



Department
of Health

Mike DeWine, Governor
Jon Husted, Lt. Governor

Lance D. Himes, Interim Director

September 18, 2020

By Certified Mail and Hand Delivery

The Courtyard At Lexington
Ms. Lindy Hutton, Administrator
2345 Lexington Avenue
Salem, OH 44460

By Certified Mail and Hand Delivery

Robert Hutton Enterprises Inc., dba The Courtyard At Lexington, Operator
2345 Lexington Avenue
Salem, OH, 44460

By Certified Mail

Robert L. Hutton, Sr., Statutory Agent
2164 N. Lincoln Avenue
Salem, Ohio 4460

**Re: Notice to Cease & Desist
The Courtyard At Lexington
Provider's Number: 2824R
Case Number: 20-BRO-0614**

Dear Ms. Hutton:

On September 12, 2020, my staff visited The Courtyard At Lexington for an initial licensure inspection, and complaint investigations that you are operating a Residential Care Facility without a license. These inspections determined that you are operating a "home" as defined in R.C. Chapter 3721.01(A)(7)(b) without a license. Specifically, your facility is providing, "accommodations for three or more unrelated individuals, supervision and personal care services for at least three of those individuals who are dependent on the services of others by reason of age or physical or mental impairment, and to, at least one of those individuals, any of the skilled nursing care authorized by sections 3721.011." At the time of the inspections, The Courtyard At Lexington was occupied by 23 residents.

R.C. 3721.05 states that no person, firm, partnership, association, or corporation shall operate a home as defined in R.C. 3721.01 without obtaining a license from the Director of Health.

The Courtyard At Lexington must comply with the following:

- The Courtyard At Lexington must decrease its capacity to have no more than two residents. All other residents must be transferred to facilities that can provide appropriate care for the resident based on the individual's needs. The Courtyard at Lexington must have a capacity of two residents by October 1, 2020.

246 North High Street
Columbus, Ohio 43215 U.S.A.

614 1466-3543
www.odh.ohio.gov

The State of Ohio is an Equal Opportunity Employer and Provider of ADA Services.

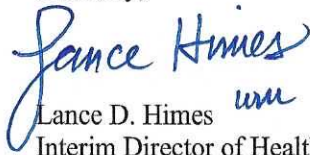
2 - The Courtyard At Lexington

- The Courtyard At Lexington must have sufficient and appropriately trained personnel, including licensed health care workers, to meet the health and safety needs of the residents at all times that are currently residing in the facility. This includes nurses to assess residents, administer medications and supervise residents with therapeutic diets.

If The Courtyard At Lexington does not cease operating as an unlicensed residential care facility and transfer all residents, except for two residents to other homes or other appropriate care settings by October 1, 2020, I will be forced to pursue injunction against The Courtyard At Lexington in accordance with R.C. 3721.08(B) by October 15, 2020.

Please contact James Hodge, Chief in the Bureau of Regulatory Operations at (614) 644-6220 when you have ceased operations or have any questions regarding this letter.

Sincerely,


Lance D. Himes
Interim Director of Health

Enclosure: Event ID - E22W11

CMRR: (Administrator) - 7017 1450 0002 3542 3923

CMRR: (Operator) - 7017 1450 0002 3542 4012

CMRR: (Agent) - 7017 1450 0002 3542 4029

c: Chief, Bureau of Regulatory Operations
Reviewer, Bureau of Regulatory Operations
Bureau of Regulatory Operations, Licensing Unit
Chief, Bureau of Survey and Certifications
Eastern Region Survey Administrator, Bureau of Survey and Certification
Office of General Counsel, Ohio Department of Health
State Long Term Care Ombudsman, Ohio Department of Aging