



McDonald
Vague

business recovery partners

Hayfield SHA Limited (In Liquidation)

Liquidators' Sixth Report for the period from 5 April 2021 to 4 October 2021

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1 INTRODUCTION AND APPOINTMENT

Boris van Delden and Peri Micaela Finnigan, Licensed 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 sixth 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)

Further funds are being sought for amounts that had not been invoiced to various landowners as at the date of receivership and liquidation but there are disputes to resolve.

Realising the assets of the Company relies partly on advancing completion of the project with the landowners. To advance a portion of the works the liquidators have agreed to vary the funding arrangements with two landowners who are funding the completion of a significant portion of the

remaining project work. These works have now commenced. The liquidators are holding funds in trust under an agreement with the two landowners. The two landowners who otherwise paid in full have paid additional amounts towards the general funds for creditors.

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

No further funds have been received since the last report.

3.3 Cash on Hand – Receiver

No further funds have been received since the last report.

3.4 Retentions on Hand – Receiver

The liquidators received \$174,364 in retentions. Those funds remain held in trust.

3.5 Tax Refund

(Statement of Affairs: \$7,647)

The liquidators are filing the company income tax return claiming a tax refund of \$7,647.

3.6 Solicitors Trust Account

(Statement of Affairs: \$256,686)

No further funds have been received since the last report.

3.7 Interest Received

During the course of the 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.

The company director has cooperated as required in the investigations to date.

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 18 unsecured creditors claim forms have been received which total \$12.249 million plus on one case interest and costs. The significant increase arises from 5 landowners lodging claims for amounts that are not due contractually or at the date of liquidation. The liquidators will continue to engage with the creditors in relation to accepting or rejecting their claims in the liquidation.

The liquidators recently disclaimed the contract with the pre liquidation contractor as onerous. At the time of signing this report the liquidators have admitted claims of approximately \$3,364 million.

6 LIQUIDATORS' FEES

Liquidators' fees paid to the date of this report are \$337,732 excluding GST. The fees are based on 959 hours of work undertaken as follows:

Work Category	Hours	\$
Commencement, dealing with receivers	96	26,835
Creditors' claims, enquiries and Statutory reports	433	167,233
Landowners' claims, collections and dealings	390	133,799
Taxation and GST	40	9,865
Total billed Time and Costs	959	\$337,732

7 FUNDS / LIKELY OUTCOME

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

8 MATTERS DELAYING THE COMPLETION OF THE LIQUIDATION

The following matters are outstanding:

- Remaining funding /works resolution to assist with collection for creditors
- Collection of outstanding amounts from stage 2 landowners
- Accepting or rejecting remaining creditor claims
- Distribution
- Completion of liquidation

9 ESTIMATED DATE OF COMPLETION

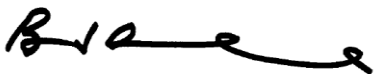
Based on the information contained in this report the liquidators presently propose to complete all outstanding matters with a view to retiring as liquidators within the next year.

10 CONTACT DETAILS

Enquiries should be directed to the writer on DDI (09) 306 3342 or by email to bvandelden@mvp.co.nz.
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BORIS VAN DELDEN
LIQUIDATOR

DATED this 16th day of December 2021

Realisations and Distributions			
Hayfield Sha Limited (In Receivership & In Liquidation)			
5 April 2019		to	4 October 2021
			04/10/2021
Realisations			
Cash on Hand -Receivers Appointed			611,969
Retentions on Hand -Receivers Appointed			174,364
Settlement with Two Landowners			96,000
Reimbursement of Legal and Liquidators Fees - Two Landlords			21,000
Ellis Gould Trust Account funds			241,629
Collection of Accounts Receivable -Receivers Appointed			899,323
ANZ Bank Account Closure			22,757
Collection of Accounts Receivable -Liquidators Appointed			261,901
Interest Received			5,343
Interest Received -Landowners			52,148
Total Realisations			2,386,435
Payments			
Liquidators Fees			
Receivers Fees			39,828
Receiver Legal Fees			37,993
Liquidators Fees			337,732
Liquidator Legal Fees			76,960
Disbursements			596
Total Liquidators Fees			493,108
Other Costs of Liquidation and Trading On			
Building Disputes Tribunal			107,450
H & G Costs			89,975
Fence Site Rental			3,503
Resident Withholding Tax on Interest			762
Total Costs of Liquidation and Trading On			201,690
Distributions			
Secured Creditor			1,348,839
Secured Creditor Interest Received			93,041
Preferential GST and PAYE			150
Dividends to Unsecured Creditors			-
Total Distributions to Unsecured Creditors			1,442,030
Total Payments			2,136,829
BALANCE HELD			249,607

Watermain Works Trust Account			
Realisations			
	New Watermain Works		2,031,922
Total Realisations			2,031,922
Payments			
	Candor3 Costs		13,700
	New Watermain Costs		75,570
Total Payments			89,271
BALANCE HELD			1,942,652
Funds Available			
	ASB Interest Bearing Trust Account	Watermain Works	1,942,652