



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
PO BOX 2675
HARRISBURG, PENNSYLVANIA 17105-2675

ADULT RESIDENTIAL LICENSING

PHONE: (717) 783-3670
FAX: (717) 783-5662

APR 23 2012

Barbara G Graybill, Esquire
Thomas, Thomas & Hafer, LLP
305 North Front Street
PO Box 999
Harrisburg, Pennsylvania 17108

RE: Rose Tree Place (S00311)
500 Sandy Bank Road
Media, Pennsylvania 19063

Dear Ms. Graybill:

This is to acknowledge receipt of your request to appeal the Department's decision to impose a fine on behalf of Rose Tree Place (S00311) for your personal care home. Your request has been forwarded to the Department of Public Welfare, Bureau of Hearings and Appeals. You will be contacted regarding the date and time of the hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald Melusky", written over a horizontal line.

Ronald Melusky
Director

cc: Connie Walsh, Office of General Counsel

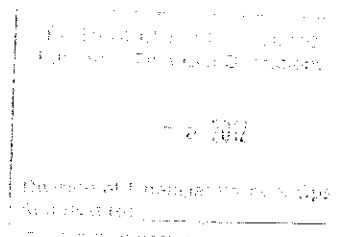
Street Address:
305 North Front Street, Harrisburg, PA 17101
Mailing Address:
P.O. Box 999, Harrisburg, PA 17108
Phone: 717.237.7100 Fax: 717.237.7105

Barbara G. Graybill
(717) 255-7237
bgraybill@tthlaw.com

April 9, 2012

Via Hand Delivery

Bureau of Financial Operations
Financial Reporting and Payments Section
Forum Place, 1st Floor
555 Walnut Street
Harrisburg, PA 17101



Re: Rose Tree Place/Appeal of Fine
Assessment # S00311

RECEIVED

APR 10 2012

Dear Sir/Madam:

Adult Residential Licensing

Please be advised that our office represents Watermark Operator, LLC, d/b/a Rose Tree Place, a personal care home licensed by the Department of Public Welfare. By this letter, we are appealing the Department of Public Welfare's ("Department" or "DPW") Personal Care Home Invoice referenced above. We have also attached a copy of the invoice for your review and convenience.

Additionally, in accordance with 55 Pa. Code §2600.263, we are remitting the "assessed penalty, not to exceed \$500" to be deposited into an escrow account with the State Treasurer. We understand that by submitting the enclosed check in the amount of \$500.00 along with this letter constitutes an appeal of the fines assessed on the attached invoice. We also respectfully request a hearing before the Bureau of Hearings and Appeals in this matter as we believe that the determination by the Department dated March 9, 2012 to impose the fines is incorrect and that the bases for the fines were corrected in a timely manner. Furthermore, as of the date of the March 9, 2012 determination from DPW, all outstanding deficiencies for Rose Tree Place were corrected, negating the need to impose these fines.

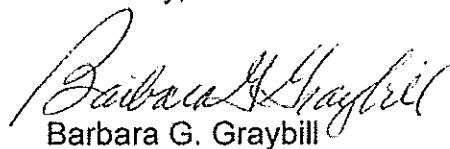
Please also consider this letter as a formal request to enter my and Anthony T. Lucdio, Esquire's appearance as counsel for Watermark Operator, LLC, d/b/a, Rose

Tree Place. On the basis of this notice, we request a copy of each document hereafter issued to be directed as follows:

Barbara G. Graybill, Esquire
Anthony T. Lucido, Esquire
THOMAS, THOMAS & HAFFER, LLP
305 North Front Street
PO Box 999
Harrisburg, PA 17108

If you wish to discuss this matter, I can be reached at the number above.

Sincerely,


Barbara G. Graybill

BGG/jlw:1073308.1

Enclosures

cc: David Barnes, CEO, Watermark Operator, LLC (w/enc.)
Rick Kamminga, COO, Watermark Operator, LLC (w/enc.)
Rose Tree Place (w/enc.)

Personal Care Home Invoice

PA Department of Public Welfare Bureau of Financial Operations Financial Reporting and Payments Section Forum Place, 1st Floor 655 Walnut Street Harrisburg, PA 17101-	Assessment #: S00311 Invoice Date: 03/09/12 Due Date: 04/09/12
Bill To: WATERMARK OPERATOR LLC 2020 WEST RUDASILL ROAD TUCSON, AZ 85704-	Re: ROSE TREE PLACE 500 SANDY BANK ROAD MEDIA, PA 19063-
Contact Name: Mr. David Barnes	License Number: 13281

Fine/Appeal	Description -- 65 Pa.Code § 2600.	From:	To:	Fine Imposed	Line Total
Class II Fine	183b	1/12/2012	3/2/2012	\$23,970.00	\$23,970.00
Class II Fine	186a	1/12/2012	2/23/2012	\$20,210.00	\$20,210.00
				Invoice Total	\$44,180.00
				Total Payments	\$0.00
				Total Due	\$44,180.00

 Please remit this portion with payment to ensure proper credit

WATERMARK OPERATOR LLC
 2020 WEST RUDASILL ROAD
 TUCSON, AZ 85704-

Assessment #: S00311
 Invoice Date: 03/09/12
 Due Date: 04/09/12

Re: ROSE TREE PLACE
 500 SANDY BANK ROAD
 MEDIA, PA 19063-

Total Due \$44,180.00

Remit to:
 Bureau of Financial Operations
 Financial Reporting and Payments Section
 Forum Place, 1st Floor
 655 Walnut Street
 Harrisburg, PA 17101

Payment Enclosed

Please make checks payable to: Commonwealth of Pennsylvania