



KING DAVID POST ACUTE
Nursing & Rehabilitation



KING DAVID
Independent Living



THE VILLAS
at King David Assisted Living



DAUGHTERS OF MIRIAM
Center for Nursing & Rehabilitation

JOINT PRESS RELEASE

Response to the False and Misleading Cleveland Jewish News Article Published July 30, 2026 “Questions mount over conditions at King David”

FOR IMMEDIATE RELEASE: JULY 31, 2026

Daughters of Miriam Center for Nursing & Rehabilitation LLC, King David Independent Living Residence LLC, King David Post Acute Nursing & Rehabilitation LLC, The Hebrew Home at Beachwood LLC doing business as Deer Creek Lodge, and Villas at King David Center LLC, issue this joint press release to respond to the false and misleading article published in the Cleveland Jewish News (“CJN”) on July 30, 2026, entitled “*Questions mount over conditions at King David.*”

We were disheartened to see the CJN publicly disparage our facilities without fact checking. Plainly, this article was not about nursing facilities. CJN singled out and painted a Jewish senior living community in a light that can only be described as antisemitic—how utterly disgusting. We simply could not let this go unanswered.

Since beginning operations in December 2023, our staff have worked tirelessly to rebuild and remake these facilities—your homes—into a welcoming, inviting, and flourishing community that each resident can be proud to call home. There was a lot of work to be done and there is still more to do, but anyone who walks through this community can see what the last two and a half years have accomplished.

There have been hiccups along the way. But our goal to make this historic institution a place that all people want to call home has never changed. That is why we will continue working diligently with our staff and residents to revitalize these facilities into the polished beautiful jewel that we know they can be.

Until now we chose not to engage with negative reporting on our operations—even when it contained falsehoods or twisted facts. We felt our results would speak for themselves, and the coverage would eventually catch up to them. Unfortunately, we never fathomed what now appears to be a vendetta against the only Jewish senior living community in Cleveland.

The article CJN published on July 30, 2026 simply went too far. Not only did the CJN publish a multitude of unsupported falsehoods that relied upon nothing more than supposition or their own previously misinformed reporting, but it presented one of our competitors, who left this campus in 2015 and is now developing a competing senior living community, as an expert on our current operations and gave him room to denigrate us at length. CJN also took conditions at a single facility and implied they were universal across separately licensed facilities, which is simply untrue.

Whatever the article says, these facilities are better today than they were when we arrived. Our staff did that work. We are grateful to our staff. They are loyal, they work hard, and this

community is better because of them. Our residents know that and are proud to call this community their home.

Our doors are open for everyone to see. Any resident or family member with a concern, comment, or question about any of our facilities should bring it to that facility's administrator. We take every one of them to heart.

Sincerely,

Your Caring Management Teams at:

Daughters of Miriam Center for Nursing & Rehabilitation LLC

King David Independent Living Residence LLC

King David Post Acute Nursing & Rehabilitation LLC

The Hebrew Home at Beachwood LLC d/b/a Deer Creek Lodge

Villas at King David Center LLC

Encl. – July 31, 2026 Letter to Cleveland Jewish News



Tyler J. Wicks
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July 31, 2026

Via Email and Certified Mail, Return Receipt Requested

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**Re: Demand for Correction Pursuant to R.C. 2739.13-16
“Questions mount over conditions at King David,” published July 30, 2026**

Dear Mr. Adelstein, Mr. Jacob, and Mr. Oswald:

I am General Counsel to Daughters of Miriam Center for Nursing & Rehabilitation LLC, King David Independent Living Residence LLC, King David Post Acute Nursing & Rehabilitation LLC, The Hebrew Home at Beachwood LLC doing business as Deer Creek Lodge, and Villas at King David Center LLC (collectively, the “Facilities”). I write on their behalf as “persons affected” within the meaning of R.C. 2739.13.

The article authored by Mr. Oswald that the Cleveland Jewish News (“CJN”) published today on its website, entitled “Questions mount over conditions at King David”¹ contains false statements of fact, presents regulatory data belonging to one licensed facility as though it describes several others or all, and rests its central thesis on an undisclosed commercial competitor of the very facilities he was quoted as criticizing.

Enclosed as Attachment A is a sworn statement, offered for publication under R.C. 2739.13, setting forth in proper language the truth pertaining to the statements at issue. R.C. 2739.14 requires that it be printed and circulated in the next regular issue or within 48 hours of receipt, without additions or omissions, in the same color of ink, from like type, with headlines of equal prominence, occupying a like space in the same portion of the newspaper as the original article, and given the same publicity and circulation. Because the article was published online, we also demand that the statement be linked from the article itself and that the corrections below be entered in the online version with a dated correction notice.

We are not writing to chill the CJN’s reporting on long-term care, which is a legitimate subject of public interest and one the Facilities welcome scrutiny on. We are writing because this particular article cannot be reconciled with its own contents.

¹ Available at: https://www.clevelandjewishnews.com/news/local_news/questions-mount-over-conditions-at-king-david/article_fabd6ed0-997a-4fcd-b4af-8369af6a6614.html

I. The article's ownership premise is false, and its only source is the CJN itself.

The article states that “New Jersey-based Outcome Healthcare bought Menorah Park’s campus” and that “Outcome is operated by the Rosenberg family, an Orthodox Jewish family which owns and operates nine nursing homes and one assisted living facility.” The sole attribution offered for that proposition is the phrase “the CJN previously reported.” A newspaper citing itself is not sourcing.

The statement is also false. Outcome Healthcare does not own, license, or operate any of the Facilities. Each Facility is separately owned by a distinct legal entity, and, as applicable, separately licensed by the Ohio Department of Health (“ODH”) and certified by the Centers for Medicare and Medicaid Services (“CMS”) under its own provider number. Ownership of every licensed long-term care provider in Ohio is a matter of public record, filed with ODH and disclosed to CMS on Form CMS-855A and published in the CMS Ownership dataset. None of it was consulted.

The error is the device that permits the article to gather seven unrelated operations under a single name—a name unrelated to any of them—and attribute the alleged failings of one or another to all of them.

The article then compounds the problem. It asserts that “Outcome Healthcare is currently listed in two civil lawsuits, according to the Cuyahoga County Court of Common Pleas” and identifies those two cases as *Estate of Nancy Pierce-Phillips v. Daughters of Miriam Center for Nursing and Rehabilitation* and *Vicki Ross v. King David Post Acute Nursing & Rehabilitation*. The article then reports that “Outcome Healthcare is also listed in three additional lawsuits that it assumed after the purchase.” No case is named. No court is identified. No case number is given. No party is identified. As a matter of Ohio law, a purchaser of assets does not “assume” pending litigation; successor liability is a contested legal question governed by *Welco Industries, Inc. v. Applied Cos.*, 67 Ohio St.3d 344 (1993), and it is resolved by courts, not by newspapers. Three unnamed lawsuits, asserted against an entity that is not the owner, is innuendo with nothing under it.

Correction demanded: Retract the ownership assertions in full; identify the actual licensed owner-operator of each Facility; and strike the reference to “three additional lawsuits” in its entirety.

2. The article identifies the owners by religious denomination and identifies no one else that way.

The article states that “Outcome is operated by the Rosenberg family, **an Orthodox Jewish family** which owns and operates nine nursing homes and one assisted living facility.” What is that descriptor doing?

The article never answers this question. It does not connect the owners’ religious denomination to any fact it reports such as licensure, ownership structure, staffing, deficiency counts, dining, housekeeping, transportation, or either lawsuit. The phrase is introduced and abandoned in the same sentence.

Nor is it applied consistently. The article identifies no other person by denomination. Not the consultant whose criticism drives the piece. Not the family member who is its only named source. Not the departing

employee on the recording. Not the plaintiffs in either lawsuit. Of everyone who appears in this article, exactly one party is identified by religious subgroup, and it is the party the article criticizes. The article's own named source draws that line explicitly: "It's not the staff that there's an issue with. It's the owners."

Placement compounds the problem. The descriptor sits in the paragraph establishing the owners as outsiders: "New Jersey-based," facilities "mostly in New Jersey," "the first facility in Ohio that Outcome has purchased." The article closes with the assertion that "you cannot call what we have in any way, shape or form a community Jewish residence for seniors." A reader moving through the piece is handed a Cleveland institution, an out-of-state Orthodox family, and a conclusion that the institution is no longer authentically Jewish. Whatever was intended, that is the arc the article produces, and it runs along a denominational fault line that a Jewish community newspaper, of all publications, has the most reason to handle carefully.

It is also incoherent on the article's own facts. The article reports that this campus was "established in 1906 as the Hebrew Orthodox Old Age Home." The descriptor being used to mark the current owners as outsiders names the tradition the institution was founded in.

Finally, the descriptor is attached to a false sentence. It appears in the same clause as the ownership assertion addressed in Section I above, sourced to nothing but the CJN's own prior reporting. When that assertion is corrected, the religious identification has nothing left to modify.

Correction demanded: Remove the denominational identification, or state affirmatively what relevance it bears to the subject matter of the article and apply that same standard to every other individual named in it.

3. The article treats seven separately licensed operations as one "facility."

The article states: "King David Nursing and Rehabilitation includes King David Independent Living, Deer Creek Lodge, The Villas at King David, King David Post Acute Rehab, Daughters of Miriam, Resorts Memory Care and Memory Care at the Villas."

That sentence is not capable of being true. A skilled nursing facility cannot "include" a separately licensed skilled nursing facility, a residential care facility, or an unlicensed independent living building. These are different providers, with different licenses, different certifications, different administrators, different staff, different survey histories, and different residents. Daughters of Miriam is not a component of King David Post Acute; it is a separate facility with its own ODH license and its own CMS provider number.

Having fused them in that single sentence, the article proceeds to move data between them without notice to the reader:

- It attributes to King David Post Acute Nursing & Rehabilitation, by name and via ProPublica, a nurse staffing figure of 4.85 hours per resident day, a 64.9% turnover rate, and 64 deficiencies since April 2023.

- One paragraph later, the name is gone: “King David has been marked with 64 total deficiencies since April 2023.”
- It later attributes the identical 64.9% turnover figure to the Ohio Department of Aging (“ODA”) rather than ProPublica, without acknowledging the change in source or reconciling it.
- It then reports, from the ODA Long-Term Care Quality Navigator, “56 health deficiencies” and “36 CMS fire safety deficiencies” for “King David,” figures that cannot be reconciled with the 64 figure reported two paragraphs earlier, and the article makes no attempt to do so.

The reader is given three different deficiency counts, from two different sources, attributed to a name that by the article’s own definition refers to seven different operations. This is either fantastic negligence or intentional misrepresentation—either way, it is patently misleading.

Correction demanded: Strike the “includes” sentence and replace it with an accurate statement that the campus comprises separately licensed and separately operated entities. Restate every data point in the article with the specific licensed entity, source, and reporting period to which it applies.

4. The article uses nursing home regulatory data to substantiate complaints about a building that is not a nursing home.

This is the article’s central methodological failure, and it is dispositive.

The substantive complaints the article develops at length (buffet dining, discontinued table service, meal plan pricing, laundry service, housekeeping frequency, an air conditioner filter, transportation scheduling) allegedly come from King David Independent Living, or from the May 1 meeting concerning King David Independent Living. The article’s only named family source, Martha Posner, describes a mother who “lived at King David Independent Living.”

King David Independent Living is not a licensed health care facility. It is not licensed by the Ohio Department of Health. It is not certified by CMS. It is not surveyed. It is not rated. It does not appear in the ODA Long-Term Care Quality Navigator, in ProPublica’s Nursing Home Inspect, in Newsweek’s rankings, or in U.S. News’s ratings. Residents of King David Independent Living are private-pay **independently living** tenants who contract for residential amenities. Dining service and laundry are contractual amenities, not regulated clinical services.

The article nevertheless deploys CMS deficiency counts, ODH health inspection scores, fire safety citations, nurse staffing hours, and Medicaid-related turnover data, all of which pertain exclusively to licensed nursing facilities, as though they corroborated complaints arising in a building none of that data touches. A reader is left with the impression that federal and state inspectors have documented the conditions the article describes. They have not. They could not have. They do not inspect that building.

Correction demanded: State plainly and prominently that King David Independent Living is not a licensed health care facility, is not surveyed or rated by CMS, ODH, or ODA, and that none of the regulatory data cited in the article pertains to it or to the dining, laundry, housekeeping, or transportation matters the article describes.

5. The article’s own data contradicts its headline, its subheadline, and two of its section headings.

The following figures are taken exclusively from the article itself:

Measure reported in the article	Reported figure	Ohio average (per article)
Total nurse staffing hours per resident day	4.85	3.70
CMS quality score (ODA Navigator)	5 out of 5	4.5
Staffing score (ODA Navigator)	4 out of 5	“above the state average”
Cleanliness (ODA Navigator)	96.80 out of 100	93.3
Deficiencies causing immediate jeopardy	Zero	
Newsweek 2025 Best Nursing Homes (150+ beds)	5th in Ohio, of 14,752 nationally evaluated	
U.S. News & World Report 2025	Named among best in short-term rehabilitation	

The headline announces “Questions mount over conditions.” The subheadline promises concerns about “staffing” and “resident safety.” The article then reports staffing 31% **above** the state average, a staffing score **above the state average**, a **top-of-scale** CMS quality score, cleanliness **above the state average**, and **zero deficiencies** causing immediate jeopardy to resident health or safety. The article makes this concession in a single sentence and never returns to it.

A section headed “Concerns of cleanliness” runs beneath a reported cleanliness score of 96.8 against a state average of 93.3, and is supported by one former resident’s daughter recalling an air conditioner filter and a shower stall.

The subheadline states that “staff members describe concerns.” No current employee of any Facility is quoted anywhere in the article. The only voice resembling a staff member is a speaker on an anonymously

supplied audio recording whom the CJN concedes it “was not able to identify by name,” and a former human resources director whose words are drawn from her own unadjudicated complaint.

A newspaper is entitled to frame a story. It is not entitled to misrepresent it against the evidence it gathered and published in the same piece.

Correction demanded: Revise the headline and subheadline. Withdraw the assertion that staff members were sources. Move the favorable regulatory and ratings data out of the middle of the article and present it alongside the adverse data with equal prominence.

6. The article’s principal “expert” is an undisclosed competitor with no knowledge of current operations.

Steve Raichilson is the article’s only independent voice, appears in its lead photograph, and supplies its most quotable condemnations. The article identifies him as a former CEO of Menorah Park Center for Senior Living who retired in 2015 and “now oversees Solon-based Raichilson & Associates, a senior living healthcare consulting firm.”

What the article does not tell readers, in its own voice, is that Mr. Raichilson has a direct commercial interest in the market he was asked to assess. He disclosed it himself, inside a quotation criticizing the Facilities’ dining program: “I’m working on developing a new senior independent living facility in Dublin, Ohio, with a real estate development company, and we are going overboard to provide services like you find in a cruise ship.”

The CJN thus published a senior living developer disparaging a senior living operator’s independent living dining program, and marketing his own competing project in the same breath, without ever telling readers he was a competitor. The Society of Professional Journalists’ Code of Ethics directs journalists to “[a]void conflicts of interest, real or perceived” and to “[d]isclose unavoidable conflicts.” This one was neither avoided nor disclosed and is very real.

Mr. Raichilson also lacks any foundation to describe present conditions. He left employment with Menorah Park Center for Senior Living in 2015 or 2016, per his own quotation, a discrepancy the article prints without noticing. He has not been responsible for any operations at Menorah Park Center for Senior Living for roughly a decade and appears to have never been responsible for any operations at The Montefiore Home—an entity that CJN concedes was entirely separate from Menorah Park Center for Senior Living until 2020. Mr. Raichilson did not manage, visit, inspect, or work at any Facility under its current ownership, since Menorah Park Center and The Montefiore Home affiliated with one another, or at any time after the pandemic, which significantly affected all healthcare operations nationally. He does not possess even an iota of first-hand knowledge of the operations of any of the Facilities. By his own account, his knowledge consists of telephone calls he receives from third parties. He is nonetheless quoted as characterizing **current** dining operations as “absurd,” asserting “It’s not happening anywhere, except obviously here in Cleveland,” and pronouncing that the community “cannot call what we have in any way, shape or form a community Jewish residence for seniors.”

The context in which those quotations appear compounds the problem. The article reports that the CJN “sought independent perspective from medical experts specializing in the care of older adults and attorneys with expertise in nursing home law,” and that “several did not respond, while others declined to comment.” Having failed to locate a disinterested expert willing to support its thesis, the CJN published anyway, and gave the role to a market participant and direct competitor with financial incentive to disparage the Facilities’ operations.

Correction demanded: Disclose Mr. Raichilson’s competing development interest and his consulting firm’s commercial position in the senior living market, in the CJN’s own voice, at the point of first reference. State that he has had no operational role at any Facility since 2015 and no personal knowledge of operations under current ownership or at any time in recent memory. Correct the retirement-date discrepancy.

7. The article recites unproven allegations while withholding the fact that they are denied.

The article devotes substantial space to the allegations in *Estate of Nancy Pierce-Phillips v. Daughters of Miriam* and *Ross v. King David Post Acute Nursing & Rehabilitation*, quoting the complaints at length. It never informs readers that answers have been filed in both matters denying each and every material allegation, that no court has made any finding on any allegation, that discovery is ongoing, and that final pretrial hearings are not scheduled until January 2027, a date the article itself supplies without drawing the obvious inference for the reader.

The fair report privilege protects **fair and accurate** accounts of judicial proceedings. An account that reproduces one party’s pleading at length while omitting the responsive pleading in the same docket is not a fair account of that proceeding. The complaints and the answers sit in the same public file. Only one was read to readers.

The article also fails to give readers the most elementary context that a complaint is an allegation, that allegations are untested, and that the pleading it quotes was drafted by a party adverse to the Facilities for the purpose of persuasion.

Correction demanded: Publish, with equal prominence, that answers denying all material allegations have been filed in both matters; that no court has adjudicated any allegation; and that the allegations quoted are unproven. Identify each captioned defendant accurately.

8. The article raises Medicare fraud where the article itself found none.

The article states: “The CJN researched Medicare fraud cases and found there are no records indicating that King David has been investigated by the Ohio Attorney General’s Office, which handles such matters.”

There is no journalistic purpose served by publishing that a subject has not been investigated for a crime nobody suggested it committed. The sentence exists only to place the words “Medicare fraud” adjacent to the Facilities’ name. It is a textbook negative-implication construction, and it should be removed.

Correction demanded: Strike the sentence in its entirety.

9. The article's sourcing cannot be evaluated by readers, and in one instance is expressly unverified.

The article states that "several individuals declined to be identified publicly or interviewed for this story," yet their concerns are characterized in the article's voice. Sources who declined to be interviewed cannot supply reporting.

The article states that the CJN "independently verified the identities of each source and confirmed the circumstances they described," but describes no method by which it did so. An unexplained assertion of verification is not verification.

The article's most heavily quoted document is an audio recording "sent unsolicited" by an unidentified resident, of a meeting the CJN did not attend, featuring a speaker the CJN concedes it "was not able to identify by name." The CJN does not state whether it authenticated the recording, confirmed its date, confirmed the speaker's role or authority, or attempted to reach anyone who was present. Statements by an unidentified speaker are nonetheless attributed to management as institutional policy, including secondhand characterizations of what "the owners" decided.

The article's only named family source described conditions in a building she no longer visits; her mother relocated in June, and the interview was conducted "prior to her departure." A July 30 article about current conditions is built on an account that was not current when it was given.

Correction demanded: Disclose the CJN's verification methodology for the anonymous sources and the audio recording, or withdraw the reliance placed on them.

10. The article omits the history that its own premise requires.

The article presents December 19, 2023 as a dividing line between an exceptional institution and a diminished one. It quotes at length about what was lost. It does not ask, and does not answer, the question its own framing raises: why a nationally prominent nonprofit campus, supported by two charitable foundations and newly affiliated with Montefiore in 2020, came to be sold at all, or what its census, staffing, financial performance, and survey history looked like in the years immediately preceding that sale.

Those years are documented, and they are documented substantially in the CJN's own archives. Readers were entitled to that context before being asked to accept the comparison the article invites. Its absence is what allows the article's central premise to stand unexamined.

Correction demanded: Publish the pre-sale operating and financial context in a follow-up of comparable prominence, so that readers may assess the comparison the article asked them to draw.

I 1. Response to the “no comment” framing.

The article’s “More Information” box states that the CJN made “repeated attempts to obtain comment from King David and its representatives through emails and phone calls to both the local facility and its corporate offices,” and that “None of those attempts has received a response in any form.”

The only contact made with the Facilities was a single email on May 28, 2026 to the Administrator of King David Post Acute, which did not impose a deadline to respond. None of the other Facilities were contacted whatsoever. Further, not one of the Facilities received any phone calls. The failure to respond to a single email, or indeed even many emails, does not license the errors and falsehoods catalogued above, each of which could have and should have been cured by even cursory reference to public records that require no comment from anyone. Going forward, please inquire with my office for clarification should the readily available public records not supply the information you need.

I 2. Requested response.

Please confirm in writing by July 31, 2026 at 5:00 PM:

- That the enclosed sworn statement will be published in accordance with R.C. 2739.14;
- That all of the corrections identified in Sections I through I0 above will be made, and by when they will be made;
- That the online article will carry a dated correction notice and a link to the published statement;
- That the CJN will preserve all documents, communications, notes, recordings, and source materials relating to the article, including the May I audio recording and all records of the contact attempts described in the “More Information” box.

The Facilities’ preference is correction, not escalation. They would rather be reported on accurately than not at all, and certainly not falsely. As such, to the extent you seek comment in the future, please direct your inquiries to my office so that future coverage rests on something better than a decade-old recollection and an unattributed recording.

Sincerely,

Tyler J. Wicks
General Counsel

Enclosure