



Monroe County Legislature

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Dear Members of the State Legislature,

I am writing to express deep concern about a New York State Department of Health (DOH) regulation that prohibits assisted living operators from informing residents and staff when they file closure plans with the state.

This troubling policy came to light during the recent eviction of senior residents from The Northfield, a 69-unit assisted living facility in Monroe County operated by Family Services of Rochester (FSR). On June 25, FSR informed residents they had 30 days to vacate. At a meeting with residents yesterday that I attended, FSR Board Member Jean Lowe said the organization was not allowed to notify them earlier—because DOH requires facilities to keep closure plans confidential until they are formally approved by the state.

Following that meeting, I spoke with a DOH public affairs representative who confirmed the policy. She said it exists to prevent a potential staff exodus that could threaten resident care. She also stated that DOH had given FSR until October 1 to complete the closure, though FSR is moving more quickly.

Timeline of Events:

- **February 1:** This is the date of CDS Monarch's cover letter in its application for American Rescue Plan Act (ARPA) funding from Monroe County to purchase The Northfield. The application states that CDS and FSR had reached a purchase agreement. However, the application is vague about what will happen to current residents while CDS renovates the facility and changes the care model.
- **May 20:** The Monroe County Legislature's Ways and Means Committee approved a \$600,000 ARPA grant to CDS to acquire The Northfield. Legislators were not informed that residents would be displaced.
- **Late May–Early June:** FSR submitted a closure plan for The Northfield to the New York State Department of Health, according to Lowe and the DOH public affairs officer.
- **June 10:** The full Monroe County Legislature approves the \$600,000 ARPA grant to CDS for The Northfield purchase.

- **June 24:** FSR notifies residents they must vacate The Northfield by July 25.
- **July 14:** CDS provides a statement to WHEC-TV,¹ confirming that its purchase of The Northfield has been in the works for nine months. CDS claims it had nothing to do with residents being displaced, while also not answering whether the residents were expected to stay through the transition.

While this situation involves complex issues around healthcare and housing, one thing is clear: there was absolutely no transparency. That lack of daylight likely worsened the disruption and distress experienced by the seniors living at The Northfield.

The rationale behind the DOH policy—preventing a staff exodus that could compromise care—quickly falls apart when facilities are given months to wind down operations. In The Northfield’s case, the state approved a closure date of October 1. If the concern is that staff might leave early, what’s to stop them from doing so during the long lead-up to an approved closure? The policy doesn’t prevent instability—it just keeps residents and their families in the dark.

Further, this flawed policy could have been easily circumvented had the Monroe County Legislature done its due diligence before approving the ARPA grant. Both the Bello administration—which routinely withholds even the most basic details from legislators—and the Legislature itself—which failed to ask what would happen to the residents of The Northfield—share responsibility. If our system of checks and balances had functioned as it should, residents might have learned about the impending closure much earlier.

At yesterday’s meeting, a Northfield resident asked her neighbors to raise their hands if they had found a new place to go. Only a few hands went up. Residents and their families were visibly distraught—outraged by the short notice in a housing market where affordable assisted living beds are scarce. Over and over, they asked the same question: *Why weren’t we told sooner?*

This sale was in motion for nine months. FSR knew it could not sustain operations. Yet no one thought to inform the seniors—until the last possible moment, when it was too late to explore alternatives. With even a little transparency, the outcome might have been different.

I urge you to use your positions to end this harmful policy and bring sunlight into the closure process. Seniors and their families deserve honesty, time, and dignity—not secrecy.

Sincerely,



Rachel Barnhart – Legislator District 17

¹ WHEC-TV (2025, July 14). *Consumer Investigation: Elderly residents kept in the dark despite nine-month sales process*. WHEC.com. <https://www.whec.com/local/consumer-investigation-elderly-residents-kept-in-the-dark-despite-nine-month-sales-process/>