

Report on Examination

of

Acts Retirement-Life Communities, Inc.

d/b/a

Indian River Estates

Vero Beach, Florida

as of December 31, 2021



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SCOPE OF EXAMINATION

The Florida Office of Insurance Regulation (“OIR”), Life & Health Financial Oversight unit, conducted a routine examination of Acts Retirement-Life Communities, Inc. d/b/a Indian River Estates, 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 January 1, 2013, to December 31, 2021.

COMPANY HISTORY

Acts Retirement-Life Communities, Inc., a Florida not-for-profit corporation, was granted a certificate of authority by the OIR to offer continuing care contracts on August 9, 1985. Acts Retirement-Life Communities, Inc., operates the continuing care retirement community (“CCRC”) facility Indian River Estates located in Vero Beach, Florida. Indian River Estates is managed by ACTS Management Services, Inc., an affiliated entity.

Indian River Estates operates on the calendar year January 1 through December 31. As of December 31, 2021, Indian River Estates reported in its Annual Report filed with the OIR: 769 Continuing Care Units consisting of 577 Independent Living Units, 70 Assisted Living Units, 120 Skilled Nursing Units, and 2 Rental Units. As of December 31, 2021, there were 813 individuals reported residing at Indian River Estates. The facility reports 693 residents in independent living, 45 residents in assisted living and memory care, and 75 residents in skilled nursing.

SUMMARY OF FINDINGS

The following is a summary of findings.

NOTIFICATIONS TO THE OIR

Finding 1:

In eight instances, pursuant to Sections 651.026(2)(a) and 651.043(2), Florida Statutes, Indian River Estates 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 2:

In six instances, pursuant to Section 651.043(2), Florida Statutes, Indian River Estates failed to notify OIR, in writing or electronically, of any change in management within 10 business days.

Quarterly Meetings with Residents

Finding 3:

In four instances, pursuant to Section 651.085(1), Florida Statutes, Indian River Estates failed to accurately report the dates in which quarterly meetings were held.

MINIMUM LIQUID RESERVE

As of December 31, 2021, the Indian River Estates' Minimum Liquid Reserve was funded in accordance with Section 651.035, Florida Statutes.

SUMMARY OF RECOMMENDATIONS

NOTIFICATIONS TO THE OIR

Findings 1 and 2: The OIR recommends Indian River Estates ensures the OIR is timely provided information and documentation for managers or management companies, in accordance with requirements of Chapter 651, Florida Statutes and Rule Chapter 690-193, Florida Administrative Code.

Quarterly Meetings With Residents

Finding 3: The OIR recommends Indian River Estates ensures that the dates of quarterly meetings with residents pursuant to Section 651.085(1), Florida Statutes are properly reported, in accordance with Section 651.026(2)(d), Florida Statutes.

CONCLUSION

This Report of Examination is based upon the information provided to the OIR from Indian River Estates and additional research conducted by the OIR.

The following individuals from the Florida Office of Insurance Regulation participated in the examination: Michael Rockwell, Senior Management Analyst Supervisor and Steven Waites, Financial Specialist.

Respectfully submitted,



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Director, Life & Health Financial Oversight
Florida Office of Insurance Regulation
Date Signed: 6/7/23