

Electronically Delivered

June 23, 2025

Licensee
Victory Homes
7917 Perry Avenue North
Brooklyn Park, MN 55443

RE: Project Number(s) SL37953016

Dear Licensee:

The Minnesota Department of Health (MDH) completed a survey on May 7, 2025, for the purpose of evaluating and assessing compliance with state licensing statutes. At the time of the survey, MDH noted violations of the laws pursuant to Minnesota Statute, Chapter 144G, Minnesota Food Code, Minnesota Rules Chapter 4626, Minnesota Statute 626.5572 and/or Minnesota Statute Chapter 260E.

MDH concludes the licensee is in substantial compliance. State law requires the facility must take action to correct the state correction orders and document the actions taken to comply in the facility's records. The Department reserves the right to return to the facility at any time should the Department receive a complaint or deem it necessary to ensure the health, safety, and welfare of residents in your care.

STATE CORRECTION ORDERS

The enclosed State Form documents the state correction orders. MDH documents state licensing correction orders using federal software. Tag numbers are assigned to Minnesota state statutes for Assisted Living Facilities. The assigned tag number appears in the far left column entitled "ID Prefix Tag." The state statute number and the corresponding text of the state statute out of compliance are listed in the "Summary Statement of Deficiencies" column. This column also includes the findings that are in violation of the state statute after the statement, "This MN Requirement is not met as evidenced by . . ."

IMPOSITION OF FINES

In accordance with Minn. Stat. § 144G.31, Subd. 4, fines and enforcement actions may be imposed based on the level and scope of the violations and may be imposed immediately with no opportunity to correct the violation first as follows:

Level 1: no fines or enforcement.

Level 2: a fine of \$500 per violation, in addition to any enforcement mechanism authorized in § 144G.20 for widespread violations;

Level 3: a fine of \$3,000 per violation per incident, in addition to any enforcement mechanism authorized in § 144G.20.

Level 4: a fine of \$5,000 per incident, in addition to any enforcement mechanism authorized in

§ 144G.20.

Therefore, in accordance with Minn. Stat. §§ 144G.01 to 144G.9999, the following fines are assessed pursuant to this survey:

0780 - 144g.45 Subd. 2 (a) (1) - Fire Protection And Physical Environment - \$500.00

Therefore, in accordance with Minn. Stat. §§ 144G.01 to 144G.9999, **the total amount you are assessed is \$500.00**. You will be invoiced approximately 30 days after receipt of this notice, subject to appeal.

DOCUMENTATION OF ACTION TO COMPLY

In accordance with Minn. Stat. § 144G.30, Subd. 5(c), the licensee must document actions taken to comply with the correction orders within the time period outlined on the state form; however, plans of correction are not required to be submitted for approval.

The correction order documentation should include the following:

- Identify how the area(s) of noncompliance was corrected related to the resident(s)/employee(s) identified in the correction order.
- Identify how the area(s) of noncompliance was corrected for all of the provider's resident(s)/employees that may be affected by the noncompliance.
- Identify what changes to your systems and practices were made to ensure compliance with the specific statute(s).

CORRECTION ORDER RECONSIDERATION PROCESS

In accordance with Minn. Stat. § 144G.32, Subd. 2, you may challenge the correction order(s) issued, including the level and scope, and any fine assessed through the correction order reconsideration process. The request for reconsideration must be in writing and received by MDH within 15 calendar days of the correction order receipt date.

To submit a reconsideration request, please visit:

<https://forms.web.health.state.mn.us/form/HRDAppealsForm>

REQUESTING A HEARING

Alternatively, in accordance with Minn. Stat. § 144G.31, Subd. 5(d), an assisted living provider that has been assessed a fine under this subdivision has a right to a reconsideration or a hearing under this section and chapter 14. Pursuant to Minn. Stat. § 144G.20, Subd. 14 and Subd. 18, a request for a hearing must be in writing and received by the Department of Health within 15 business days of the correction order receipt date. The request must contain a brief and plain statement describing each matter or issue contested and any new information you believe constitutes a defense or mitigating factor.

To submit a hearing request, please visit:

<https://forms.web.health.state.mn.us/form/HRDAppealsForm>

To appeal fines via reconsideration, please follow the procedure outlined above. Please note that you may request a reconsideration or a hearing, but not both. If you wish to contest tags without fines in a reconsideration and tags with the fines at a hearing, please submit two separate appeals forms at the website listed above.

The MDH Health Regulation Division (HRD) values your feedback about your experience during the survey and/or investigation process. Please fill out this anonymous provider feedback questionnaire at your convenience at this link: <https://forms.office.com/g/Bm5uQEpHVa>. Your input is important to us and will enable MDH to improve its processes and communication with providers. If you have any questions regarding the questionnaire, please contact Susan Winkelmann at susan.winkelmann@state.mn.us or call 651-201-5952.

You are encouraged to retain this document for your records. It is your responsibility to share the information contained in the letter and state form with your organization's Governing Body.

If you have any questions, please contact me.

Sincerely,



Jess Schoenecker, Supervisor
State Evaluation Team
Email: jess.schoenecker@state.mn.us
Telephone: 651-201-3789 Fax: 1-866-890-9290

JMD

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 37953	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/07/2025
NAME OF PROVIDER OR SUPPLIER VICTORY HOMES		STREET ADDRESS, CITY, STATE, ZIP CODE 7917 PERRY AVENUE NORTH BROOKLYN PARK, MN 55443		
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0 000	<p>Initial Comments</p> <p>ASSISTED LIVING PROVIDER LICENSING CORRECTION ORDER(S)</p> <p>In accordance with Minnesota Statutes, section 144G.08 to 144G.95, these correction orders are issued pursuant to a survey.</p> <p>Determination of whether violations are corrected requires compliance with all requirements provided at the Statute number indicated below. When Minnesota Statute contains several items, failure to comply with any of the items will be considered lack of compliance.</p> <p>INITIAL COMMENTS:</p> <p>SL37953016-0</p> <p>On May 5, 2025, through May 7, 2025, the Minnesota Department of Health conducted a full survey at the above provider. At the time of the survey, there was one (1) resident; one receiving services under the Assisted Living Facility license.</p>	0 000	<p>Minnesota Department of Health is documenting the State Correction Orders using federal software. Tag numbers have been assigned to Minnesota State Statutes for Assisted Living Facilities. The assigned tag number appears in the far-left column entitled "ID Prefix Tag." The state Statute number and the corresponding text of the state Statute out of compliance is listed in the "Summary Statement of Deficiencies" column. This column also includes the findings which are in violation of the state requirement after the statement, "This Minnesota requirement is not met as evidenced by." Following the evaluators' findings is the Time Period for Correction.</p> <p>PLEASE DISREGARD THE HEADING OF THE FOURTH COLUMN WHICH STATES, "PROVIDER'S PLAN OF CORRECTION." THIS APPLIES TO FEDERAL DEFICIENCIES ONLY. THIS WILL APPEAR ON EACH PAGE.</p> <p>THERE IS NO REQUIREMENT TO SUBMIT A PLAN OF CORRECTION FOR VIOLATIONS OF MINNESOTA STATE STATUTES.</p> <p>THE LETTER IN THE LEFT COLUMN IS USED FOR TRACKING PURPOSES AND REFLECTS THE SCOPE AND LEVEL ISSUED PURSUANT TO 144G.31 SUBDIVISION 1-3.</p>	
0 480 SS=F	144G.41 Subdivision 1 Subd. 1a (a-b) Minimum requirements; required food services	0 480		

Minnesota Department of Health

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

Minnesota Department of Health

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0 480	<p>Continued From page 1</p> <p>(a) Except as provided in paragraph (b), food must be prepared and served according to the Minnesota Food Code, Minnesota Rules, chapter 4626.</p> <p>(b) For an assisted living facility with a licensed capacity of ten or fewer residents:</p> <p>(1) notwithstanding Minnesota Rules, part 4626.0033, item A, the facility may share a certified food protection manager (CFPM) with one other facility located within a 60-mile radius and under common management provided the CFPM is present at each facility frequently enough to effectively administer, manage, and supervise each facility's food service operation;</p> <p>(2) notwithstanding Minnesota Rules, part 4626.0545, item A, kick plates that are not removable or cannot be rotated open are allowed unless the facility has been issued repeated correction orders for violations of Minnesota Rules, part 4626.1565 or 4626.1570;</p> <p>(3) notwithstanding Minnesota Rules, part 4626.0685, item A, the facility is not required to provide integral drainboards, utensil racks, or tables large enough to accommodate soiled and clean items that may accumulate during hours of operation provided soiled items do not contaminate clean items, surfaces, or food, and clean equipment and dishes are air dried in a manner that prevents contamination before storage;</p> <p>(4) notwithstanding Minnesota Rules, part 4626.1070, item A, the facility is not required to install a dedicated handwashing sink in its existing kitchen provided it designates one well of a two-compartment sink for use only as a handwashing sink;</p> <p>(5) notwithstanding Minnesota Rules, parts 4626.1325, 4626.1335, and 4626.1360, item A, existing floor, wall, and ceiling finishes are</p>	0 480		

Minnesota Department of Health

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0 480	<p>Continued From page 2</p> <p>allowed provided the facility keeps them clean and in good condition;</p> <p>(6) notwithstanding Minnesota Rules, part 4626.1375, shielded or shatter-resistant lightbulbs are not required, but if a light bulb breaks, the facility must discard all exposed food and fully clean all equipment, dishes, and surfaces to remove any glass particles; and</p> <p>(7) notwithstanding Minnesota Rules, part 4626.1390, toilet rooms are not required to be provided with a self-closing door.</p> <p> This MN Requirement is not met as evidenced by: Based on observation, interview, and record review, the licensee failed to ensure food was prepared and served according to the Minnesota Food Code.</p> <p> This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and is issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents).</p> <p> The findings include:</p> <p> Please refer to the document titled, Food and Beverage Establishment Inspection Report (FBEIR) dated May 6, 2025, for the specific Minnesota Food Code violations. The Inspection Report was provided to the licensee within 24 hours of the inspection.</p> <p> TIME PERIOD FOR CORRECTION: Please refer</p>	0 480		

Minnesota Department of Health

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0 480	Continued From page 3 to the FBEIR for any compliance dates.	0 480		
0 660 SS=F	144G.42 Subd. 9 Tuberculosis prevention and control (a) The facility must establish and maintain a comprehensive tuberculosis infection control program according to the most current tuberculosis infection control guidelines issued by the United States Centers for Disease Control and Prevention (CDC), Division of Tuberculosis Elimination, as published in the CDC's Morbidity and Mortality Weekly Report. The program must include a tuberculosis infection control plan that covers all paid and unpaid employees, contractors, students, and regularly scheduled volunteers. The commissioner shall provide technical assistance regarding implementation of the guidelines. (b) The facility must maintain written evidence of compliance with this subdivision. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to establish and maintain a tuberculosis (TB) prevention program based on the most current guidelines issued by the Centers for Disease Control and Prevention (CDC) which included maintaining a current Facility TB Risk Assessment and baseline TB screening for one of two employees (unlicensed personnel (ULP)-C). This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive)	0 660		

Minnesota Department of Health

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0 660	<p>Continued From page 4</p> <p>or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents).</p> <p>The findings include:</p> <p>FACILITY TB RISK ASSESSMENT The licensee's Facility TB Risk Assessment form was completed April 25, 2025, and identified the facility TB risk level as low. The TB Risk Assessment form included inaccurate data and lacked the current 2024 data. The Facility TB Risk Assessment also failed to identify the categories of health care personnel included in the licensee's baseline TB screening program.</p> <p>PERSONNEL SCREENING ULP-C was hired on June 23, 2024, and began providing assisted living services.</p> <p>ULP-C's employee record included a TB history and symptom screening completed by a registered nurse on August 21, 2024. ULP-C's record also included a negative chest x-ray completed on June 19, 2024.</p> <p>ULP-C's record lacked a two-step tuberculin skin test (TST) or a single interferon-gamma release assay (IGRA: a blood test for TB) pre-dating the chest x-ray.</p> <p>On May 6, 2025, at 9:34 a.m., administrator (ADM)-A stated they were unaware a TB skin or blood test was required and thought an x-ray was acceptable. ADM-A stated they were unaware the dates on the TB Facility Risk Assessment was inaccurate and did not know why the correct information was not entered into the form.</p> <p>The MDH guidelines, Regulations for</p>	0 660		

Minnesota Department of Health

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0 660	<p>Continued From page 5</p> <p>Tuberculosis Control in Minnesota Health Care Settings, dated July 2013, indicated a TB infection control program should include a facility TB risk assessment. The guidelines also indicated an employee may begin working with patients after a negative TB history and symptom screen (no symptoms of active TB disease) and a negative IGRA (serum blood test) or TST (first step) dated within 90 days before hire. The second TST may be performed after the HCW (health care worker) starts working with patients. Baseline TB screening should be documented in the employee's record.</p> <p>The licensee's 8.16 Tuberculosis Screening policy dated January 1, 2022, indicated licensee would establish and maintain a comprehensive tuberculosis infection control program according to the most current tuberculosis infection control guidelines issued by the CDC.</p> <p>No further information was provided.</p> <p>TIME PERIOD FOR CORRECTION: Twenty-one (21) days</p>	0 660		
0 680 SS=F	<p>144G.42 Subd. 10 Disaster planning and emergency preparedness</p> <p>(a) The facility must meet the following requirements:</p> <p>(1) have a written emergency disaster plan that contains a plan for evacuation, addresses elements of sheltering in place, identifies temporary relocation sites, and details staff assignments in the event of a disaster or an emergency;</p> <p>(2) post an emergency disaster plan prominently;</p> <p>(3) provide building emergency exit diagrams to</p>	0 680		

Minnesota Department of Health

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0 680	<p>Continued From page 6</p> <p>all residents;</p> <p>(4) post emergency exit diagrams on each floor; and</p> <p>(5) have a written policy and procedure regarding missing residents.</p> <p>(b) The facility must provide emergency and disaster training to all staff during the initial staff orientation and annually thereafter and must make emergency and disaster training annually available to all residents. Staff who have not received emergency and disaster training are allowed to work only when trained staff are also working on site.</p> <p>(c) The facility must meet any additional requirements adopted in rule.</p> <p>This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to develop a written emergency preparedness plan (EPP) with all the required content. This had the potential to affect all residents receiving services under the assisted living license.</p> <p>This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect a large portion or all of the residents).</p> <p>The findings include:</p> <p>The licensee's Emergency/Disaster Plan dated June 13, 2024, lacked the following required content:</p>	0 680		

Minnesota Department of Health

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0 680	<p>Continued From page 7</p> <p>-documentation of participation in an annual full-scale exercise that was community based OR an annual, individual, facility-based functional exercise OR documentation if the facility experiences an actual emergency requiring activation of plan;</p> <p>-documentation of an additional annual exercise that may include: a second full-scale exercise that was community-based or an individual, facility based functional exercise OR mock disaster drill OR table-top exercise; and</p> <p>-analysis of the facility's response to and documentation of all drills, tabletop exercises and emergency events & revisions to EPP.</p> <p>The licensee's EPP lacked the required disaster or emergency drills for 2024 and 2025.</p> <p>On May 6, 2025, at 12:10 p.m., licensed assisted living director (LALD)-B stated they were unaware of the requirement to complete EPP drills and had only completed fire safety drills.</p> <p>On May 6, 2025, at 5:33 p.m., the surveyor received an email from LALD-B with the attachment of a tornado drill dated April 28, 2025.</p> <p>The licensee's 9.01 Emergency Preparedness - Appendix Z compliance policy dated January 1, 2022, indicated the licensee would conduct, at minimum, two emergency preparedness drills every 12 months, not including the required fire/evacuation drills.</p> <p>No further information was provided.</p> <p>TIME PERIOD FOR CORRECTION: Twenty-one (21) days</p>	0 680		

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0 780 SS=F	<p>Continued From page 8</p> <p>144G.45 Subd. 2 (a) (1) Fire protection and physical environment</p> <p>for dwellings or sleeping units, as defined in the State Fire Code:</p> <ul style="list-style-type: none"> (i) provide smoke alarms in each room used for sleeping purposes; (ii) provide smoke alarms outside each separate sleeping area in the immediate vicinity of bedrooms; (iii) provide smoke alarms on each story within a dwelling unit, including basements, but not including crawl spaces and unoccupied attics; (iv) where more than one smoke alarm is required within an individual dwelling unit or sleeping unit, interconnect all smoke alarms so that actuation of one alarm causes all alarms in the individual dwelling unit or sleeping unit to operate; and (v) ensure the power supply for existing smoke alarms complies with the State Fire Code, except that newly introduced smoke alarms in existing buildings may be battery operated; <p>This MN Requirement is not met as evidenced by: Based on observation and interview, the licensee failed to provide smoke alarms that functioned and were interconnected so that the actuation of one alarm caused all alarms in the dwelling unit to actuate. This deficient condition had the ability to affect all staff and residents.</p> <p>This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a</p>	0 780		

Minnesota Department of Health

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0 780	<p>Continued From page 9</p> <p>resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect a large portion or all of the residents).</p> <p>The findings include:</p> <p>On May 6, 2025, from 10:00 a.m. to 11:30 a.m., the surveyor toured the facility with licensed assisted living director (LALD)-B. The surveyor asked LALD-B to initiate a test of the smoke alarms throughout the home. Upon testing, it was found that the smoke alarms in the facility were not interconnected. Bedrooms 1 and 4 were not interconnected with the rest of the facility.</p> <p>All smoke alarms in the facility must be interconnected so that actuation of one alarm causes all alarms to activate.</p> <p>These deficient conditions were visually verified by LALD-B accompanying on the tour.</p> <p>No further information was provided.</p> <p>TIME PERIOD FOR CORRECTION: Seven (7) days.</p>	0 780		
0 810 SS=F	<p>144G.45 Subd. 2 (b-f) Fire protection and physical environment</p> <p>(b) Each assisted living facility shall develop and maintain fire safety and evacuation plans. The plans shall include but are not limited to:</p> <p>(1) location and number of resident sleeping rooms;</p> <p>(2) staff actions to be taken in the event of a fire</p>	0 810		

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0 810	<p>Continued From page 10</p> <p>or similar emergency;</p> <p>(3) fire protection procedures necessary for residents; and</p> <p>(4) procedures for resident movement, evacuation, or relocation during a fire or similar emergency including the identification of unique or unusual resident needs for movement or evacuation.</p> <p>(c) Staff of assisted living facilities shall receive training on the fire safety and evacuation plans upon hiring and at least twice per year thereafter.</p> <p>(d) Fire safety and evacuation plans shall be readily available at all times within the facility.</p> <p>(e) Residents who are capable of assisting in their own evacuation shall be trained on the proper actions to take in the event of a fire to include movement, evacuation, or relocation. The training shall be made available to residents at least once per year.</p> <p>(f) Evacuation drills are required for staff twice per year per shift with at least one evacuation drill every other month. Evacuation of the residents is not required. Fire alarm system activation is not required to initiate the evacuation drill.</p> <p> This MN Requirement is not met as evidenced by: Based on observation, interview, and record review, the licensee failed to develop the fire safety and evacuation plan with the required content, to provide the required training, and to conduct evacuation drills. This had the potential to directly affect all residents, staff, and visitors. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a</p>	0 810		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 37953	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/07/2025
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0 810	<p>Continued From page 11</p> <p>widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect a large portion or all of the residents).</p> <p>The findings include:</p> <p>On May 6, 2025, licensed assisted living director (LALD)-B and administrator (ADM)-A provided documents on the fire safety and evacuation plan (FSEP), fire safety and evacuation training, and evacuation drills for the facility.</p> <p>FIRE SAFETY AND EVACUATION PLAN: The licensee's FSEP, Fire Safety, failed to include the following:</p> <p>The FSEP did not identify specific fire protection actions for residents. There was no section in the policy that addressed the responsibilities or basic evacuation procedures that residents should follow in case of a fire or similar emergency.</p> <p>On May 6, 2025, at 1:30 p.m., ADM-A stated they did not have a section in their fire safety policy specific to resident actions.</p> <p>TRAINING: The licensee failed to provide evacuation training to residents at least once per year. ADM-A lacked documentation showing any training was offered or training was scheduled for a future date for residents on the fire safety and evacuation plan.</p> <p>On May 6, 2025, at 1:30 p.m., ADM-A stated they reviewed the fire safety policy with their resident, but did not have any documentation for it.</p> <p>DRILLS: The licensee failed to conduct evacuation drills</p>	0 810		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 37953	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/07/2025
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0 810	<p>Continued From page 12</p> <p>for employees twice per year, per shift with at least one evacuation drill every other month.</p> <p>Record review of licensee's evacuation drill log, Fire Drill Audit, date range February 25, 2024 through May 5, 2025, indicated evacuation drills were conducted on April 18, 2024, June 27, 2024, August 28, 2024, October 31, 2024, February 11, 2025, and May 5, 2025. No other documentation was provided.</p> <p>On May 6, 2025, at 1:30 p.m., ADM-A stated there were no additional documented drills for the facility. ADM-A stated they did not have records for fire drills completed in 2023 and did not have residents from May, 2023 to September 2023 at this facility so there were no staff at that time to complete any drills.</p> <p>No further information was provided.</p> <p>TIME PERIOD FOR CORRECTION: Twenty-one (21) days.</p>	0 810		
0 970 SS=C	<p>144G.50 Subd. 5 Waivers of liability prohibited</p> <p>The contract must not include a waiver of facility liability for the health and safety or personal property of a resident. The contract must not include any provision that the facility knows or should know to be deceptive, unlawful, or unenforceable under state or federal law, nor include any provision that requires or implies a lesser standard of care or responsibility than is required by law.</p> <p>This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure the assisted living</p>	0 970		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 37953	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/07/2025
NAME OF PROVIDER OR SUPPLIER VICTORY HOMES		STREET ADDRESS, CITY, STATE, ZIP CODE 7917 PERRY AVENUE NORTH BROOKLYN PARK, MN 55443		
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0 970	<p>Continued From page 13</p> <p>contract did not include language waiving the licensee's liability for health, safety, or personal property of a resident for two of two residents (R1, R2).</p> <p>This practice resulted in a level one violation (a violation that has no potential to cause more than a minimal impact on the resident and does not affect health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all the residents).</p> <p>The findings include:</p> <p>R1 and R2's contracts, dated December 4, 2023, and August 27, 2024, respectively, both included the following clauses that indicated the resident would waive the licensee's liability for health, safety, or personal property of a resident:</p> <ul style="list-style-type: none"> -the indemnification clause (page 14) read "resident will indemnify and hold harmless Landlord, its employees and agents against any and all claims, actions, damages, and liability and expense in connection with loss of life, personal injury or damage to property, arising from or out of the use by Resident of the rented premises or any other part of Landlord's property, or caused wholly or in part by an act of omission of Resident..." and -a liability clause (page 15) which read "Landlord is not liable to Resident ... for any injury, death, or property damage occurring in the room or on Landlord's premises unless such injury, death, or property damage occurs as the result of an equipment malfunction or hazardous conditions within the building not caused by resident..." <p>On May 5, 2025, at 11:28 a.m., administrator</p>	0 970		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 37953	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/07/2025
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0 970	<p>Continued From page 14</p> <p>(ADM)-A stated R1 and R2's contracts included language indicating waivers of liability. ADM-A stated they had been cited for this at another facility under same ownership and had not yet changed the licensee's contracts.</p> <p>No further information was provided.</p> <p>TIME PERIOD FOR CORRECTION: Twenty-One (21) days</p>	0 970		
01290 SS=F	<p>144G.60 Subdivision 1 Background studies required</p> <p>(a) Employees, contractors, and regularly scheduled volunteers of the facility are subject to the background study required by section 144.057 and may be disqualified under chapter 245C. Nothing in this subdivision shall be construed to prohibit the facility from requiring self-disclosure of criminal conviction information.</p> <p>(b) Data collected under this subdivision shall be classified as private data on individuals under section 13.02, subdivision 12.</p> <p>(c) Termination of a staff member in good faith reliance on information or records obtained under this section regarding a confirmed conviction does not subject the assisted living facility to civil liability or liability for unemployment benefits.</p> <p>This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure a background study was affiliated with the assisted living facility license for two of two employees (unlicensed personnel (ULP)-C, ULP-D)</p>	01290		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 37953	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/07/2025
NAME OF PROVIDER OR SUPPLIER VICTORY HOMES		STREET ADDRESS, CITY, STATE, ZIP CODE 7917 PERRY AVENUE NORTH BROOKLYN PARK, MN 55443		
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01290	<p>Continued From page 15</p> <p>This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at a widespread scope (problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large number or all the residents).</p> <p>The findings include:</p> <p>ULP-C ULP-C was hired on June 23, 2024, and began providing assisted living services.</p> <p>ULP-C's record included a background study dated August 21, 2024, and was affiliated with [another licensee] under same ownership.</p> <p>ULP-D ULP-D was hired on October 18, 2024, and began providing assisted living services.</p> <p>ULP-D's record included a background study dated November 13, 2024, and was affiliated with [another licensee] under the same ownership.</p> <p>ULP-C and ULP-D's records lacked a background study affiliated with the licensee.</p> <p>On May 5, 2025, at 12:10 p.m., administrator (ADM)-A stated ULP-C and ULP-D's background studies were run that same day for the licensee. ADM-A stated they recently moved ULP-C and ULP-D from another licensee under the same ownership due to staffing issues.</p> <p>The licensee's 4.02 Background Studies policy dated January 1, 2022, indicated no employee</p>	01290		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 37953	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/07/2025
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01290	<p>Continued From page 16</p> <p>would provide direct services and have independent direct contact with any residents until acceptable results of the background study has been received.</p> <p>No further information was provided.</p> <p>TIME PERIOD FOR CORRECTION: Two (2) days</p>	01290		
01620 SS=F	<p>144G.70 Subd. 2 (c-e) Initial reviews, assessments, and monitoring</p> <p>(c) Resident reassessment and monitoring must be conducted no more than 14 calendar days after initiation of services. Ongoing resident reassessment and monitoring must be conducted as needed based on changes in the needs of the resident and cannot exceed 90 calendar days from the last date of the assessment.</p> <p>(d) For residents only receiving assisted living services specified in section 144G.08, subdivision 9, clauses (1) to (5), the facility shall complete an individualized initial review of the resident's needs and preferences. The initial review must be completed within 30 calendar days of the start of services. Resident monitoring and review must be conducted as needed based on changes in the needs of the resident and cannot exceed 90 calendar days from the date of the last review.</p> <p>(e) A facility must inform the prospective resident of the availability of and contact information for long-term care consultation services under section 256B.0911, prior to the date on which a prospective resident executes a contract with a facility or the date on which a prospective resident moves in, whichever is earlier.</p> <p>This MN Requirement is not met as evidenced</p>	01620		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 37953	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/07/2025
NAME OF PROVIDER OR SUPPLIER VICTORY HOMES		STREET ADDRESS, CITY, STATE, ZIP CODE 7917 PERRY AVENUE NORTH BROOKLYN PARK, MN 55443		
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01620	<p>Continued From page 17</p> <p>by:</p> <p>Based on interview and record review, the licensee failed to ensure the registered nurse (RN) conducted ongoing client monitoring and reassessment, not to exceed 90 days for two of two residents (R1, R2).</p> <p>This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents).</p> <p>The findings include:</p> <p>R1 R1 was admitted November 29, 2023, and began receiving assisted living services.</p> <p>R1's record lacked a service plan indicating services R1 was receiving.</p> <p>R1's record included a comprehensive nursing assessments dated July 17, 2024, and lacked any additional assessments after that date, indicating 292 days had passed between the last assessment and May 5, 2024 (start of survey).</p> <p>R2 R2 was admitted on August 1, 2023, and began receiving assisted living services.</p> <p>R2's record lacked a service plan indicating services R2 was receiving.</p> <p>R2's record included consecutive nursing</p>	01620		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 37953	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/07/2025
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01620	<p>Continued From page 18</p> <p>assessments dated August 27, 2023, and June 10, 2024, indicating 288 days had passed between the assessments.</p> <p>R2's record also included consecutive nursing assessments dated June 29, 2024, and February 2, 2025, indicating 218 days had passed between the assessments.</p> <p>On May 5, 2025, at 2:12 p.m., clinical nurse supervisor (CNS)-E stated they completed assessments every 90 days. CNS-E stated R1 and R2 would not allow her to do an assessment, so she wrote a progress note in place of an assessment.</p> <p>The licensee's 6.01 Assessments, Reviews, and Monitoring policy dated January 1, 2022, indicated resident monitoring and reviews would be conducted as needed based on changes in the needs of the resident and cannot exceed 90 calendar days from the date of the last review.</p> <p>No further information was provided.</p> <p>TIME PERIOD FOR CORRECTION: Twenty-one (21) days</p>	01620		
01640 SS=F	<p>144G.70 Subd. 4 (a-e) Service plan, implementation and revisions to</p> <p>(a) No later than 14 calendar days after the date that services are first provided, an assisted living facility shall finalize a current written service plan.</p> <p>(b) The service plan and any revisions must include a signature or other authentication by the facility and by the resident documenting agreement on the services to be provided. The service plan must be revised, if needed, based on</p>	01640		

Minnesota Department of Health

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01640	<p>Continued From page 19</p> <p>resident reassessment under subdivision 2. The facility must provide information to the resident about changes to the facility's fee for services and how to contact the Office of Ombudsman for Long-Term Care and the Office of Ombudsman for Mental Health and Developmental Disabilities.</p> <p>(c) The facility must implement and provide all services required by the current service plan.</p> <p>(d) The service plan and the revised service plan must be entered into the resident record, including notice of a change in a resident's fees when applicable.</p> <p>(e) Staff providing services must be informed of the current written service plan.</p> <p>This MN Requirement is not met as evidenced by: Based on observation, interview, and record review, the licensee failed to have a signed service plan which identified specific services to be provided for two of two residents (R1, R2).</p> <p>This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all the residents).</p> <p>The findings include:</p> <p>R1 was admitted on November 29, 2023, and began receiving assisted living services.</p> <p>R2 was admitted on August 1, 2023, and began receiving assisted living services.</p> <p>R1 and R2's records lacked a service plan</p>	01640		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 37953	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/07/2025
NAME OF PROVIDER OR SUPPLIER VICTORY HOMES		STREET ADDRESS, CITY, STATE, ZIP CODE 7917 PERRY AVENUE NORTH BROOKLYN PARK, MN 55443		
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01640	<p>Continued From page 20</p> <p>indicating services provided by licensee.</p> <p>On May 5, 2025, at 2:25 p.m., clinical nursing supervisor (CNS)-E stated R1 and R2 did not have a service plan in their records. CNS-E stated they were unaware that a service plan was required.</p> <p>On May 6, 2025, at 8:30 a.m., the surveyor observed unlicensed personnel (ULP)-C administering medications to R1.</p> <p>The licensee's 6.08 Service Plan policy, dated January 1, 2022, read:</p> <p>"-Within 14 days after the date that services are first provided to a resident, [licensee] will finalize a written service plan.</p> <p>-The service plan and any revisions shall include a signature or other authentication by [licensee] and by the resident, or resident's representative, documenting agreement on the services to be provided.</p> <p>-Service plans shall be revised, if needed, based on resident assessments and monitoring".</p> <p>No further information was provided.</p> <p>TIME PERIOD FOR CORRECTION: Twenty-one (21) days.</p>	01640		
01730 SS=D	<p>144G.71 Subd. 5 Individualized medication management plan</p> <p>(a) For each resident receiving medication management services, the assisted living facility must prepare and include in the service plan a written statement of the medication management services that will be provided to the resident. The facility must develop and maintain a current</p>	01730		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 37953	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/07/2025
NAME OF PROVIDER OR SUPPLIER VICTORY HOMES		STREET ADDRESS, CITY, STATE, ZIP CODE 7917 PERRY AVENUE NORTH BROOKLYN PARK, MN 55443		
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01730	<p>Continued From page 21</p> <p>individualized medication management record for each resident based on the resident's assessment that must contain the following:</p> <p>(1) a statement describing the medication management services that will be provided;</p> <p>(2) a description of storage of medications based on the resident's needs and preferences, risk of diversion, and consistent with the manufacturer's directions;</p> <p>(3) documentation of specific resident instructions relating to the administration of medications;</p> <p>(4) identification of persons responsible for monitoring medication supplies and ensuring that medication refills are ordered on a timely basis;</p> <p>(5) identification of medication management tasks that may be delegated to unlicensed personnel;</p> <p>(6) procedures for staff notifying a registered nurse or appropriate licensed health professional when a problem arises with medication management services; and</p> <p>(7) any resident-specific requirements relating to documenting medication administration, verifications that all medications are administered as prescribed, and monitoring of medication use to prevent possible complications or adverse reactions.</p> <p>(b) The medication management record must be current and updated when there are any changes.</p> <p>(c) Medication reconciliation must be completed when a licensed nurse, licensed health professional, or authorized prescriber is providing medication management.</p> <p>This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to develop and maintain a current individualized medication management plan with</p>	01730		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 37953	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/07/2025
NAME OF PROVIDER OR SUPPLIER VICTORY HOMES		STREET ADDRESS, CITY, STATE, ZIP CODE 7917 PERRY AVENUE NORTH BROOKLYN PARK, MN 55443		
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01730	<p>Continued From page 22</p> <p>all required content for one of two residents (R2).</p> <p>This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death) and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved, or the situation has occurred only occasionally).</p> <p>The findings include:</p> <p>On May 5, 2025, during the entrance conference at 10:45 a.m., administrator (ADM)-A stated they provided medication management services for all residents.</p> <p>R2 was admitted August 1, 2023, and began receiving assisted living services.</p> <p>R2's record lacked a service plan indicating services provided by licensee.</p> <p>R2's record lacked an individualized medication management plan to include the following:</p> <ul style="list-style-type: none"> -a statement describing the medication services that will be provided; description of storage of medications based on the resident's needs and preferences, risk of diversion, and consistent with the manufacturer's directions; -documentation of specific resident instructions relating to the administration of medications; -identification of persons responsible for monitoring medication supplies and ensuring that medication refills are ordered on a timely basis; -identification of medication management tasks that may be delegated to unlicensed personnel; 	01730		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 37953	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/07/2025
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01730	<p>Continued From page 23</p> <p>-procedures for staff notifying a registered nurse or appropriate licensed health professional when a problem arises with medication management services; and</p> <p>-any resident-specific requirements relating to documenting medication administration, verifications that all medications are administered as prescribed, and monitoring of medication use to prevent possible complications or adverse reactions.</p> <p>On May 5, 2025, at 2:25 p.m., clinical nurse supervisor (CNS)-E stated R2's record did not include a medication management plan. CNS-E stated resident was transferred from another facility under same ownership and the medication management plan was not done upon admission to licensee.</p> <p>The licensee's 7.03 Medication Management Individualized Plan policy dated January 1, 2022, read "for each resident at [licensee] medication management services, the facility will prepare and include in the service plan a written statement of the medication management services that will be provided to the resident". The policy also indicated [licensee] would develop and maintain a current individualized medication management record for each resident.</p> <p>No further information was provided.</p> <p>TIME PERIOD FOR CORRECTION: Seven (7) days</p>	01730		
01910 SS=D	144G.71 Subd. 22 Disposition of medications (a) Any current medications being managed by the assisted living facility must be provided to the	01910		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 37953	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/07/2025
NAME OF PROVIDER OR SUPPLIER VICTORY HOMES		STREET ADDRESS, CITY, STATE, ZIP CODE 7917 PERRY AVENUE NORTH BROOKLYN PARK, MN 55443		
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01910	<p>Continued From page 24</p> <p>resident when the resident's service plan ends or medication management services are no longer part of the service plan. Medications for a resident who is deceased or that have been discontinued or have expired may be provided for disposal.</p> <p>(b) The facility shall dispose of any medications remaining with the facility that are discontinued or expired or upon the termination of the service contract or the resident's death according to state and federal regulations for disposition of medications and controlled substances.</p> <p>(c) Upon disposition, the facility must document in the resident's record the disposition of the medication including the medication's name, strength, prescription number as applicable, quantity, to whom the medications were given, date of disposition, and names of staff and other individuals involved in the disposition.</p> <p>This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to provide documentation in the resident's record regarding the disposition of medication to include the date of disposition and names of staff and other individuals involved in the disposition for one of one discharged resident (R2).</p> <p>This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved or the situation has occurred only occasionally).</p>	01910		

Minnesota Department of Health

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01910	<p>Continued From page 25</p> <p>The findings include:</p> <p>R2 was admitted on August 1, 2023, and discharged from the licensee on February 20, 2025.</p> <p>R2's record included a contract signed on August 27, 2024. R2's record did not include a service plan.</p> <p>R2's record lacked documentation of medication disposition on discharge to include name of medications, strength, prescription numbers as applicable, quantity, to whom the medications were given, date of disposition, and names of staff and other individuals involved in the disposition.</p> <p>On May 5, 2025, at approximately 12:15 p.m., administrator (ADM)-A stated there was no record of medication disposition for R2. ADM-A stated R2 was transferred to another facility under same ownership due to higher level of care and her medications were "just sent with her".</p> <p>No further information was provided.</p> <p>TIME PERIOD FOR CORRECTION: Seven (7) days</p>	01910		
02310 SS=F	<p>144G.91 Subd. 4 (a) Appropriate care and services</p> <p>(a) Residents have the right to care and assisted living services that are appropriate based on the resident's needs and according to an up-to-date service plan subject to accepted health care standards.</p>	02310		

Minnesota Department of Health

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02310	<p>Continued From page 26</p> <p>This MN Requirement is not met as evidenced by:</p> <p>Based on observation, interview, and record review, the licensee failed to provide care and services according to acceptable health care standards, medical, or nursing standards for storage of oxygen.</p> <p>This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents).</p> <p>The findings include:</p> <p>On May 5, 2025, during a facility tour at 10:50 a.m., the surveyor observed a small closet on the lower level of the building containing 12 small oxygen tanks and an oxygen concentrator. Eight (8) of the oxygen tanks were upright, unsecured and not stored in a stand.</p> <p>On May 5, 2025, at 10:55 a.m., administrator (ADM)-A stated the oxygen tanks were not secured. ADM-A stated the oxygen had been used by a resident who was discharged, and they were waiting on the durable medical equipment (DME) company to pick up the oxygen tanks and equipment.</p> <p>Minnesota Department of Health (MDH) Oxygen Cylinder Storage Requirements dated April 16, 2020, recommended cylinders be secured with chains or racks to prevent cylinders from falling over.</p>	02310		

Minnesota Department of Health

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02310	Continued From page 27 No further information was provided. TIME PERIOD FOR CORRECTION: Seven (7) days	02310		

Food & Beverage Inspection Report

Page: 1

Establishment Info	License Info	Inspection Info
<p>Victory Homes 7917 Perry Avenue N Brooklyn Park, MN 55443 Hennepin County Parcel: Phone:</p>	<p>License: HFID 37953 Risk: License: Expires on: CFPM: CFPM #: ; Exp:</p>	<p>Report Number: F1039251006 Inspection Type: Full - Single Date: 5/6/2025 Time: 10:40:00 Duration: minutes Announced Inspection: No <u>Total Priority 1 Orders: 1</u> <u>Total Priority 2 Orders: 2</u> <u>Total Priority 3 Orders: 1</u> Delivery:</p>

! New Order: 3-500B Microbial Control: hot and cold holding

3-501.16A2 Priority Level: Priority 1 CFP#: 22

MN Rule 4626.0395A2 Maintain all cold, TCS foods at 41 degrees F (5 degrees C) or below under mechanical refrigeration.

COMMENT: REFRIGERATOR HOLDING TCS FOOS AT 47 DEGREES F. REFRIGERATOR THERMOSTAT ADJUSTED DURING INSPECTION. MONITOR FOOD TEMPERATURES TO CONFIRM PROPER COLD HOLDING, REPAIR OR REPLACE COOLER IF REFRIGERATOR FAILS TO HOLD IN COMPLIANCE WITH ABOVE RULE.

Comply By: 5/6/2025 Originally Issued On: 5/6/2025

New Order: 3-500C Microbial Control: date marking

3-501.17B Priority Level: Priority 2 CFP#: 23

MN Rule 4626.0400B Mark the refrigerated, ready-to-eat, TCS food prepared and packaged in a processing plant and opened and held for more than 24 hours in the food establishment using an effective method to indicate the date by which the food must be consumed on the premises, sold, or discarded. The date must not exceed the manufacturer's use-by-date.

COMMENT: OPEN PACKAGE OF STORE-BOUGHT DELI MEAT LACKS A DATE MARK. INSTRUCTED PERSON-IN-CHARGE TO COMPLY WITH ABOVE RULE.

Comply By: 5/6/2025 Originally Issued On: 5/6/2025

New Order: 4-300 Equipment Numbers and Capacities

4-302.12A Priority Level: Priority 2 CFP#: 36

MN Rule 4626.0705A Provide a readily accessible food temperature measuring device to ensure attainment and maintenance of food temperatures.

COMMENT: PERSON-IN-CHARGE COULDN'T FIND FOOD PROBE THERMOMETER DURING INSPECTION. COMPLY WITH ABOVE ORDER.

Comply By: 5/6/2025 Originally Issued On: 5/6/2025

New Order: 4-500 Equipment Maintenance and Operation

4-502.11C Priority Level: Priority 3 CFP#: 47

MN Rule 4626.0820C Ambient air temperature, water pressure, and water temperature measuring devices must be accurate within the intended range of use and maintained in good repair.

COMMENT: AMBIENT AIR TEMPERATURE THERMOMETER IN REFRIGERATOR GIVES INACCURATE READING. REPLACE WITH NEW THERMOMETER.

Comply By: 5/13/2025 Originally Issued On: 5/6/2025

Food & Beverage General Comment

The inspection was completed with the person in charge and reviewed with MDH nurse evaluator Michelle Winters.

The kitchen is of residential build and should serve food for same-day service only.

The kitchen has wood cabinets with hollow base and laminate countertops, laminate floor, painted walls and ceiling. These kitchen finishes and surfaces are clean and well maintained.

The kitchen refrigerator/freezer are of residential grade.

A 2-compartment sink is present in kitchen. 1 compartment is designated for handwashing only.

A residential dishwashing machine is present in the kitchen. During inspection, a run of the dish machine was started with a color-change thermos test strip. Results of the run were shared by person-in-charge via email showing a rinse temperature of >160 degrees F.

A supply of single-use gloves is present in kitchen. A supply of single-use sanitizing wipes for food contact surfaces is present in kitchen.

Discussed the following with the person-in-charge: minimum cook temps for animal proteins, food source, foodborne illness symptoms and exclusion of ill employees, avoiding bare hand contact with ready to eat foods, handwashing, sanitizing., all orders on this report.

NOTE: All new food equipment must meet the applicable standards of the American National Standards Institute (ANSI). Plans and specifications must be submitted for review and approval prior to new construction, remodeling or alterations.

I acknowledge receipt of the Metro District Office inspection report number F1039251006 from 5/6/2025



Sonie Padmore
person-in-charge

Aron Goodner,
Public Health Sanitarian 1
651-201-4910
aron.goodner@state.mn.us



Metro District Office
Minnesota Department of Health
625 Robert St N, PO BOX 64975
St Paul, MN 55164

Temperature Observations/Recordings

Page: 1

Establishment Info

Victory Homes
Brooklyn Park
County/Group: Hennepin County

Inspection Info

Report Number: F1039251006
Inspection Type: Full
Date: 5/6/2025
Time: 10:40:00

Food Temperature: Product/Item/Unit: DELI MEAT; Temperature Process: Cold-Holding

Location: REFRIGERATOR at 47 Degrees F.

Comment:

Violation Issued?: Yes

Equipment Temperature: Product/Item/Unit: REFRIGERATOR - AMBIENT; Temperature Process:

Location: at 47 Degrees F.

Comment:

Violation Issued?: Yes

Food Temperature: Product/Item/Unit: FREEZER - FROZEN SOLID; Temperature Process:

Location: at Degrees F.

Comment:

Violation Issued?: No

Food & Beverage Inspection Report

Page: 1

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Temperature Observations/Recordings

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Comment:

Violation Issued?: Yes

Equipment Temperature: Product/Item/Unit: REFRIGERATOR - AMBIENT; Temperature Process:

Location: at 47 Degrees F.

Comment:

Violation Issued?: Yes

Food Temperature: Product/Item/Unit: FREEZER - FROZEN SOLID; Temperature Process:

Location: at Degrees F.

Comment:

Violation Issued?: No