



McDonald  
Vague

business recovery partners

## KSJ Construction Limited (In Liquidation)

### Liquidators' Eleventh Report to Creditors and Shareholders For the period from 7 February 2022 to 6 August 2022

McDonald Vague Limited  
Level 136 Green Lane East  
Greenlane  
Auckland 1051

P O Box 6092  
Victoria Street West  
Auckland 1142  
New Zealand

p: 09 303 0506  
f: 09 303 0508

e: [insol@mvp.co.nz](mailto:insol@mvp.co.nz)  
[www.mvp.co.nz](http://www.mvp.co.nz)

#### 1 INTRODUCTION AND APPOINTMENT

Iain McLennan and Boris van Delden, Licensed Insolvency Practitioners, of Auckland, were appointed joint and several liquidators of KSJ Construction Limited ("the company") on 7 August 2017.

Pursuant to Section 255(2)(d) of the Companies Act 1993 ("the Act"), the liquidators are reporting on the progress of the liquidation. This eleventh 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 arising from 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 but that becomes known to us after that date.

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

##### *Asset Realisations*

##### **3.1 Accounts Receivable, Retentions**

There are retentions held in respect of work completed by the company prior to its liquidation. The liquidators are seeking the release of these retentions from the parties holding the retentions as and when they fall due for release. The parties holding the retentions maintain that the defects liability periods continue to run on some projects.

#### 4 INVESTIGATIONS

The liquidators' investigations into the books, records, and affairs of the company have been completed. The liquidators are satisfied that there are not matters that, if pursued, are likely to lead to a recovery for the benefit of the company's creditors.

#### 5 CREDITORS' CLAIMS

No distributions were paid during the reporting period. Distributions to date are as follows:

CLAIMS RECEIVED	NUMBER	VALUE	DISTRIBUTED
Secured Claims	5	\$453,266	\$293,094
Employee Preferential Claims	23	\$131,814	\$75,285
IRD Preferential	1	\$335,603	\$6,944
Unsecured Claim	24	\$367,067	NIL

In the interests of minimising liquidators' fees, the liquidators will not attend to the formality of accepting or rejecting creditors' claims until such time as we are in a position to pay a distribution to that group of creditors.

#### 6 FUNDS / LIKELY OUTCOME

The liquidators anticipate there will be a shortfall on the amount due to preferential creditors.

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

The following matters are outstanding:

- Release of and collecting retentions
- Preparing final GST return, including claiming GST on any remaining debtor write-offs
- Making final distribution to creditors, if any
- Finalising liquidation and retiring as liquidators

#### 8 ESTIMATED DATE OF COMPLETION

It is too early to estimate the date of completion of this liquidation.

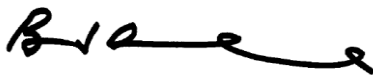
#### 9 CONTACT DETAILS

Enquiries should be directed to Colin Sanderson on DDI (07) 838 0908 or by email to [CSanderson@mvp.co.nz](mailto:CSanderson@mvp.co.nz).

The Liquidators can be contacted at:

McDonald Vague Limited  
Level 1  
136 Green Lane East  
Greenlane  
Auckland 1051

McDonald Vague Limited  
P O Box 6092  
Victoria Street West  
Auckland 1142



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BORIS VAN DELDEN  
LIQUIDATOR

DATED this 30<sup>th</sup> day of August 2022

# Realisations and Distributions

## KSJ Construction Limited (In Liquidation) 7 August 2017 to 6 August 2022

### Realisations

Bank Account Closure	1,327
Cash on Hand	141
Staff Loan repayment	995
Pre-Liquidation Debtors	121,043
Shareholder's Current Account	19,061
Interest	567
Sale of Motor Vehicle	317,352
Sale of Other Assets	3,655
Refund from IRD	489
<b>Total Realisations</b>	<b>\$464,631</b>

### Payments

#### Liquidators Fees

Liquidators Fees	71,268
Disbursements	1,906
<b>Total Liquidators Fees</b>	<b>\$73,173</b>

#### Other Costs of Liquidation and Trading On

Insurance	4,122
Cost of Sale – Company Assets	9,249
Cost of Sale – Shareholder's Current Account	1,258
Interest	41
Resident Withholding Tax on Interest	158
<b>Total Costs of Liquidation and Trading On</b>	<b>\$14,829</b>

### Distributions

Bank – Set off	1,306
Secured Creditors	293,094
Employees – Preferential Wages and Holiday Pay	75,285
IRD – Preferential Employee Deductions	6,633
IRD – Preferential GST, PAYE, etc	310
<b>Total Distributions to Creditors</b>	<b>\$376,629</b>
<b>Total Payments</b>	<b>\$464,631</b>

### BALANCE HELD

**\$NIL**

#### Notes:

1. Due to rounding, figures made not add up precisely
2. All figures are GST exclusive