



McDonald
Vague

business recovery partners

Height-Worx Limited (In Liquidation)

Liquidators' Fourth Report to creditors and shareholders (for the period 17 May 2019 to 16 August 2019)

McDonald Vague Limited

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1 INTRODUCTION AND APPOINTMENT

Boris van Delden and Peri Micaela Finnigan, CAANZ Accredited Insolvency Practitioners, of Auckland, were appointed as joint and several liquidators of Height Worx Limited ("the company") on 12 April 2018 by the High Court at Auckland.

Pursuant to Section 255(2)(d) of the Companies Act 1993 ("the Act"), the liquidators report on the progress of the liquidation. The fourth report should be read in conjunction with the liquidators' previous reports. This report is being sent to shareholders and all creditors who have filed a claim in the liquidation.

A Statement of Realisations and Distributions is **attached**, covering the period to 16 August 2019, being the date on which the director's application to take the company out of liquidation was heard and granted, in the High Court Auckland.

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

The liquidators allowed the company to trade until the director could bring an application under section 250 of the Act to have the company taken out of liquidation. The application was supported by continuing secured creditors, the company shareholders and the liquidators. It was granted by the High Court Auckland on 16 August 2019.

Trading-on creditors, and secured lenders whose contracts have remained in place, will continue to be paid out of trading on income.

4 INVESTIGATIONS

Due to the 100% payment of creditors to date, there is no reason to pursue other avenues of recovery.

5 CREDITORS' CLAIMS

5.1 *Secured Creditors*

\$750,251 has been paid to secured lenders to date.

5.2 *Preferential Creditors*

A preferential claim in respect of the applicant creditor's costs of \$3,949 has been paid in full.

The Inland Revenue Department has been paid \$82,358 being 100% of its preferential claims in the liquidation.

5.3 *Unsecured Creditors*

The liquidators received pre-liquidation claims amounting to \$141,932.72. This amount includes the non-preferential portion of the IRD's claim, and agreed settlement of disputed debts. At the date of this report all unsecured claims have been paid 100 cents in the dollar.

5.4 *Trading on Creditors*

At the date of this report, trading on payment obligations amount to \$45,073, whilst trading on accounts receivable amount to \$80,209.

6 LIQUIDATORS' FEES

The liquidators fees totalled \$133,171 (excluding GST). The total fees comprise 1,027 hours of work, as follows:

Work Category	Hours	\$
Statutory required notice and reports	10.2	1,765
Disbursements	9.8	795
Appointment functions and completion	54	10,685
Financial Accounting	125	11,739
Asset realisations and trading management	596	79,434
Creditors' proposal, correspondence and attendances, claims and reporting	145	20,605
Taxation	53	11,739
Investigations and legal	39	3,860
Total	<u>1,027</u>	<u>\$133,171</u>

Liquidators' fees in a Court ordered liquidation, are to be approved by the Court, and if required, a retrospective application for fee approval will be made by the liquidators.

Section 284 (1) of the Act provides that an application (with the leave of the Court) may be made by a creditor, shareholder or director of a company in liquidation to review or fix the remuneration of the liquidators.

The liquidators have agreed with the shareholders on a final remuneration amount for costs incurred.

7 FUNDS / OUTCOME

As a result of shareholder/director inputs and trading on performance, the debts of the company have been either repaid or restructured.

All preferential and trade creditors of the company at the date of the commencement of liquidation have been paid in full.

Some secured creditors are continuing to be repaid their scheduled amounts consistent with the pre liquidation loan repayment arrangements. They have consented to the company coming out of liquidation and to continue as creditors.

8 MATTERS DELAYING THE COMPLETION OF THE LIQUIDATION

There are no further matters outstanding.

9 ESTIMATED DATE OF COMPLETION

The liquidators will shortly be released by the Court from their appointment.

10 CONTACT DETAILS

Enquiries should be directed to Dalwyn Whisken on DDI (09) 969 5336 by email to dwhisken@mvp.co.nz.

The Liquidators can be contacted at:

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PERI M FINNIGAN
LIQUIDATOR

PMF/DW/220 Height Worx/Reports/4101 Fourth Report

DATED this 23 day of August 2019

Realisations and Distributions

Height-Worx Limited (In Liquidation) 17 May 2019 to 16 August 2019

Realisations	16 Aug 2019
Shareholder advances	773,649
Bank account closure	4,735
Pre-liquidation debtors recovered	89,422
Trading on debtors	956,950
Insurance refund	5,365
Interest	253
Sale of Assets	18,174
Total Realisations	\$1,900,952
Payments	
Liquidators Fees	
Liquidators Fees	133,171
Disbursements	748
Total Liquidators Fees	\$133,919
Costs of Realisation and Trading On	
Trading on expenses	84,975
Auction commission	2,438
Resident Withholding Tax on Interest	71
Wages and PAYE	411,132
Allowance for final PAYE – August 2019	2,605
Allowance for final GST	14,571
Rent and outgoings	192,518
Insurance	59,253
Total Costs of Realisation and Trading On	\$769,768
Distributions	
Secured Creditor - MTF	148,301
Secured Creditor - Heartland	516,779
Secured Creditor - CrediFlex	14,571
Secured Creditor - UDC	3,728
Secured Creditor - L & F Limited	59,406
Secured Creditor - FlexiGroup	8,495
Secured Creditor - EFT	6,111
Preferential Distribution - Applicant Creditor	3,949
Preferential Distribution - GST and PAYE	82,358
Salvage rent	10,455
Dividends to Unsecured Creditors	143,110
Total Distributions to Creditors	\$997,264
Total Payments	\$1,900,951
BALANCE HELD	\$0