

September 18, 2025

CERTIFIED MAIL

Aaron Ato-Davies
1114 Southwood Drive
Dilworth, Minnesota 56529

License Number 1098291 AFC
1099336 HCBS

ORDER OF LICENSE REVOCATION

Dear Mr. Ato-Davies:

Based on the recommendation of Clay County Social Services, the Department of Human Services (DHS) is revoking your licenses to provide family adult foster care (AFC) and home and community-based services (HCBS) at 1114 Southwood Drive, Dilworth, Minnesota. This revocation is based on the commissioner's evaluation of your program, providing false and misleading information or knowingly withholding relevant information, and for not complying with licensing rules and laws. Details of our findings are provided below. Our next steps and your options are also detailed.

REASON FOR LICENSE REVOCATION

1. Commissioner's evaluation of program

In determining whether a licensing action is warranted, DHS evaluated the facts, conditions, and circumstances concerning your program's operation. This includes consideration of the well-being of persons served in your program, available evaluations from consumers of your program, and information about the qualifications of caregivers working in your program. DHS has determined that revocation of your license is appropriate based on the violations identified below and the program evaluation.

You have been licensed as an adult foster care (AFC) provider since March 12, 2019. Additionally, you have been licensed to provide HCBS family residential services at your family AFC program since April 19, 2019.

In March 2023, Clay County received and investigated a licensing complaint on your family adult foster home. Subsequently, Clay County received additional paperwork and visited the AFC home in March 2025. As a result of the investigation, they determined you provided false and misleading information and had multiple licensing violations as described below. Clay County determined you did not primarily reside in the AFC home for the entirety of being licensed as a family adult foster home.

The Commissioner is required to revoke your AFC license because you did not reside primarily in the family adult foster home for the entire period of licensure, as required per Minnesota Statutes, section 245A.03, subdivision 7. Additionally, the licensing violations determined by Clay County were serious and impact the health, safety, and rights of persons served in your program.

Legal Authority: Minnesota Statutes, section 245A.04, subdivision 6.

2. False and misleading information or knowingly withheld relevant information

Clay County determined that you knowingly withheld relevant information or provided false or misleading information to the Commissioner during an investigation and licensing review.

Clay County determined you provided false and misleading information throughout a licensing investigation and licensing review when:

- On January 31, 2024, you completed a supplemental application for relicensing where you stated you own two homes; however, according to public property records, you own two additional properties that you failed to disclose. In March 2025, you stated you did not disclose the properties because the titles were in your business name, Pee & Kay investors LLC. According to property records, the titles were under your name until the 2025 tax year.
- You have a pattern of withholding information or providing false information about household membership. The AFC renewal applications signed on November 24, 2021, and January 10, 2024, stated your parent lived at your family adult foster home; however, Clay County determined your parent never lived in the AFC home. On your application dated March 7, 2025, you stated there were two household members living in the AFC home. On March 25, 2025, when Clay County visited the AFC home, there was no evidence that these two household members lived in the AFC home as there were no clothing or items in the home for either individual.
- On a renewal/change of premise application dated November 24, 2021, you listed your address as the same as your licensed adult foster home address; however, in court documents dated August 4, 2021, you stated you lived at 822 4th Avenue Northeast, Dilworth, Minnesota which is another property you own that was never licensed as a family adult foster home. Additionally, Clay County received information that you lived at 822 4th Avenue Northeast, Dilworth, MN until late 2022 or early 2023.
- On March 25, 2025, you stated two of the properties you or Pee & Kay LLC own have occupants. Clay County determined people were living at two additional properties when they visited the homes.

Legal Authority: Minnesota Statutes, section 245A.07, subdivision 3, paragraph (a), subparagraph (3).

3. Failure to comply with licensing laws and rules

Clay County determined that you failed to fully comply with the laws and rules that apply to licensed adult foster care. DHS has considered the nature, chronicity, or severity of the violations that led to the revocation of your license.

Legal Authority: Minnesota Statutes, section 245A.07, subdivision 3, paragraph (a), subparagraph (1).

Nature, history and severity of violations

New violations determined

In March 2024, Clay County conducted a licensing investigation at your licensed program. Subsequently, Clay County received additional licensing paperwork and visited your AFC home in March 2025. The following are new violations that have not been the subject of a previous correction order. If you appeal this order, the following violations *will* be reviewed as a part of the appeal. DHS considered these violations, as a factor when it determined that revocation of your license is appropriate.

1. Clay County determined that the family AFC home has not been your primary residence for the entire period of your license based on:
 - Court documents where you listed your home address at an address that had never been licensed
 - Interviews with neighbors and residents
 - During site visits you did not know where person's receiving services plans of care, flashlights, first aid supplies, or persons served were when Clay County asked. You needed to call or ask staff to answer several of Clay County's questions.
 - When Clay County made unscheduled visits to the AFC home on March 9, 2023, June 5, 2023, and March 13, 2024, you have not been present in the home. Persons served or staff have needed to call you to come to the home.

Statute Violated: Minnesota Statutes, section 245A.02, subdivision 6f; Minnesota Statutes, section 245A.03, subdivision 7.

2. Clay County determined you did not affiliate background studies to your AFC license for 20 individuals who had background studies under your HCBS license.

Statutes Violated: Minnesota Statutes, section 245C.03, subdivision 1; Minnesota Statutes, section 245C.07.

3. Clay County determined you did not follow the individual abuse prevention plans for persons served when:

- Clay County visited your home on two separate occasions in March 2024 and there were no caregivers present to supervise the service recipients. Two recipients require 24-hour supervision.
- On December 28, 2024, a resident, who is not approved for alone time, was observed in the community alone.
- On March 25, 2025, there were not enough staff on-site at the AFC to meet the supervision needs of the persons served.

Statute violated: Minnesota Statutes, section 245A.65, subdivision 2.

4. Clay County determined that you did not report multiple changes in your household membership within five days as required. Multiple household members moved in and out of your home between November 2022 and January 2024 without proper notice to the county.

Rule Violated: Minnesota Rules, part 9555.6175, subpart 3, item A.

Previous licensing actions

The following violations summarize the nature of your previous licensing violations. Because these violations are now conclusive, the individual violations are not within the scope of your appeal rights. Please refer to the previously issued correction orders for further details on these violations. If you do not have copies of these orders, contact your county licensor for assistance. DHS also considered this history as a factor when it determined that revocation of your license is appropriate.

- October 20, 2023, HCBS Order of Conditional License, which cited 17 violations. Violations of concern include:
 - You did not provide services in compliance with the requirements of Chapter 245D.
 - You did not meet the requirements for the completion of the assessments for persons served.
 - You did not maintain service recipient records.
 - You did not meet service planning requirements.
 - You did not provide required orientation and annual training to staff persons.
 - You did not establish, enforce, and maintain policies and procedures related to health and welfare.
- March 25, 2024, AFC Correction Order, which cited two violations. One violation is a repeat violation. Violations of concern include:
 - You did not report when a person served was discharged from your home, under Minnesota Rules, part 9555.6175, subpart 3.
- February 29, 2024, AFC Correction Order, which cited six violations. Violations of concern include:
 - Home sanitation and health violations, under Minnesota Rules, part 9555.6225.
 - Water temperature violation, under Minnesota Statutes, section 245D subdivision 1.
- August 27, 2024, HCBS Amended Correction Order, which cited four violations, three were repeat violations. Violations of concern include:
 - You did not provide required orientation, under Minnesota Statutes, section 245A.65, subdivision 1.

- You did not meet service planning requirements, under Minnesota Statutes, section 245D.071, subdivision 5.
- You did not establish, enforce, and maintain policies and procedures related to health and welfare.

Severity of violations

Many of the violations relate to the health, safety, and rights of persons served. DHS also considered the severity of these violations when it determined that revocation of your license is appropriate.

Due to the serious and chronic nature of these violations and the conditions in the program, which impact the health, safety, and rights of persons served in your care, your licenses to provide adult foster care and home and community-based services are revoked.

YOUR RIGHT TO APPEAL

You have the right to appeal the revocation. Your request must be in writing and clearly state that you are requesting a contested case hearing for this matter. Your request must be made before the deadlines provided below. If you do not meet this deadline, you lose your right to an administrative appeal. The timeline to appeal began when you received this order.

If you are mailing your request, it must be sent by certified mail and postmarked within 10 calendar days from when you received this order. Please send it to:

Commissioner, Department of Human Services
Office of Inspector General
Legal Counsel's Office
Attention: Licensing Legal Unit
PO Box 64953
St. Paul, MN 55164-0953

If your request is being personally delivered, it must be received by DHS within 10 calendar days from when you received this order. Please bring it to:

Commissioner, Department of Human Services
Office of Inspector General
Legal Counsel's Office
Attention: Licensing Legal Unit
444 Lafayette Road North
St. Paul, MN 55155

Upon DHS' receipt of your timely appeal, your case would be scheduled for a contested case hearing in front of an Administrative Law Judge. Following this hearing, the Commissioner of DHS will issue a final order. If you do not appeal or if the order is affirmed by the Commissioner following a hearing, DHS is prohibited from issuing you a license for five years. In addition, any additional licenses held by you shall also be revoked.

Legal representation at the contested case hearing:

You do not need a lawyer to appeal. However, a lawyer can help you with your appeal. The state or county will not get you a lawyer and will not pay for a lawyer. If you cannot afford a lawyer, you may be able to get free legal advice or help with your appeal. To find out if free help is available, contact: Volunteer Lawyers Network at 612-752-6677; Central Minnesota Legal Services at 612-332-8151; Southern Minnesota Legal Services at 651-222-4731; or go to www.lawhelpmn.org to find a local legal services program that may be able to help you.

You can also find information on contested cases from the Office of Administrative Hearings website at <https://mn.gov/oah/self-help>. Click on Administrative Law Overview, then click on Administrative Law Contested Case Hearing Guide for a list of frequently asked questions.

Operating the program pending the outcome of the appeal:

If you file an appeal within the timeframes described above, you may continue to operate pending the outcome of your appeal. If you continue to operate, you must do so in full compliance with all licensing laws and rules. Failure to follow a law or rule that may impact the health or safety of people served by your program could result in the immediate suspension of your license. If you continue to operate pending the outcome of your appeal, in addition to the compliance with all applicable statutes and rules, you must comply with the following conditions:

1. You must notify current persons receiving services and all payer sources of this Order of License Revocation. The notification must be approved by DHS Licensing prior to being sent to persons receiving services and all other parties. The notification must specify the reasons your license was revoked, and it must include a copy of the Order of License Revocation. You must comply with the following deadlines:
 - Within 20 days of the date of this Order of License Revocation, you must receive approval of the draft of your notice from your licensor.
 - Within 30 days of the date of this Order of License Revocation, you must notify current persons receiving services and payer sources of the Order of License Revocation.
 - Within 40 days of the date of this Order of License Revocation, you must submit a list of the individuals and parties that received the notice to your licensor.

Submissions required as part of this term must be sent to your HCBS Licensor and AFC Licensor:

by secure email at: desiree.b.tiller@state.mn.us; or

send fax to:

651-431-7673

ATTN: Desiree Tiller, HCBS Licensor

and

by secure email at: frances.davenport@co.clay.mn.us

2. As of the date of this order, you may not:
 - admit new participants to your program;
 - be granted variances; or
 - add services to your HCBS license.

Legal authority for this licensing action

- This action is taken under Minnesota Statutes, section 245A.07, subdivision 3, which describes under which conditions DHS may revoke a license.
- Under Minnesota Statutes, section 245A.04, subdivision 7, paragraph (d), clause (3), the commissioner shall not issue or reissue a license if the applicant, license holder, or controlling individual has had a license issued under this chapter revoked within the past five years.
- Under Minnesota Statutes, section 245A.04, subdivision 7, paragraph (d), clause (5), when a license issued under this chapter is revoked under clause (1) or (3), the license holder and controlling individual may not hold any license under chapter 245A for five years following the revocation, and other licenses held by the applicant, license holder, or controlling individual shall also be revoked.

Questions

If you have any further questions regarding this matter, you may contact Tawnya Arueya, Supervisor, at 651-201-5571.

Sincerely,

A handwritten signature in black ink on a light-colored background. The signature is cursive and appears to read "Christala Culhane".

Christala Culhane, Unit Manager
Licensing Division
Office of Inspector General

cc: Frances Davenport, Clay County Social Services