

ASSISTED LIVING CONCEPTS INC

Form 8-K

August 07, 2012

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**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**

WASHINGTON, D.C. 20549

**FORM 8-K**

**CURRENT REPORT**

Pursuant to Section 13 or 15(d) of the

Securities Exchange Act of 1934

Date of report (Date of the earliest event reported) August 2, 2012

**Assisted Living Concepts, Inc.**

(Exact Name of Registrant as Specified in Its Charter)

Nevada  
(State or Other Jurisdiction)

001-13498  
(Commission)

93-1148702  
(IRS Employer)

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Of Incorporation)

File Number)

Identification No.)

W140 N8981 Lilly Road, Menomonee Falls, Wisconsin 53051

(Address of Principal Executive Offices) (Zip Code)

(262) 257-8888

(Registrant's Telephone Number, Including Area Code)

(Former Name or Former Address, if Changed Since Last Report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- .. Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- .. Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- .. Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- .. Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

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Item 8.01. Other Events

SIGNATURE

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**Item 8.01 Other Events**

On August 2, 2012, Assisted Living Concepts, Inc. (the Company) was informed by the United States Securities and Exchange Commission (the SEC) that the SEC staff is conducting an investigation relating to the Company. As part of this investigation, the SEC issued a subpoena to the Company. The subpoena requires the Company to produce documents on a number of topics, including, among others, compliance with occupancy covenants in the now-superseded lease with Ventas Realty, Limited Partnership and leasing of units for employee use. The Company intends to cooperate fully with the SEC in its investigation.

*Statements contained in this filing other than statements of historical fact, including statements regarding anticipated financial performance, business strategy and management's plans and objectives for future operations, including management's expectations are forward-looking statements. Forward-looking statements generally include words such as expect, point toward, intend, will, indicate, anticipate, believe, estimate, plan, strategy or objective. Forward-looking statements are subject to risks and uncertainties that could cause actual results to differ materially from those expressed or implied. In addition to the risks and uncertainties referred to in the release, other risks and uncertainties are contained in the Company's filings with the SEC. All forward looking statements contained in this report are estimates reflecting the best judgment of the party making such statements based upon current information. The Company assumes no obligation to update any forward-looking statement.*

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**SIGNATURE**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned, hereunto duly authorized.

Date: August 7, 2012

By: /s/ John Buono  
John Buono  
Senior Vice President,  
Chief Financial Officer & Treasurer