Significant Index No. 0412.06-00

201215017

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

JAN 17 2012

TAX EXEMPT AND
GOVERNMENT ENTITIES
DIVISION

SE:T:EP:RA:A2

Re:

Company =

Organization =

County =

State =

Dear

This letter constitutes notice that your request for a waiver of the minimum funding standard for the Plan, for the plan year ending December 31, 2007, has been granted subject to the following conditions:

(1) Collateral acceptable to the Pension Benefit Guaranty Corporation ("PBGC") be provided to the Plan for the full amount of the waiver by the later of (a) 120 days from the date of the ruling letter or (b) the earlier of (i) the date the PBGC notifies the Service in writing that this condition has not been met or (ii) 360 days from the date of the ruling letter;

(2) The Company makes contributions to the Plan for each plan year 2011 through 2012 in a minimum amount of $1,080,000 per year, by September 15, 2012 and September 15, 2013, respectively;

(3) The Company provides to the PBGC a copy of any ruling request it makes under section 412(c)(7)(A) of the Code;

(4) The Company provides proof of payment of all contributions described above to the Service and to the PBGC; and

(5) The 10% excise tax due under section 4971(a) of the Code on any accumulated funding deficiency that occurred prior to the plan year beginning January 1, 2008 and on any unpaid minimum required contributions in years subsequent to 2007, is satisfied in a timely manner.

Information must be provided to both of the Service and to of the PBGC (or other individuals designated by the respective agencies), using the addresses or fax numbers below:

Internal Revenue Service
10 Metro Tech Center
625 Fulton Street
Brooklyn, NY 11201
Fax: (718) 488-2352

Pension Benefit Guaranty Corporation
DISC
1200 K Street, N.W.
Washington, DC 20005
Fax: (202) 842-2643

You agreed to these conditions in a letter dated November 29, 2011. If any one of these conditions is not met, the waiver of the minimum funding standard granted for the Plan for the plan year ending December 31, 2007, is retroactively null and void.

The conditional waiver granted for the Plan for the plan year ending December 31, 2007, has been granted in accordance with section 412(d) of the Internal Revenue Code ("Code") and section 303 of Employee Retirement Income Security Act of 1974 ("ERISA"), both as in effect prior to the Pension Protection Act of 2006 ("PPA '06). The amount for which this waiver has been granted is equal to the contributions that would otherwise be required to reduce the balance in the funding standard account of the Plan to zero as of December 31, 2007.

The Organization has been a health care provider in County, State since 1898. Today the Company is comprised of seven separate section 501(c)(3) not for profit corporations serving various health care needs ranging from independent living, assisted living, and residential long term care in nursing home services. Additionally, the Company provides services to individuals with developmental disabilities and mental health disorders.

The financial information provided by the Company clearly shows that it has suffered a substantial business hardship. Approximately 90% of the Company's income is derived from Medicaid and Medicare reimbursement. The Company's rates or prices are set by governmental bodies and the Company has no real ability to generate more revenue.

The Company amended the Plan to freeze all future benefit accruals as of December 31, 2005. In December, 2010, the Company provided updated financial information concerning revenue, expenses, and cash available for pensions. Due to favorable financial projections, the Company expects to have 10% more cash available annually to fund the Plan for plan years 2011 and 2012. Accordingly, the Company's request for a waiver of the minimum funding standard for the plan year ending December 31, 2007, has been granted.

Your attention is called to section 412(f)(1) of the Code and section 304(b) of ERISA, both in effect prior to PPA '06, which describe the consequences that would result in the event either the Plan is amended to increase benefits, change the rate in the accrual of benefits or to change the rate of vesting, while any portion of the waived funding deficiencies remain unamortized. Please note that any amendment to a profit sharing plan or any other retirement plans (covering employees covered by the Plan) maintained by the Company, to increase the liabilities of those plans would be considered an amendment for purposes of section 412(f)(1) of the Code and section 304(b) of ERISA. Similarly, the establishment of a new profit sharing plan or any other retirement plan by the Company (covering employees covered by the Plan) would be considered an amendment for purposes of section 412(f)(1) of the Code and section 304(b) of ERISA.

This ruling is directed only to the taxpayer that requested it. Section 6110(k)(3) of the Code provides that it may not be used or cited by others as precedent.

As a result of this approval, you will need to file an amended Form 5500 with an amended Schedule B (Form 5500) for the 2007 plan year and Schedule SB (Form 5500) for the 2008 and later plan years.

We have sent a copy of this letter to the and to the We have sent a copy of this letter to your authorized representative pursuant to a power of attorney (Form 2848) on file in this office.

If you have any questions regarding this matter, please contact

Sincerely yours,

Mark F. O'Donnell

Mark F. O'Donnell, Acting Director
Employee Plans Rulings & Agreements