



McDonald
Vague

business recovery partners

Hayfield SHA Limited (In Liquidation)

Liquidators' Third Report for the period from 5 October 2019 to 4 April 2020

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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 third report should be read in conjunction with the liquidators' previous reports. 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 assisted the Receivers while they were in office with their debtor collections. They collected approximately \$1,075,000 in receivables.

The liquidators have issued several demands for payment from the outstanding landowners. To date, the liquidators have collected \$261,901 plus interest of \$52,148. Further funds are due but there are disputes to resolve.

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 of \$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 the secured creditors advances which had been held in trust for them.

3.7 Interest Received

During the course of the receivership and liquidation, Interest has continued to be earned on funds held.

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, and the major creditors in order to resolve the situation for all creditors, and landowners.

5 CREDITORS' CLAIMS

5.1 Secured Creditors

Secured creditors debts of approximately \$1,441,890 (incl Interest) 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 of 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.

The Liquidators can be contacted at:

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BORIS VAN DELDEN
LIQUIDATOR

DATED this 24th day of June 2020

Realisations and Distributions

Hayfield SHA Limited (In Receivership & In Liquidation) 5 April 2019 to 4 April 2020

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
Interest Received	-	4,860
Interest Received – Landowners	-	52,148
Total Realisations	\$2,699,158	\$2,268,951
Payments		
Receivers and Liquidators Fees		
Receivers Fees		39,828
Receivers Legal Fees		56,018
Liquidators Fees		232,653
Disbursements		575
Total Liquidators Fees		\$329,074
Other Costs of Liquidation		
Candor3 Costs		3,328
H & G Costs		69,545
Building Disputes Tribunal		107,451
Fence Site Rental		481
Residents Withholding Tax on Interest		626
Total Costs of Liquidation		\$181,431
Distributions		
Secured Creditor		1,348,839
Secured Creditor – Interest Paid		93,041
Preferential GST and PAYE		100
Total Distributions to Secured Creditor		\$1,441,980
Total Payments		\$1,952,485
Retentions Held in Trust		
BALANCE General funds HELD		\$316,466

Note: the above figures are GST exclusive