



McDonald  
Vague

business recovery partners

**LS Property Developments Limited  
(In Liquidation)  
(As Corporate Trustee for  
LS Property Development Trust)**

**Liquidators' Twelfth Report  
For the period from 19 October 2016 to 18 April 2017**

**McDonald Vague Limited**

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Auckland Central

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## 1 INTRODUCTION AND APPOINTMENT

Peri Micaela Finnigan and Roy Horrocks, Insolvency Practitioners of Auckland, were appointed jointly and severally as liquidators of LS Property Developments Limited ("the company") on 19 October 2011. Roy Horrocks resigned his position as liquidator on 5 April 2013 on the appointment of Tony Leonard Maginness as his successor. On 20 January 2016 Tony Leonard Maginness resigned his position as liquidator appointing Boris van Delden as his successor.

Pursuant to Section 255(2)(d) of the Companies Act 1993 ("the Act"), the liquidators herewith report on the progress of the liquidation. This twelfth 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

This report has been prepared in accordance with section 255(2)(d) of the Act. 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*

The company had no known assets at the date of liquidation

#### **4 INVESTIGATIONS**

The investigation of the company's books and records and information received from creditors identified potentially voidable charges, granted by the company over properties that it owned, to related companies.

Legal advice received by the liquidators was that the charges are voidable and that there are potential causes of action against the company director, personally. Attempts to reach a negotiated settlement have been unsuccessful.

The Inland Revenue Department is funding legal proceedings commenced by the liquidators against individuals. The proceedings are continuing and the matters will now be going to trial in March 2018.

#### **5 CREDITORS' CLAIMS**

##### **5.1 *Preferential Creditors***

The Inland Revenue Department has filed a preferential claim for \$618,653 in respect of GST. To date no payment has been made in respect of this claim.

##### **5.2 *Unsecured Creditors***

As at the date of preparing this report nine unsecured creditors' claims have been received which total \$313,662. There are three claims from related companies. 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 they are in a position to pay a distribution.

#### **6 FUNDS / LIKELY OUTCOME**

The liquidators will not be able establish whether or not there will be funds available for distribution until the legal matters are decided.

#### **7 MATTERS DELAYING THE COMPLETION OF THE LIQUIDATION**

The following matter is outstanding:

- Finalisation of the legal proceedings

#### **8 ESTIMATED DATE OF COMPLETION**

Based on the above the liquidators are unable to estimate when the liquidation will be completed.

## 9 CONTACT DETAILS

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

The Liquidators can be contacted at:

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PERT M FINNIGAN  
LIQUIDATOR

DATED this 19<sup>th</sup> day of April 2017

# Realisations and Distributions

## LS Property Developments Limited (In Liquidation) 19 October 2011 to 18 April 2017

Realisations	Cash Received \$
Bank Account Closure	709
Inland Revenue Department – Funding	38,756
<b>Total Realisations</b>	<b>\$39,465</b>
<b>Payments</b>	
<b>Liquidators Fees</b>	
Liquidators Fees	24,885
<b>Total Liquidators Fees</b>	<b>\$24,885</b>
<b>Other Costs of Liquidation</b>	
Legal Fees	14,580
<b>Total Costs of Liquidation</b>	<b>\$14,580</b>
<b>Total Payments</b>	<b>\$39,465</b>
<b>BALANCE HELD</b>	<b>\$Nil</b>

Note: the above figures are GST exclusive