

Defined terms: "Continuing care agreement" § 10-401  
"Entrance fee" § 10-401  
"Subscriber" § 10-401

(I) CONVERSION.

"CONVERSION" MEANS CONVERTING A PHYSICAL PLANT THAT PROVIDES HOUSING OR SHELTER INTO A FACILITY IF:

(1) THE RESIDENTIAL ACCOMMODATIONS EXIST BEFORE A STATEMENT OF INTENT IS FILED UNDER § 10-409(B) OF THIS SUBTITLE; AND

(2) AT LEAST 60% OF THE AVAILABLE RESIDENTIAL ACCOMMODATIONS OF THE FACILITY OWNER WERE OCCUPIED DURING THE TWO FISCAL YEARS PRIOR TO THE FILING OF A STATEMENT OF INTENT.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 70B, § 7(f-1).

In the introductory language of this subsection, the reference to a "physical plant" is substituted for the former reference to a "facility" to avoid confusion with the defined term "facility".

Also in the introductory language of this subsection, the former phrase "the process of taking" is deleted for brevity.

Also in the introductory language of this subsection, the former reference to a "continuing care" facility is deleted as surplusage.

In item (2) of this subsection, the reference to "the filing of a statement of intent" is added for clarity.

Defined term: "Facility" § 10-401

(J) DEPOSIT.

"DEPOSIT" MEANS A PORTION OF AN ENTRANCE FEE.

REVISOR'S NOTE: This subsection formerly was Art. 70B, § 7(i).

No changes are made.

Defined term: "Entrance fee" § 10-401

(K) ENTRANCE FEE.

(1) "ENTRANCE FEE" MEANS A SUM OF MONEY OR OTHER CONSIDERATION PAID INITIALLY OR IN DEFERRED PAYMENTS, THAT:

(I) ASSURES A SUBSCRIBER CONTINUING CARE FOR THE LIFE OF THE SUBSCRIBER OR FOR A PERIOD EXCEEDING 1 YEAR; AND

(II) IS AT LEAST THREE TIMES THE WEIGHTED AVERAGE OF THE MONTHLY COST OF THE PERIODIC FEES CHARGED FOR INDEPENDENT LIVING AND ASSISTED LIVING UNITS.