

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE: Case No. 20-51066-MAR
HENRY FORD VILLAGE, INC., Chapter 11
Debtor. Honorable Mark A. Randon

**NOTICE TO LARA ESCROW CLAIMANTS
REGARDING DEBTOR’S AMENDED SCHEDULES**

The following constitutes official notice to any resident or prospective resident of the Facility that entered into a Residency Agreement on or after June 10, 2020 providing for payment of an entrance fee associated with an independent or assisted living unit, and paid an entrance fee that was escrowed pursuant to the LARA Order (the “LARA Escrow Claimants”) of Henry Ford Village, Inc. (“HFV” or the “Debtor”) regarding the filing of the Debtor’s Amended Schedules [ECF No. 592].¹

PLEASE TAKE NOTICE OF THE FOLLOWING MATTER:

YOU ARE RECEIVING THIS NOTICE BECAUSE THE DEBTOR HAS IDENTIFIED YOU AS A LARA ESCROW CLAIMANT ON ITS AMENDED SCHEDULES.

A LARA Escrow Claimant should only file a Proof of Claim **by no later than Wednesday, November 10, 2021**, if they disagree with the amount of LARA Order Escrow Funds identified by the Debtor in the Amended Schedules as owed to the LARA Escrow Claimant for reconciliation purposes with the State of Michigan Department of Licensing and Regulatory Affairs and the Debtor.

Kurtzman Carson Consultants LLC (“**KCC**”), the Debtor’s claims and noticing agent in this case, will serve customized proof of claim forms on all LARA

¹ Capitalized terms used but not defined herein shall have all the meanings ascribed to them in the Combined Plan/Disclosure Statement and any corresponding schedules or exhibits, as applicable.



Escrow Claimants identified in the Debtor's Amended Schedules. Once service is completed, the Debtor will file a certificate of service on the docket in this case.

KCC can provide Resident ID numbers to any former or current resident claimant of the Debtor. Contact information for KCC is as follows:

Henry Ford Village
c/o Kurtzman Carson Consultants LLC
222 N. Pacific Coast Highway, Suite 300
El Segundo, CA 90245
Email: HenryFordVillageInfo@kccllc.com
Telephone: (866) 476-0898 (U.S./Canada) (781) 575-2114 (International)

BACKGROUND

1. On June 10, 2020, the State of Michigan Department of Licensing and Regulatory Affairs (“**LARA**”) issued the LARA Order requiring all entrance fee payments made in connection with execution of a HFV Residence and Care Agreement on or after June 10, 2020 to be placed in escrow with a third party escrow agent (the “**LARA Escrow Order**”). After working closely with LARA to develop the LARA Escrow Agreement and process, an escrow account was established to hold entrance fee payments subject to the LARA Escrow Order.²

2. On October 18, 2021, the Debtor filed its *Combined Disclosure Statement and Liquidating Chapter 11 Plan for Henry Ford Village, Inc.* [ECF No. 590] (the “**Combined Plan/Disclosure Statement**”) in this case.

3. Pursuant to Section III.I of the Combined Plan/Disclosure Statement, “**LARA Escrow Claimant Claims will be identified on the Amended Schedules. LARA Escrow Claimants should file a Proof of Claim within 30 days of the filing of the Plan if they disagree with the amount identified by Debtor as owed for reconciliation purposes with LARA and the Debtor.**” See Combined Plan/Disclosure Statement, at p. 13.

² HFV discontinued accepting entrance fee based Residence and Care Agreements in or about May 2021 when it became clear that potential purchasers of the Facility in the Chapter 11 Case were not seeking to assume in full the entrance fee obligations of Current Residents. Thereafter, Debtor only accepted residential lease agreements for incoming residents.

4. Pursuant to Section VI.B(2) of the Combined Plan/Disclosure Statement, “LARA Escrow Claimants are entitled to return of their refundable portion of their entrance fee, as well as the unearned component of the nonrefundable portion of their entrance fee funds in accordance with the provisions of the LARA Escrow Agreement and LARA Escrow Order. LARA Escrow Claimants do not participate in the Current Resident Entrance Fee Refund Program (described below) and any LARA Escrow Claim is addressed through distributions from the LARA Order Escrow Funds.” *See* Combined Plan/Disclosure Statement, at p. 35.

5. On October 18, 2021, the Debtor filed the *Supplemental Schedule of Assets and Liabilities for Henry Ford Village, Inc. Case No. 20-51066* [ECF No. 592] (the “**Amended Schedules**”) as provided in the Combined Plan/Disclosure Statement, specifically including LARA Escrow Claimants and the principal amount of their respective LARA Order Escrow Funds, notwithstanding that such amounts are subject to full refund under the LARA Escrow Agreement and escrow account established pursuant to the LARA Escrow Order, as well as interest earned thereon as provided under LARA Escrow Agreement.

6. On October 19, 2021, the Court entered the *Order Granting Preliminary Approval of the Disclosure Statement* [ECF No. 593].

The documents referred to herein can be obtained free of charge by visiting the website maintained by the Debtor’s noticing and claims agent under the Court Docket or under Plan Related Documents tabs: <http://www.kccllc.net/HFV>.³

³ This website can also be found by searching “KCC Henry Ford Village” online. “ECF” refers to the court docket number by which the pleadings are listed.

Dated: October 21, 2021

Respectfully submitted,

DYKEMA GOSSETT PLLC

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***COUNSEL FOR DEBTOR AND
DEBTOR-IN-POSSESSION***

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HENRY FORD VILLAGE, INC., Chapter 11
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 21st day of October, 2021, a true and correct copy of the foregoing document¹ was served on all parties registered to receive notice in this chapter 11 case via CM/ECF and via first-class U.S. mail on the Special Service List approved in this bankruptcy case and LARA Escrow Claimants, which shall be accompanied by a personalized Proof of Claim form provided by KCC.

¹ Capitalized terms used but not otherwise defined herein shall have the meaning ascribed in the foregoing document.

Dated: October 21, 2021

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