management services.

### Resident Council Required Disclosures

#### Finding 3:

In one instance, pursuant to section 651.091(2)(e), Florida Statutes, Westminster Towers 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 4:

In one instance, pursuant to section 651.091(2)(g), Florida Statutes, Westminster Towers 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 5:

In one instance, pursuant to section 651.091(2)(g), Florida Statutes, Westminster Towers 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 6:

In five instances, pursuant to section 651.091(2)(h), Florida Statutes, Westminster Towers failed to provide documentation demonstrating that the information described in section 651.085(4), Florida Statutes, was provided in writing to the President or Chair of the Residents' Council.

Finding 7:

In one instance, pursuant to section 651.091(2)(i), Florida Statutes, Westminster Towers 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 8:

In two instances, pursuant to section 651.091(2)(j), Florida Statutes, Westminster Towers 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.

## Notifications to the OIR

### Finding 9:

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

### Finding 10:

In one instance, pursuant to section 651.026(1), Florida Statutes and Rule 69O-193.005(3), Florida Administrative Code, Westminster Towers 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 11:

In 11 instances, pursuant to section 651.043(2), Florida Statutes, Westminster Towers failed to provide notification to the OIR in writing or electronically of any change in management within 10 business days.

## Disclosure Documents

### Finding 12:

In two instances, pursuant to section 651.091(3), Florida Statutes, Westminster Towers failed to make full disclosure to the prospective resident or their legal representative the contract to furnish continuing care of continuing care at-home as outlined in section 651.091(3)(a), Florida Statutes.

### Finding 13:

In two instances, pursuant to section 651.091(3), Florida Statutes, Westminster Towers 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.

Finding 14:

In one instance, pursuant to section 651.091(4), Florida Statutes, Westminster Towers 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.

### **MINIMUM LIQUID RESERVE**

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

### **SUMMARY OF RECOMMENDATIONS**

#### Quarterly Meetings with Residents

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

### Contracts with Affiliates

Finding 2: The OIR recommends Westminster Towers ensure that its contracts with affiliated entities are in compliance with the requirements of section 651.1151, Florida Statutes.

### Resident Council Required Disclosures

Findings 3, 4, 5, 6, 7, and 8: The OIR recommends that Westminster Towers 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.

### Notifications to the OIR

Findings 9 and 10: The OIR recommends that Westminster Towers 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 11: The OIR recommends that Westminster Towers 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 12 and 13: The OIR recommends that Westminster Towers strengthen its compliance procedures to ensure full disclosure to prospective residents and their legal representatives, in accordance with section 651.091, Florida Statutes.

Finding 14: The OIR recommends that Westminster Towers ensure a full and complete copy of the disclosure documents to be used is filed with the OIR prior to use, in compliance with section 651.091(4), Florida Statutes.

### CONCLUSION

This Report of Examination is based upon the information provided to the OIR from Westminster Towers 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: 12/4/25