



McDonald  
Vague

business recovery partners

# Cranston Homes (Auckland) Limited (In Liquidation)

## Liquidators' Final Report

McDonald Vague Limited

Level 10, 52 Swanson Street,  
Auckland Central

PO Box 6092, Wellesley Street,  
Auckland 1141, 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

Boris van Delden and Peri Micaela Finnigan, CAANZ Accredited Insolvency Practitioners, of Auckland, were appointed jointly and severally as liquidators of Cranston Homes (Auckland) Limited ("the company") on 26 May 2017 by a special resolution of the shareholders.

Pursuant to section 257(1)(a)(i) of the Companies Act 1993 ("the Act") the liquidators herewith report to all creditors and shareholders that the liquidation of the company has been completed. This final report should be read in conjunction with the liquidators' previous reports.

### 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 REALISATION OF ASSETS

#### 3.1 Debtors

Debtors amounting to \$283,121 (incl GST) were identified from the company's records. The liquidators wrote to all creditors seeking payment however all have responded that the amount shown is disputed for various reasons including the quality of the work, the failure to complete the contract on time and payment by the client direct to sub-contractors or suppliers. There have been no realisations from debtors and these amounts have been written off.

#### 3.2 Work In Progress

The work in progress identified in the Statement of Affairs was work that had, according to company records, been completed but not invoiced. The invoices were created and sent out to clients and is included in the debtor figures identified above.

### **3.3 *Inventory, Office Furniture, Equipment & Computers***

To date the liquidators received \$1,327 on sale of various plant and machinery items. These items were subject to a general security and the net proceeds have been distributed to the secured creditor. There are no further known assets to be realised.

## **4 CREDITORS**

### **4.1 *Secured Creditors***

Two claims were received from creditors holding Purchase Money Security Interests (PMSIs) totalling \$183,188. No payment has been made in respect of these claims.

One claim was received from a General Security Agreement (GSA) holder for \$8,535. A payment of \$556 was made to the GSA holder from the realisation of assets.

### **4.2 *Preferential Creditors***

The Inland Revenue Department submitted a preferential claim for \$26,689. Payment of \$21,831 has been paid to the preferential creditor representing a dividend of 81.7 cents in the dollar of their preferential claim.

### **4.3 *Unsecured Creditors***

Unsecured claims were received from 66 unsecured creditors claim forms have been received which total \$3,602,771. As anticipated in the Statement of Affairs, there are no funds available for distribution to unsecured creditors.

## **5 INVESTIGATIONS**

The liquidators have completed their investigations into the books, records and affairs of the company. The investigations included the actions of the current and former directors and the sale of company assets to related parties.

The director, Blair Cranston, was the subject of an investigation by the Registrar of Companies in relation to the management of the company. The liquidators have provided information to the Registrar in respect of that matter.

Mr Cranston was adjudicated bankrupt on a creditor's application in the Auckland High Court on 1 March 2018.

The liquidators reviewed the tax position of the company in relation to pre-liquidation GST and filed returns with the Inland Revenue Department. A refund has been received in relation to debt write-off.

No other matters were identified that could be pursued for the benefit of creditors.

## 6 COMPLETION OF LIQUIDATION

The liquidation of the company is now complete. A statement of realisations and distributions is **attached**. All known assets have been disclaimed or realised, or distributed without realisation, and all proceeds of realisation have been distributed. The company is ready to be removed from the New Zealand Register (“the register”).

## 7 REMOVAL OF COMPANY FROM THE REGISTER

The liquidators have given public notice pursuant to Section 320(4) of the Act of the intention to remove the company from the register.

The attention of all creditors or shareholders is drawn to Section 321 of the Act which provides that any person may send to the Registrar of Companies, not later than the date specified in the notice, an objection to the removal on any one or more of the following grounds:

- (a) That the company is still carrying on business or there is other reason for it to continue in existence; or
- (b) That the company is party to legal proceedings; or
- (c) That the company is in receivership, or liquidation, or both; or
- (d) That the person is a creditor, or a shareholder, or a person who has an undischarged claim against the company; or
- (e) That the person believes that there exists, and intends to pursue, a right of action on behalf of the company under Part 9 of the Act; or
- (f) That, for any other reason, it would not be just and equitable to remove the company from the New Zealand register.

Note: Section 321(2) of the Act provides that a claim by a creditor or a shareholder or any other person against a company is not an “undischarged claim” if a receiver or liquidator has notified that person that the company has no surplus assets.

The date by which objections must be lodged with the Registrar is 9 November 2018.

## 8 PREVIOUS REPORTS

Creditors are advised that all previous reports relating to the conduct of the liquidation are available on the liquidators’ website [www.mvp.co.nz](http://www.mvp.co.nz).

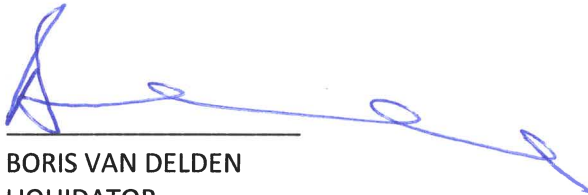
## 9 CONTACT DETAILS

Enquiries should be directed to Colin Sanderson on (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 10, 52 Swanson Street  
Auckland 1010

P O Box 6092  
Wellesley Street  
Auckland 1141

  
BORIS VAN DELDEN  
LIQUIDATOR

DATED this 28<sup>th</sup> day of September 2018

# Realisations and Distributions

Cranston Homes (Auckland) Limited (In Liquidation)

26 May 2017 to 28 September 2018

	Realisations to Date
<b>Realisations</b>	
Balance of Solicitors Trust Account	123
GST Refunds additional invoices	28,442
GST Refund – pre-appointment GST refund	21,831
Interest	1
PAYE Refund	131
Sale of Plant & machinery	1,327
<b>Total Realisations</b>	<b>\$51,855</b>
<b>Payments</b>	
<b>Liquidators Fees</b>	
Liquidators Fees	28,084
Disbursements	1,047
<b>Total Liquidators Fees</b>	<b>\$29,131</b>
<b>Other Costs of Liquidation</b>	
Bank Fees	58
Commission	262
Cost of Sales	17
<b>Total Costs of Liquidation</b>	<b>\$337</b>
<b>Distributions</b>	
Secured Creditor	556
Preferential GST and PAYE	21,831
<b>Total Distributions to Unsecured Creditors</b>	<b>\$22,387</b>
<b>Total Payments</b>	<b>\$51,855</b>
<b>BALANCE HELD</b>	<b>\$Nil</b>

Note: the above figures are GST exclusive