



McDonald
Vague

business recovery partners

CRAFTED DECKS AND FENCES LIMITED (IN LIQUIDATION)

McDonald Vague Limited
Level 10, 33 Federal Street,
Auckland Central

PO Box 6092, Victoria Street West,
Auckland 1142, New Zealand

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www.mvp.co.nz

Liquidators' First Report

TO: The directors, shareholders and known creditors of the company

1 INTRODUCTION AND APPOINTMENT

Crafted Decks and Fences Limited (In Liquidation) ("the company") was placed into liquidation by a special resolution of the shareholders of the company pursuant to Section 241(2)(a) of the Companies Act 1993 ("the Act") on 10 February 2022 at 7:30 a.m. Peri Micaela Finnigan (Licence No: IP17) and Keaton Pronk (Licence No: IP107), Licensed Insolvency Practitioners, of Hamilton and Auckland, were appointed as joint and several liquidators of the company.

2 RESTRICTIONS

In preparing this report and its appendices, we have relied on information provided to us. We have not independently verified or audited that information. 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, amend this report to take into account any information existing at the date of this report that becomes known to us after this report is published.

3 INDEPENDENCE

A declaration of independence is attached at Appendix 2. We are not aware of any real or perceived conflicts of interest or risks to our independence. We have no previous relationship with and have not previously acted for the company or its directors and shareholders.

4 ATTACHMENTS

The following documents are attached to this report:

Appendix 1: Statement of Affairs

- Appendix 2: Declaration of independence, relationships, indemnities, and upfront payment
- Appendix 3: Schedule of creditors' names and addresses
- Appendix 4: Notice of liquidators' decision to dispense with meeting of creditors
- Appendix 5: Notice to creditors to prove debts or claims
- Appendix 6: Creditors claim form

5 COMPANY STRUCTURE AND BACKGROUND

Date of incorporation:	19 January 2021	
Company number:	8151029	
New Zealand Business Number:	9429048904520	
Date ceased trading:	9 February 2022	
Nature of business:	Fencing and Decks	
Trading address:	6 Lovelock Avenue, Mount Eden, Auckland	
Number of shares:	100	
Shareholders:	Oscar Brewer	50
	Adam Hickson	50
Directors:	Oscar Brewer	
	Adam Hickson	
Related companies:	None known	

The directors have advised that delays in starting and completing contracts, contract disputes, labour shortages, and increases in the price of materials caused the company to have cashflow issues. When the company's forecasts showed that the company could not trade out of its cashflow difficulties, the shareholders resolved to put the company into liquidation.

6 STATEMENT OF AFFAIRS

A Statement of Affairs showing the company's estimated financial position as at the date of our appointment, compiled from the company's books and records and the information provided to us as at the date of this report, is provided at Appendix 1.

7 ASSETS AND PROPOSED ACTIONS IN THE LIQUIDATION

The company had vehicles and fixed assets as at the date of liquidation. The liquidators are working with the company's secured creditor and directors to realise those assets. At the time of preparing this report, the liquidators anticipate that these assets will be dealt with by end of March 2022.

The company also has an extant insurance claim relating to a company vehicle. The liquidators are working with the insurance company and the secured creditor to resolve this claim. On the information currently to hand, the liquidators anticipate that this insurance claim will be resolved by the end of March 2022.

We will complete a thorough review of the company's books, records and affairs to:

- ensure that all assets have been properly accounted for;
- determine whether there are any other avenues of recovery that would result in a benefit to the company's creditors; and
- determine whether the company's officers have properly carried out their duties.

We will then consider whether any action is merited and, if so, what actions (if any) are appropriate and whether pursuing that claim is likely to result in a net recovery for the company's creditors.

If there are funds available for distribution to any class of creditors, we will verify that class' creditors' claims and make a distribution to creditors with accepted claims. We will then complete the liquidation and request that the Registrar of Companies remove the company from the register.

8 LIABILITIES AND CALL FOR CREDITOR CLAIMS

The liquidators have compiled a schedule of the company's creditors and their addresses as required by Section 255(2)(c) of the Act, which is at Appendix 3. The schedule has been compiled from company records and information provided to the liquidators at the time of preparing this report. The schedule may not list all of the company's creditors and all of the parties listed on the schedule may not be creditors of the company.

There are no known contingent creditors.

We have been advised that proceedings were filed against the company prior to its liquidation. From the date and time of the company's liquidation, court proceedings against a company are automatically stayed and can only be continued with the consent of the liquidators, or an order from the High Court, per section 248(1)(c) of the Companies Act 1993. The liquidators have not consented to any proceedings against the company continuing. Any party who has filed a proceeding against the company is entitled to file that claim in the liquidation of the company by completing a creditor's claim form.

A notice to creditors to prove debts or claims is provided at Appendix 5 and an unsecured creditor's claim form is provided at Appendix 6. If you are an unsecured creditor and you wish to lodge a claim in the company's liquidation, please complete the unsecured creditor's claim form then return the completed form together with supporting documentation to our offices by 24 March 2022. Creditors who submitted their claims before the circulation of this report do not need to resubmit their claims. Creditors that have not submitted their completed creditor's claim form by this date may be excluded from any distribution made.

If you believe that you are a secured creditor, you should not complete the unsecured creditor's claim form. Please contact us and request that a secured creditor's claim form be sent to you.

8.1 Secured Creditors

As at the date of liquidation, two financing statements were registered against the company on the Personal Property Securities Register in favour of Heartland Bank Limited (Heartland) against two vehicles owned by the company. We have been advised that Heartland was owed approximately \$100,000 as at the date of liquidation. It is too early to advise whether there will be a shortfall owing to Heartland following realisation of their securities.

Personal Property Securities Act / Reservation of Title

If you have not registered a financing statement on the PPSR and you believe you have:

- a Purchase Money Security Interest entitling them to any goods in the possession or control of the company and/or proceeds from the realisation of those goods; and/or
- a Reservation of Title over goods;

you should contact us immediately.

8.2 Preferential Creditors

We are in the process of determining whether there are any unpaid wages, holiday pay, or redundancy pay owing to the company's former employees.

The Inland Revenue Department (**IRD**) has advised that approximately \$54,000 is owed in respect of GST, PAYE and other payroll deductions, and small business loan. Not all of the amounts owing to the IRD are preferential.

8.3 Unsecured Creditors

The liquidators have been contacted by a number of the company's creditors and, to date, the liquidators have received unsecured creditors claims from customers and subcontractors totalling approximately \$300,000. Further creditors have contacted us but have not yet completed and returned their claim forms. The amount owed to unsecured creditors is not clear from the company's books and records held by the liquidators. The liquidators' next report will provide further information about the claims received to the cut off date of that report.

9 CREDITORS' MEETING / LIQUIDATION COMMITTEE

A notice of the liquidators' decision to dispense with the meeting of creditors is provided at Appendix 4.

Any creditor or shareholder may, at any time in the course of the liquidation, request that the liquidators call a meeting pursuant to Section 314 of the Companies Act 1993 for the purpose of appointing a liquidation committee. Any request for a meeting must be submitted to the liquidators in writing.

10 FURTHER INFORMATION

If you are aware of any information that would assist the liquidators, please set the details out in writing, attach any supporting evidence, and send it to us. Please note that it can be difficult for liquidators to act in reliance on information that is not provided in writing.

If any creditor wishes to receive the six-monthly reports by email as and when they are published, please ensure that an email address is provided on your creditors' claim form. Only creditors who submit claims will receive the liquidators' six-monthly reports.

This report and all subsequent reports will be available on the Companies Office website and on the liquidators' website at <http://www.mvp.co.nz>, listed under "cases".

11 ESTIMATED DATE OF COMPLETION

It is too early to estimate the likely date this liquidation will be completed. The liquidators anticipate being able to provide a better indication of when the liquidation will be completed in their next report.

12 CONTACT DETAILS

Enquiries should be directed to Marisa Brugeyroux on DDI +64 (9) 306 3340 or by email to mbrugeyroux@mvp.co.nz.

The Liquidators can be contacted at:

McDonald Vague Limited
Level 10
33 Federal Street
Auckland 1010

P O Box 6092
Victoria Street West
Auckland 1142



Peri M Finnigan
LIQUIDATOR (Licence No: IP17)

Dated this 17th day of February 2022

CRAFTED DECKS AND FENCES LIMITED (IN LIQUIDATION)

Statement of Affairs as at 10 February 2022

Statement of affairs for the company as at the date of liquidation showing assets at their estimated realisable value and liabilities expected to rank.

ASSETS SPECIFICALLY PLEDGED	<i>Estimated to Realise</i>	<i>Due to Secured Creditor</i>	<i>Deficiency Ranking as Unsecured</i>	<i>Surplus</i>
2007 Suzuki Swift - Heartland Bank Limited	TBC	6,549	TBC	TBC
2016 Mercedes G Wagon - Heartland Bank Limited	TBC	94,164	TBC	TBC
Range Rover - TBC	TBC	TBC	TBC	TBC
2008 Toyota Hilux - Financial Holdings	TBC	TBC	TBC	TBC
<i>Estimated surplus/shortfall on specifically pledged assets</i>	TBC	TBC	TBC	TBC
ASSETS AVAILABLE FOR PREFERENTIAL CREDITORS			<i>Book Value</i>	<i>Estimated to Realise</i>
Accounts receivable			TBC	TBC
Bank account balances as at DOL			657	657
Total			TBC	TBC
<i>Less preferential creditors</i>				
Employees				TBC
Inland Revenue Department				40,000
Total				TBC
<i>Estimated surplus/shortfall to preferential creditors</i>				
ASSETS AVAILABLE FOR GENERAL SECURITY AGREEMENT HOLDER/S			<i>Book Value</i>	<i>Estimated to Realise</i>
Estimated surplus from assets specifically pledged				Unknown
Estimated surplus following payment to secured creditors				unknown
Computers and electronics			9,982	TBC
Total			9,982	Unknown
LESS GENERAL SECURITY AGREEMENT HOLDER(S)				
None known				NIL
Total				NIL
<i>Estimated surplus/shortfall to GSA holder</i>				
Less shortfall owing to secured creditors				TBC
<i>Estimated surplus/shortfall to secured creditors</i>				TBC

Appendix 1

AVAILABLE FOR UNSECURED CREDITORS

TBC

LESS UNSECURED CREDITORS

Claims submitted as at the date of this report

300,636

IRD unsecured claim

14,000

Estimated surplus/shortfall

TBC

Notes:

1. There is no unpaid capital liable to be called up.
2. The above estimates are subject to the costs of the liquidation.
3. Assets held may be subject to Purchase Money Security Interest ("PMSI") or Reservation of Title claims.
4. Assets may be subject to unregistered security interests.

Disclaimer of Liability:

The information contained in the Statement of Affairs has been supplied by the incorporated society. We have not verified the information supplied. The Statement of Affairs has been prepared for the purpose of the liquidation and we do not accept any responsibility on any grounds whatsoever, including liability in negligence, to any party.

CRAFTED DECKS AND FENCES LIMITED (IN LIQUIDATION)

Declaration of Independence, Relationships, Indemnities, and Upfront Payments

A DECLARATION OF INDEPENDENCE

- (i) The appointed and McDonald Vague Limited have undertaken a proper assessment of the potential risks to their independence prior to accepting appointment, as required by the code of conduct and applicable professional standards. We have no prior business or professional relationship with the insolvent or its directors and shareholders. We have concluded that we are independent and that we have no prior business or professional relationship with the insolvent that poses a real or potential risk to our independence.

B DECLARATION OF RELATIONSHIPS

- (ii) The appointed and McDonald Vague Limited have no prior business or professional or personal relationship with known associates of the insolvent or with the major secured creditors that are a real or potential risk with the exception and to the extent of:

<u>Name</u>	<u>Relationship</u>	<u>Reason</u>
Heartland Bank Limited	Business Relationship	MVP deals with the bank on other insolvency matters.
KiwiBank Limited	Business Relationship	MVP deals with the bank on other insolvency matters.

- (iii) The appointed disclose there are no other relevant relationships to declare.
- (iv) The appointed and McDonald Vague Limited have not provided any prior professional services to the insolvent or known associates of the insolvent in the two years leading up to the liquidators' appointment.

C DECLARATION OF INDEMNITIES AND UPFRONT PAYMENTS

- (v) We did not receive any upfront payment from the company or its directors and shareholders. The company's shareholders have agreed that, in the event that the net realisations from the company's assets and any third-party funding received is less than \$5,000 plus GST, they will contribute the difference between the net amount received by the liquidators and the liquidators initial fees and expenses associated with the appointment of \$5,000 plus GST. There is no condition on the conduct or outcome of the liquidation attached to the indemnity provided by the company's shareholders.



Peri M Finnigan
LIQUIDATOR

Dated this 17th day of February 2022

Appendix 3

CRAFTED DECKS AND FENCES LIMITED (IN LIQUIDATION)

Schedule of Creditors' Names and Addresses

Pursuant to Section 255(2)(c) of the Companies Act 1993

Note: Individuals' personal details have been withheld in accordance with the Privacy Act 1993

Creditor Name	Address 1	Address 2	Address 3	Address 4	Postcode
Accident Compensation Corporation	PO Box 242	Wellington			6011
Amanda Leef					
Anne Taylor					
Ansie Prinsloo C/- Con Prinsloo					
Anya Dodoka					
Cecilia Gouws					
Craig and Sue Hancock					
Craig Margolius					
David Merriman					
Donna Franks					
Elizabeth Roud					
Elmarie van Rensburg					
Generation Builders Limited	c/- Apollo Accounting	222 Dairy Flat Highway	Albany	Auckland	1632
Heartland Bank Limited	PO Box 9919	Newmarket	Auckland		1149
Helium NZ Limited	136 Howard Road	RD 5	Papakura		2585
Heredium Limited	Suite 502 Achilles House	8 Commerce Street	Auckland Central	Auckland	1010
Inland Revenue Department	PO BOX 39010	Wellington Mail Centre	Lower Hutt		5045
James Percy					
Jane McRae and Peter Webb					
Janine Smillie and Jeremiah Taylor					
Jason Borich					
John Barnett					
John Feeley					
Justin Peter Edgar					
Kennerley & Co					

Appendix 3

Kevin Sinclair
Mairi Herbert
Marlene
Michel Arai
Michelle and Garth Coffey
Paul Leulusoo
Pranjali Shrivastava
Rafael Garcia
Sarah-Lee Stead
Simon and Maribel Vazey
Spencer Stoner
Statewide Contractors
The Bolton Street Trust
Toby Parsons
Warwick Mills
Wei-Chung (Matthew) Huang
Xiao Xi (Phoebe) Chen
Z Energy

PO Box 2091

Wellington

6140

Notice of Liquidators' Decision to Dispense with Meeting of Creditors

After having regard to the assets and liabilities of Crafted Decks and Fences Limited (In Liquidation) and the likely result of the liquidation, the liquidators propose to dispense with holding a meeting of creditors pursuant to Section 245 of the Companies Act 1993.

The liquidators do not, however, wish to preclude creditors from expressing their views. Please contact Marisa Brugeyroux of this office on DDI +64 (9) 306 3340 or mbrugeyroux@mvp.co.nz if you have any specific enquiries.

If you wish to request that a creditor's meeting be called, notice in writing is required within 10 working days of receiving this notice. Your notice you must also state the reason you require a meeting so that an agenda can be prepared and circulated to creditors and creditors can be given the opportunity to vote on any proposed resolutions by voting letter.



Peri M Finnigan
LIQUIDATOR

Dated this 17th day of February 2022

Appendix 5

IN THE MATTER of The Companies Act 1993

and

IN THE MATTER of Crafted Decks and Fences Limited (In Liquidation)

Notice to Creditors to Prove Debts or Claims

Notice is given that the liquidator of Crafted Decks and Fences Limited (In Liquidation) ("the company"), fix 24 March 2022, as the day on or before which the company's creditors are to make their claims and establish any priority their claims may have under Section 312 of the Companies Act 1993. Creditors not having made a claim by this date may be excluded from any distribution made.



Peri M Finnigan
LIQUIDATOR

Dated this 17th day of February 2022

ADDRESS OF LIQUIDATOR

McDonald Vague Limited
Level 10
33 Federal Street
Auckland 1010

P O Box 6092
Victoria Street West
Auckland 1142

Telephone: +64 (9) 303 0506
Facsimile: +64 (9) 303 0508
Website: <http://www.mvp.co.nz>

DATE OF LIQUIDATION: 10 February 2022



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business recovery partners

McDONALD VAGUE LIMITED

PO Box 6092, Wellesley St, Auckland 1141, New Zealand. Telephone 0-9-303 0506, Facsimile 0-9-303 0508

Unsecured Creditor's Claim

(Also for use by Preferential Creditors)

SECTION 304(1) COMPANIES ACT 1993
(For help see www.mvp.co.nz or email claims@mvp.co.nz)

NAME AND POSTAL ADDRESS OF CREDITOR IN FULL

Telephone Numbers: ()
()

E-Mail

My Reference is:
(if applicable)

* Any personal information collected is for the purpose of administering the liquidation in accordance with the Companies Act 1993.

The information will be used and retained by the liquidators and McDonald Vague and will be released to other parties only with your authorisation or in compliance with the Privacy Act 1993.

Under Section 304(1) of the Companies Act 1993 any claim by an unsecured creditor against a company in liquidation must be in this prescribed form and must -
(a) Contain full particulars of the claim; and
(b) Identify any documents that evidence or substantiate the claim.

You may have access to and request correction of any personal information.

(*Not applicable, if creditor is not an individual within the meaning of the Privacy Act 1993.)

NAME OF COMPANY IN LIQUIDATION:

(IN LIQUIDATION)

I _____
(If claim is made on behalf of creditor, specify relationship to creditor and authority)
claim that the company was at the date it was put into liquidation indebted to the abovenamed creditor for the sum of (Amount in words):

STATUS OF CLAIM:

1. I am an unsecured creditor for
(Also applicable to secured creditors who hereby surrender their security)

\$

2. I am a preferential creditor for
(Refer details on reverse)

\$

3. I am an unsecured creditor for
(State currency if other than \$NZ)

Other
Currency

NZ \$

4. I have claimed retention/reservation of title rights pursuant to rights held by me

Note: If you are a secured creditor contact this office and a Secured Creditors Claim Form will be sent to you.

Tick if Applicable
(Refer details on reverse)

Full particulars of the claim are set out, and any supporting documents that substantiate the claim, are identified on the reverse of this form.

(The liquidator may require the production of a document under Section 304(2) of the Companies Act 1993. You are **not required to attach any supporting documents** at this stage, but you may attach them now, if you think it would expedite the processing of the claim.)

SIGNED:

Date: / /

WARNING

It is an offence under Section 304(6) of the Companies Act 1993 to -

Make or authorise the making of, a claim that is false or misleading in a material particular knowing it to be false or misleading; or
Omit, or authorise the omission from a claim of any matter knowing that the omission makes the claim false or misleading in a material particular.

Received
(Date Stamp)

RESERVED FOR OFFICE USE:

Claim admitted/rejected for voting purposes:
(Delete one)

Signed:

Date: / /

CLAIM REJECTED FOR PAYMENT:

\$

Preferential Claim for:

Ordinary Claim for:

\$

or
CLAIM ADMITTED FOR PAYMENT:

\$

Preferential Claim for:

Ordinary Claim for:

\$

Signed
Liquidator:

Date: / /

Note: If the decision to admit or reject a claim is amended, regulation 8 of the Companies Act 1993 Liquidation Regulations 1994 requires that it be recorded in writing.



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McDONALD VAGUE LIMITED

PO Box 6092, Wellesley St, Auckland 1141, New Zealand.
Telephone 0-9-303 0506, Facsimile 0-9-303 0508

Particulars of Claim

If the creditor owes money to the company, please give full details

Date	Details of Claim and Identification of Documents that Evidence or Substantiate the Claim	Amount \$

CLAIMS AGAINST INVENTORY (Romalpa Claims)(Consignment Goods) (Retention of Title) etc.

Please provide details of the basis of the retention of title claim filed by you and/or details of entry on the Personal Property Securities Register.

PREFERENTIAL CLAIMANTS ONLY

Guideline

The Seventh Schedule of the Companies Act 1993 sets out those claims which are regarded as preferential and shows their extent and order of priority. For example, wages and salary of any employee in respect of services rendered to the company during the four months preceding the commencement of liquidation are preferential AND the total sum to which priority is to be given in the case of any one employee for wages, holiday pay, deductions, redundancy and child support must not exceed \$25,480 or such greater amount as is prescribed at the commencement of the liquidation.

1. Why do you believe you are a preferential creditor?

(eg employee, GST, etc) _____

2. Details of your claim: _____

If applicable please record here your GST Registration number: _____

and total GST included in your tax invoice: _____

\$