

# Meltzer Mason Heath

Chartered Accountants practising as insolvency specialists

Refer to: Rachel Mason

## Liquidators' First Report

### ECS Group Limited (In Liquidation) Trading as Trinity Real Estate

#### 1. Appointment

We advise that Rachel Karen Mason and Lloyd James Hayward were appointed joint and several Liquidators of the above company on 5 August 2008 by special resolution of shareholders.

Rachel Mason and Lloyd Hayward are full time Insolvency Practitioners. They have not previously acted in any capacity for the company or the officers and shareholders of the company.

#### 2. Background

<i>Date of Incorporation:</i>	27 April 2007
<i>Trading Address:</i>	14 Uxbridge Road, Howick, Auckland
<i>Type of Business:</i>	Real Estate Agency
<i>Date Ceased Trading:</i>	5 August 2008
<i>Shareholder:</i>	Eva Nicoletatos 100 shares
<i>Director:</i>	Eva Nicoletatos
<i>Share Capital:</i>	100 ordinary shares
<i>Date of Liquidation:</i>	5 August 2008

#### 3. Events Leading to Appointment

The Director advises that due to the current economic climate, the business' profitability has fallen, and is not forecast to improve over the foreseeable future. This, combined with large overheads and high expenses, meant that the company could no longer continue to trade. Despite considering various turnaround options, there appears to be no ability for the company to continue with any viability. The decision was therefore taken to place the company in liquidation.



#### **4. Statement of Affairs**

The Liquidators have prepared an Estimated Statement of Affairs being the assets and liabilities of the company at the date of liquidation. We attach a copy.

#### **5. Proposals for Conducting the Liquidation**

##### ***5.1 Realisation of Assets***

The company's assets consist of office furniture and equipment, debtors, and commissions due. The Liquidators will arrange for the office furniture and equipment to be sold by auction or by private tender. The debtors will be collected, and the commissions will be realised from settled sales.

##### ***5.2 Examination of Books and Records***

The Liquidators will examine the company's available books and records and conduct a brief review of the company's affairs.

##### ***5.3 Knowledge of Information Relevant to the Liquidation***

Should creditors and other parties possess any information that may be relevant to the liquidation, or may lead to realisations for the benefit of creditors, please advise the Liquidators in writing and provide them with copies of supporting documents.

#### **6. List of Creditors**

A list of all known creditors has been compiled by the Liquidators. We attach a copy.

#### **7. Creditors Claim Form**

Creditors should complete and return the attached Creditor's claim form by 5 September 2008. Creditors who do not make a claim within the period may be excluded from any distribution that may be made.

#### **8. Retention of Title Claims/Security Interests**

Please note, if you believe you have a valid retention of title claim or security interest over goods or equipment supplied to ECS Group Limited (In Liquidation), and you have not yet contacted the Liquidators, please contact us immediately.

#### **9. Initial Creditors Meeting**

As it is unlikely there will be a distribution to creditors, pursuant to s245 of the Companies Act 1993 the Liquidators propose to dispense with the meeting of creditors to consider whether to appoint different Liquidators, and to consider the views of creditors.

Accordingly a meeting of creditors will not be called unless a creditor gives notice to the Liquidators within 10 working days after receiving this notice, requiring a meeting to be called.

**10. Liquidation Committee**

At any time during the liquidation, any creditor may in writing, request the Liquidators to call a meeting of creditors to consider whether a Liquidation Committee should be appointed, and if so, to choose the members of the Committee.

A Liquidation Committee has certain powers set out in s315 of the Companies Act 1993, including to assist the Liquidators as appropriate in the conduct of the liquidation.

**11. Estimated Date of Completion of Liquidation**

It is not practicable to estimate the date of completion of the liquidation at this stage.

Enquiries should be directed to: Rachel Mason

R Mason  
**Liquidator**

Dated this 6<sup>th</sup> day of August 2008

Attach:

**Estimated Statement of Affairs of  
ECS Group Limited (In Liquidation)  
Trading as Trinity Real Estate  
As at the date of the Appointment of Liquidators  
Being 5 August 2008**

	<i>Book Value</i>	<i>Estimated Realisable Value</i>
	\$	\$
<b>Assets not Specifically Pledged:</b>		
Debtors	24,628	12,000
Fittings and Equipment	134,945	10,000
Commissions (see Note 1)	136,928	<u>40,000</u>
<b>Estimated Total Assets Available for Preferential Creditors and Secured Creditors</b>		62,000
<i>Less</i> – First Ranking Preferential Creditors		<u>17,000</u>
Wages and Holiday Pay (Includes PAYE)		<u>45,000</u>
<i>Less</i> – Second Ranking Preferential Creditors		
Inland Revenue Department	GST 2,000 PAYE <u>10,185</u>	<u>12,185</u>
<b>Estimated Total Assets Available for Secured Creditors and Unsecured Creditors</b>		32,815
<i>Less</i> – Secured Creditors		<u>898,000</u>
<b>Estimated Total Deficiency as regards Secured Creditors and Unsecured Creditors</b>		865,185
<i>Less</i> – Unsecured Creditors		<u>221,676</u>
<b>Total Deficiency as regards Unsecured Creditors and Shareholders</b>		1,086,861
<i>Less</i> – Issued and Paid Up Capital		<u>25,000</u>
<b>Total Deficiency as regards Unsecured Creditors and Shareholders</b>		<u>1,111,861</u>

**Note 1:** Commissions due include \$43,785 relating to Sale and Purchase Agreements which are either unconditional, or nearing that point. The amount of \$93,142 relates to conditional Agreements, which are not immediately close to settlement.

**Note 2:** The above estimates are subject to the costs of realisation, including Liquidators' fees.

**Disclaimer of Liability:**

We have prepared the Estimated Statement of Affairs as at the date of liquidation being 5 August 2008.

The Estimated Statement of Affairs has been prepared based on information from the books and records of the company together with information supplied by the Director. This information has not been verified. The Liquidators have not carried out an audit or reviewed the information supplied and therefore they do not accept any responsibility for the accuracy of the information from which the Estimated Statement of Affairs has been prepared. Further, the Estimated Statement of Affairs has been prepared for the purpose of the liquidation only, and the Liquidators do not accept any responsibility on any ground whatever, including liability in negligence, to any other person.

R Mason  
**Liquidator**

5 August 2008

**ECS Group Limited (In Liquidation)****Creditors Known at Liquidation****August 2008**

Page 1

<b>Company</b>	<b>Address1</b>	<b>Address2</b>	<b>City</b>
ABC Photosigns NZ Ltd	PO Box 112-179	Penrose	AUCKLAND
ABC Photosigns NZ Ltd	PO Box 112-179	Penrose	AUCKLAND
Allan Melville	18 Mission View Drive	Howick	AUCKLAND
APN New Zealand Ltd	PO Box 3992		AUCKLAND
Auckland Safe & Lock Servicing Ltd	11 Ramelton Road	Mt Roskill	AUCKLAND 1041
BP Oil New Zealand Ltd	PO Box 892		WELLINGTON 6001
Business Success Group Ltd	PO Box 91211	AMSC	AUCKLAND
Chinese Express & Property Hotline	PO Box 58-484	Greenmount	AUCKLAND
Chinese Herald Group (NZ) Ltd	PO Box 6399	Wellesley Street	AUCKLAND 1141
Communication Works Ltd	PO Box 47397	Ponsonby	AUCKLAND
Cubicon Interiors Ltd	PO Box 305107 Triton Plaza	Albany	AUCKLAND
Domainz Ltd	Private Bag 1810		WELLINGTON 6140
Elsan Projects Ltd	PO Box 58416	Greenmount	AUCKLAND
Emblems NZ Ltd	PO Box 9099	3 Norton Road	HAMILTON
Empower Ltd	PO Box 38097	Te Puni	WELLINGTON MAIL CENTRE
ETT International Ltd T/A Korea Town	PO Box 305 311 Triton Plaza	Northshore City	AUCKLAND 0757
Fairfax Media Auckland Group	PO Box 3176		AUCKLAND
Fuji Xerox New Zealand Ltd	PO Box 5948	Wellesley Street	AUCKLAND
Greenworld Products	5/115 Great South Road	Otahuhu	AUCKLAND
Hayes Knight Audit	PO Box 9588	Newmarket	AUCKLAND
Howick Office Supplies (1995) Ltd	PO Box 38 449	Howick	AUCKLAND
Howick Super Liquor	Uxbridge Road	Howick	AUCKLAND
Information Management Services Ltd	PO Box 407		HASTINGS
James Gilmour & Company Ltd	PO Box 27-479	Mt Roskill	AUCKLAND
Kevin Turner Cleaning	22 Takutai Avenue	Bucklands Beach	AUCKLAND
Korea Times	PO Box 68340	Newton	AUCKLAND
Ggachi Business Agency Ltd			
Land Info Net Ltd	PO Box 105218		AUCKLAND
Land Transport NZ	Private Bag 11777	Manawatu Mail Centre	PALMERSTON NORTH
Maclean Computing Ltd	PO Box 90-400		AUCKLAND 1142
Mobile Ceramics Ltd	PO Box 38-435	Howick	AUCKLAND
Netwide Solutions Pty Ltd	Level 5, 182 Broadway	Newmarket	AUCKLAND
New Zealand Document Exchange Ltd	DX CR59901		AUCKLAND
New Zealand Post	PO Box 3840		WELLINGTON 6140
Next Generation Signs	PO Box 112261	Penrose	AUCKLAND
Next Generation Signs	PO Box 112261	Penrose	AUCKLAND
Online Security Services	PO Box 12360	Penrose	AUCKLAND
Open2view NZ Ltd	PO Box 123	Clevedon	AUCKLAND
PMP Maxum Ltd	PO Box 8178	Symonds Street	AUCKLAND
Real Estate Agents Licencing Board	PO Box 99-881	Newmarket	AUCKLAND
Real Estate Institute of New	PO Box 5663		AUCKLAND 1411

**ECS Group Limited (In Liquidation)****Creditors Known at Liquidation****August 2008**

Page 2

<b>Company</b>	<b>Address1</b>	<b>Address2</b>	<b>City</b>
Zealand Inc Real Estate Signs	4105 Great North Road	Glen Eden	AUCKLAND
Realestate.co.nz	PO Box 9284	Newmarket	AUCKLAND
Rentokil Initial Ltd	Private Bag 92-905	Onehunga	AUCKLAND
Richie Nagle	8 Gardenia Grove		BUCKLANDS BEACH
Telecom New Zealand Ltd	Freepost 10053 Private Bag 4742		CHRISTCHURCH
TelstraClear Ltd	Private Bag 92143		AUCKLAND
The Callista Group	PO Box 34-480		AUCKLAND 0746
Times Newspapers Ltd	PO Box 259 243	Greenmount	MANUKAU 2141
Trade Me	PO Box 11042	Manners Street	WELLINGTON
Veda Advantage (NZ) Ltd	Private Bag 92156	Auckland Mail Centre	AUCKLAND 1142
View It Now Ltd	PO Box 147 363	Ponsonby	AUCKLAND 1144
Vodafone	PO Box 90112		AUCKLAND 1030
Wilson McKay	PO Box 28-347	Remuera 1541	AUCKLAND