



McDonald  
Vague

business recovery partners

## Hayfield SHA Limited (In Liquidation)

### Liquidators' Second Report For the period from 5 April 2019 to 4 October 2019

McDonald Vague Limited

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#### 1 INTRODUCTION AND APPOINTMENT

Boris van Delden and Peri Micaela Finnigan, CAANZ Accredited Insolvency Practitioners, of Auckland, were appointed jointly and severally as liquidators of Hayfield SHA Limited ("the company") on 5 April 2019.

On 4 April 2019, Andrew John McKay and Andrew James Bethell of BDO Auckland, were appointed joint and several receivers and managers of the company pursuant to a General Security Agreement ("GSA") dated 10 December 2018. The receivers retired on 5 July 2019 having paid the appointing creditors in full.

Pursuant to Section 255(2)(d) of the Companies Act 1993 ("the Act"), the liquidators herewith report on the progress of the liquidation. This second report should be read in conjunction with the liquidators' previous report. This report is being sent to all shareholders and all creditors who have filed a claim in the liquidation.

A Statement of Realisations and Distributions is **attached**.

#### 2 RESTRICTIONS

Whilst all care and attention has been taken in compiling this report, we do not accept any liability whatsoever to any party as a result of the circulation, publication, reproduction or use of this report.

We reserve the right (but are under no obligation) to review and, if we consider necessary, revise this report in respect of any information existing at the date of this report which becomes known to us after that date.

#### 3 CONDUCT OF THE LIQUIDATION DURING THE PRECEDING SIX MONTHS

##### *Asset Realisations*

##### **3.1 Debtors**

**(Statement of Affairs: \$2,412,028)**

The liquidators have issued several demands for payment from the outstanding landowners. To date, the liquidators have collected \$261,901.

The liquidators assisted the Receivers while they were in office with their debtor collections. They collected approximately \$1,075,000 in receivables.

### **3.2 Closure of Company Bank Account** **(Statement of Affairs: \$22,797)**

The liquidators closed the ANZ bank accounts and the ANZ Bank transferred \$22,757 into the liquidators' trust account.

### **3.3 Cash on Hand – Receiver**

The receivers received funds totalling \$611,959 from the company solicitors on their appointment. After paying the amount due to the secured creditors from debtors and bank balances, the receivers transferred \$270,000 to the liquidators.

### **3.4 Retentions on Hand – Receiver**

The receivers received \$174,364 from the company solicitor in relation to retentions held on behalf of a creditor. On resignation of the receivers those funds have also been transferred to the liquidators' trust account.

### **3.5 Tax Refund** **(Statement of Affairs: \$7,647)**

The liquidators are currently finalising the financial accounts of the company which is likely to result in a tax refund of \$7,647.

### **3.6 Solicitors Trust Account** **(Statement of Affairs: \$256,686)**

The company solicitors repaid advances to the secured creditors which has been held in trust for them.

### **3.7 Interest Received**

During the course of the receivership and liquidation, Interest has been earned on funds sitting in the interest-bearing accounts.

### **3.8 Interest Received – Landowners**

The receivers and liquidators have collected penalty interest totalling \$52,148 in relation to overseas landowner accounts.

## **4 INVESTIGATIONS**

The liquidators are currently dealing with a wide range of issues with a view to resolving those matters, with the involvement of landowners, for all creditors.

## **5 CREDITORS' CLAIMS**

### **5.1 Secured Creditors**

The secured creditors totalling approximately \$1,403,000, have been paid in full by the receivers.

### **5.2 *Preferential Creditors***

While no preferential claims have yet been received from the Inland Revenue Department the liquidators are aware that there is an outstanding GST return yet to be filed which will result in a preferential claim in relation to GST totalling approximately \$92,000.

### **5.3 *Unsecured Creditors***

As at the date of preparing this report ten unsecured creditors claim forms have been received which total \$5,146,854. The liquidators have been engaging with the creditors in relation to accepting or rejecting their claims in the liquidation.

## **6 FUNDS / LIKELY OUTCOME**

It seems likely that there will be a distribution to unsecured creditors.

## **7 MATTERS DELAYING THE COMPLETION OF THE LIQUIDATION**

The following matters are outstanding:

- Collection of outstanding debtors
- Accepting or rejecting creditor claims
- Distribution
- Remaining funding resolution
- Costs to complete
- Completion of liquidation

## **8 ESTIMATED DATE OF COMPLETION**

Based on the information contained in this report the liquidators presently propose to complete all outstanding matters with a view to retiring as liquidators within the next year.

## **9 CONTACT DETAILS**

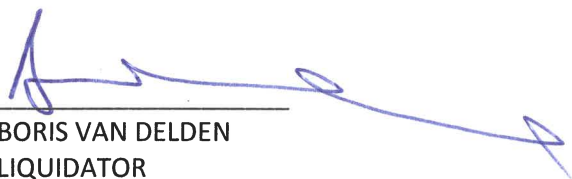
Enquiries should be directed to the writer on DDI (09) 306 3342 or by email to [bvandelden@mvp.co.nz](mailto:bvandelden@mvp.co.nz).

The Liquidators can be contacted at:



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BORIS VAN DELDEN  
LIQUIDATOR

DATED this 7<sup>th</sup> day of November 2019

# Realisations and Distributions

## Hayfield SHA Limited (In Receivership & In Liquidation) 5 April 2019 to 4 October 2019

Realisations	As Per Statement of Affairs \$	Cash Received \$
Cash on Hand – Receiver		611,969
Retentions on Hand – Receiver	2,412,028	174,364
Ellis Gould Trust Account	256,686	241,629
Debtors - Receiver	-	899,323
ANZ Bank	22,797	22,757
Debtors – Liquidator	-	261,901
Tax Refund	7,647	Nil
Interest Received	-	3,051
Interest Received – Landowners	-	52,148
<b>Total Realisations</b>	<b>\$2,699,158</b>	<b>\$2,267,142</b>
<b>Payments</b>		
<b>Receivers and Liquidators Fees</b>		
Receivers Fees		39,828
Receivers Legal Fees		46,536
Liquidators Fees		113,701
Disbursements		422
<b>Total Liquidators Fees</b>		<b>\$200,487</b>
<b>Other Costs of Liquidation</b>		
H & G Costs		62,525
Building Disputes Tribunal		28,000
Residents Withholding Tax on Interest		204
<b>Total Costs of Liquidation</b>		<b>\$90,729</b>
<b>Distributions</b>		
Secured Creditor		1,348,839
Secured Creditor – Interest Paid		93,041
<b>Total Distributions to Secured Creditor</b>		<b>\$1,441,880</b>
<b>Total Payments</b>		<b>\$1,733,096</b>
<b>BALANCE HELD</b>		<b>\$534,046</b>

Note: the above figures are GST exclusive