

WAC 388-78A-2770 Change in licensee/change of ownership—When change in licensee is required. The licensee of an assisted living facility must change whenever the following events occur, including, but not limited to:

(1) The licensee's form of legal organization is changed (e.g., a sole proprietor forms a partnership or corporation);

(2) The licensee transfers ownership of the assisted living facility business enterprise to another party regardless of whether ownership of some or all of the real property and/or personal property assets of the assisted living facility is also transferred;

(3) The licensee dissolves, or consolidates or merges with another legal organization and the licensee's legal organization does not survive;

(4) If, during any continuous twenty-four-month period, fifty percent or more of the "**licensed entity**" is transferred, whether by a single transaction or multiple transactions, to:

(a) A different person (e.g., new or former shareholders or partners); or

(b) A person that had less than a five percent ownership interest in the assisted living facility at the time of the first transaction.

(5) Any other event or combination of events that results in a substitution, elimination, or withdrawal of the licensee's control of the assisted living facility. As used in this section, "control" means the possession, directly or indirectly, of the power to direct the management, operation and/or policies of the licensee or assisted living facility, whether through ownership, voting control, by agreement, by contract or otherwise.

[Statutory Authority: Chapter 18.20 RCW. WSR 13-13-063, § 388-78A-2770, filed 6/18/13, effective 7/19/13; WSR 09-06-063, § 388-78A-2770, filed 3/2/09, effective 4/2/09. Statutory Authority: RCW 18.20.090 (2004 c 142 § 19) and chapter 18.20 RCW. WSR 04-16-065, § 388-78A-2770, filed 7/30/04, effective 9/1/04.]