



McDonald  
Vague

business recovery partners

## JANSEN CONSTRUCTION LIMITED (IN LIQUIDATION)

McDonald Vague Limited

Level 1, 136 Greenlane East,  
Auckland 1051

### Liquidators' Sixth Report

### For the period from 5 June 2022 to 4 December 2022

PO 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 jointly and severally as liquidators of Jansen Construction Limited (“the company”) on 5 June 2020 by the High Court at Auckland.

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

There have been no further realisations of assets since the last report. The liquidators continued to investigate whether other assets exist that could be realised on a cost benefit basis.

#### 4 INVESTIGATIONS

The liquidators have almost completed their investigation process, and have concluded that there is one further matter to pursue. The cost/benefit of pursuing this is being assessed.

## 5 CREDITORS' CLAIMS

### 5.1 Secured Creditors

A vehicle that had been leased by Fleet Partners was returned to them.

### 5.2 Preferential Creditors

A \$5,251.76 preferential claim has been received in respect of court awarded applicant creditor's costs and disbursements.

The IRD has submitted a \$31,578 preferential claim in respect to PAYE (\$18,040.50) and GST (\$13,537.52). The GST claimed is based on default assessments.

### 5.3 Unsecured Creditors

As at the date of preparing this report eight unsecured creditors claim forms have been received which total \$108,102. 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.

## 6 LIQUIDATORS' FEES

Liquidators' fees accrued to the date of this report are \$12,755 excluding GST. The fees are based on 48.93 hours of work undertaken as follows:

Work Category	Hours	\$
Appointment functions	9.50	2,009
Asset realisations & Trading on	5.50	2,075
Creditors' claims, enquiries and reports	7.70	1,629
Taxation & Management	7.95	1,797
Investigations	18.28	5,245
<b>Total</b>	<b>48.93</b>	<b>12,755</b>

Fees paid to the date of this report amount to \$1,984.26 excluding GST.

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. In circumstances where no application has been made to review or fix the liquidators' remuneration the Court will be less inclined to rigorously examine the fees submitted by the liquidators for subsequent approval.

## 7 FUNDS / LIKELY OUTCOME

It is too early to determine whether or not there will be a distribution to unsecured creditors.

## 8 MATTERS DELAYING THE COMPLETION OF THE LIQUIDATION

The following matters are outstanding:

- Completion of the assessment of the final recovery matter

## 9 ESTIMATED DATES 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 six months.

## 10 CONTACT DETAILS

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

The Liquidators can be contacted at:

McDonald Vague Limited  
Level 1  
136 Greenlane East  
Greenlane  
  
P O Box 6092  
Victoria Street West  
Auckland 1142



Iain McLennan  
LIQUIDATOR (Licence No: IP82)

Dated this 10th day of January 2023

# Realisations and Distributions

## JANSEN CONSTRUCTION LIMITED (IN LIQUIDATION) 5 June 2020 to 4 December 2022

Realisations	Cash Received \$
Cash on Hand	
Interest	
Sale of Fixed Assets	3,096
<b>Total Realisations</b>	<b>\$ 3,096</b>
<b>Payments</b>	
<b>Liquidators Fees</b>	
Liquidators Fees	1,984
Disbursements	
<b>Total Liquidators Fees</b>	<b>\$ 1,984</b>
<b>Other Costs of Liquidation and Trading On</b>	
Auctioneers Commission and Costs	854
Cartage	150
Assets Removal	107
Resident Withholding Tax	
<b>Total Costs of Liquidation and Trading On</b>	<b>\$ 1,111</b>
<b>Distributions</b>	
Preferential - Applicant Creditors Court Costs	
<b>Total Distributions to Creditors</b>	<b>Nil</b>
<b>Total Payments</b>	<b>3,096</b>
<b>BALANCE HELD</b>	<b>\$ Nil</b>

**Note:** the above figures are GST exclusive