

## FAQ Rincon del Rio:

*Why did Rincon del Rio change to an equity model rather than entrance fee model?*

A change in state law created an unintended consequence of increasing the monthly fees thus making the entrance fee model less attractive to potential residents.

*How are the number of residents living in the community monitored and controlled?*

Statistically in California the number of residents per unit is 1.3. In the initial phases, couples often occupy the units. As the community develops, attrition creates more single residents. An annual census will be conducted and reported to Nevada County to insure no more than 2 residents occupy any residence. The Community Contract, CC&R's, and Deed Restriction limit the maximum number of residents to 2 per unit. It's Nevada County's *right* to enforce zoning codes and the HOA's fiduciary *duty*:

**Duty to Enforce.** A homeowner's association, through its board of directors, has a duty to enforce its governing documents. ([Nahrstedt v. Lakeside Village Condominium Assoc.](#) (1994) 8 Cal.4th 61, 373-374, 380-383.)

*How are the ages of the residents living in the community monitored and controlled?*

By their nature, senior communities engage in permissible discrimination. Such discrimination is allowed by the federal government under the "Housing for Older Persons Act of 1995" (HOPA), which is overseen by the Department of Housing and Urban Development (HUD). To maintain the right to exclude people based on their age, HUD requires the community to verify the age of residents. To meet age verification requirements, the following documents are deemed "reliable" by HUD:

- birth certificate,
- driver's license,
- passport,
- immigration card,
- military ID, and
- any other local, state, federal or international documentation so long as the document contains information regarding the age of the person.

*Because Rincon del Rio is no longer an entry-fee model, what is to stop the project from converting to a regular housing development with families?*

Nevada County Zoning Laws, Deed Restrictions, the Department of Social Services, the Department of Real Estate, Resident Contracts, and the HOA. Not to mention the disastrous financial repercussions.

*What does a typical CCRC look like? Are they for older people that need care?*

There is no such thing as a typical CCRC. There are many variations in contract type and services provided. Some CCRCs have a religious affiliation; others are for retired military, and still others are niche communities such as Fountain Grove in Santa Rosa which is a GLTB community.

CCRC's were not designed for older people in frail health. When moving to a CCRC, residents have no trouble taking care of themselves; they just want to live with their peers in an independent community that is senior-focused. CCRC's allow older adults to "age in place" by providing a continuum of care in one location. The main highlights of CCRCs include: Single-family homes, townhomes, condos or apartments often with a village square concept. Residents are finding it easy to move between different kinds of housing or care levels as care needs change

Services and amenities include healthcare services, meals, planned social activities, personal care, housekeeping, transportation, emergency help, assistance with ADLs and more. **Services and amenities can vary greatly from one community to the next and there many types of contracts available.**

There are over 2,000 CCRC's in operation around the United States (everywhere but Wyoming and Alaska. California is a top provider of CCRC living communities.) Seniors move into a CCRC while still living independently, with few health risks or healthcare needs. The typical community varies greatly in size, although the average is just over 330 units, made up of 250 independent or congregate living units, the rest being assisted living, memory care, and in some cases skilled nursing home beds. On average, an older resident in the United States might live in the independent living facility for 10-12 years, then assisted living or memory care for 3 or 4 years, although many residents (with proper support) reside in independent living units until end of life.

#### *What services are provided to the residents of Rincon del Rio?*

In short: Craft and woodworking activities, Educational programs, Exercise classes, Gardening space, Housekeeping, Laundry services, Meal services, On-site health care, Organized social and recreational activities, Personal conveniences (haircutters, banks, library, Security systems, Transportation, etc.

The following is a more detailed representative sampling but is not all inclusive:

Culinary Services Provided: Coffee, tea, other beverages, and light snacks available daily to Homeowners on a complementary basis. Additionally, there will be daily meal services including breakfast, brunch and dinner. Meals will be served in various facilities at designated times.

Natural and Outdoor Amenities: On-Site Working Farm, walking trails, swimming and gym facilities, sports courts, picnic spots, spontaneous gathering areas, personal garden plots.

Enhanced Living Programs and Events: Recreational/arts/hobby programs including educational and lifelong learning programs, leisure and travel coordination club, meaningful volunteer opportunities, and concierge services.

Wellness and Spa Amenities: Onsite physician and medical services and access to home care, assisted living and memory care. Massage, hair salon, personal trainers, yoga/Pilates/mediation classes.

Transportation and Shuttle: There are up to 10 hours a day of scheduled shuttle services, and personal transportation can be arranged.

Concierge and Business Services: Concierge services daily to assist with coordinating lifestyle schedules within the community or elsewhere. The Business Center will provide state-of-the art technology, digital services, private meeting spaces, receptionist, and office space.

*Since Rincon del Rio is now a fee-simple real estate model, is it still really a CCRC?*

Yes. There seems to be some confusion about what a CCRC, Lifecare, Multi-Step (all names for the same thing) Community is. The County is responsible to enforce zoning laws. Otherwise, single-family residential, designations such as R-3 or Ag could never be implemented. **Nevada County has a lengthy, detailed set of requirements that must be strictly adhered to in order to be zoned CCRC. Rincon del Rio has more than met each requirement.** CCRC zoning will be enforced just as any other zoning in the County.

Further, the definition of a CCRC is simply, “A Promise of Care”. The contract (governing costs and provider responsibility) is an agreement between a person 60 years or older and the community. The contract **includes a promise** to provide a range of services at a CCRC for a period longer than one year in exchange for payment. **It is the promise to provide care, not the method of payment**, which defines a continuing care contract.

*If a resident wished to vacate a unit and didn't want to sell but rather rent to a new resident, would that be possible?*

No.

*Is the on-site doctor intended to replace the resident's primary care physician?*

No. She is there to provide urgent care and wellness services. Studies clearly show an on-site primary-care doctor significantly reduce dangerous admissions to the hospital and reduce re-admission rates as well.

*How do residents or their estate sell a vacated home?*

The resale of Residences and Condominium Units at the Community is governed by the terms of a separate purchase and sale agreement between the seller and qualified buyer. A qualified buyer must be approved for residency by meeting age, income, safety, and other criteria. The price asked for a unit will be determined by the market.

At the request of the seller or seller's estate, on-site, professional management will directly assist in marketing and selling the Unit and will notify all prospective buyers (taken from the waiting list) its availability of and asking price for the Unit.

Residents may choose to retain a licensed outside broker or agent to assist with the sale of their Unit.

*Are guests allowed at Rincon del Rio?*

Certainly! The number of days any guest can stay is 10. Fact is, most just stay for a day or even limit their visit to lunch and/or dinner.

*Some of the homes under the equity model appear larger than the original submittal. Why is that?*

In newer CCRC construction, most independent living units consist of two bedrooms, a living room, kitchen, full bathroom and often a half-bath as well. Because seniors are staying healthier and more independent in their later years, their expectations and demands of senior living options are changing — and senior living communities must adapt to meet this market's changing demands.

Many older adults do not sleep in the same bedroom; others want a separate office. Flex space is important and requires more square feet per unit. Plus, much of the square foot shown in the current submittal is optional and will not necessarily be completed. Since many new CCRC residents wish to age-in-place in their new residence if possible, they want larger rooms to accommodate more personal items and fond memorabilia they have owned over the years.

The original architect who provided drawings to Nevada County was Charles Durrett of Nevada City. He is very partial to co-housing and featured less parking and smaller units than the plan now under submittal. After new market research on pocket neighborhoods and unexpected changes in State Law governing the operation of CCRC's, Rincon del Rio reevaluated the unit sizes and parking configurations. The unit count and other aspects of the project have not changed; the basic layout and business plan are the same except for changing from an entry-fee model to an equity format.

#### *What about Fire Danger and Homeowner's Insurance?*

Homeowner's insurance is the responsibility of and expense for the Community and has been obtained. The Community is equipped with fire hydrants and is to shelter in place in the event of fire. All construction will be to 2020 standards and more fire safe than existing homes in the area. Cal Fire has declared that the 2020 building code changes will be a pivotal moment in California's wildfire control. Empirical research and laboratory experiments have demonstrated that building construction and design play a major role in fire prevention. The problem bigger than new construction is the retro fitting of homes built before 2008.

The emergency road being constructed from Rincon del Rio to the Ranchos provides a secondary access road to those residents.