

# AM22

## Notice of move from administration to creditors' voluntary liquidation



Companies House

For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number 1 0 6 0 1 7 5 0

Company name in full Qualia Care Properties Limited

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Court details

Court name High Court of Justice, Business & Property Court in  
Leeds Insolvency & Companies List

Court case number 0 0 0 7 2 5 2 0 2 0

### 3 Administrator's name

Full forename(s) Robert

Surname Sadler

### 4 Administrator's address

Building name/number Devonshire House

Street 32-34 North Parade

Post town Bradford

County/Region West Yorkshire

Postcode B D 1 3 H Z

Country

# AM22

Notice of move from administration to creditors' voluntary liquidation

<b>5</b>		<b>Administrator's name ①</b>	
Full forename(s)	Stephen		<b>① Other administrator</b> Use this section to tell us about another administrator.
Surname	Hunt		
<b>6</b>		<b>Administrator's address ②</b>	
Building name/number	Tavistock House South		<b>② Other administrator</b> Use this section to tell us about another administrator.
Street	Tavistock Square		
Post town	London		
County/Region			
Postcode	W C 1 H 9 L G		
Country			
<b>7</b>		<b>Appointor/applicant's name</b>	
	Give the name of the person who made the appointment or the administration application.		
Full forename(s)			
Surname			
<b>8</b>		<b>Proposed liquidator's name</b>	
Full forename(s)	Stephen		
Surname	Hunt		
Insolvency practitioner number	9 1 8 3		
<b>9</b>		<b>Proposed liquidator's address</b>	
Building name/number	Tavistock House South		
Street	Tavistock Square		
Post town	London		
County/Region			
Postcode	W C 1 H 9 L G		
Country			

AM22

Notice of move from administration to creditors' voluntary liquidation

**10** Proposed liquidator's name<sup>①</sup>

Full forename(s)

Surname

Insolvency practitioner  
number**① Other liquidator**Use this section to tell us about  
another liquidator.**11** Proposed liquidator's address<sup>②</sup>

Building name/number

Street

Post town

County/Region

Postcode

Country

**② Other liquidator**Use this section to tell us about  
another liquidator.**12** Period of progress report

From date

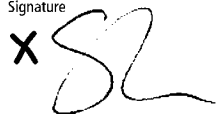
d	1	d	1	m	0	m	3	y	2	y	0	y	2	y	2
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To date

d	2	d	3	m	0	m	6	y	2	y	0	y	2	y	2
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**13** Final progress report☒ I have attached a copy of the final progress report.**14** Sign and dateAdministrator's  
signature

Signature

X 

X

Signature date

d	2	d	3	m	0	m	6	y	2	y	0	y	2	y	2
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**Presenter information**

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name **Geraldine Valdez**

Company name **Griffins**

Address **Tavistock House South**

**Tavistock Square**

Post town **London**

County/Region

Postcode **W C 1 H 9 L G**

Country

DX

Telephone **020 7554 9600**

**Checklist**

**We may return forms completed incorrectly or with information missing.**

**Please make sure you have remembered the following:**

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed and dated the form.

**Important information**

**All information on this form will appear on the public record.**

**Where to send**

**You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:**

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.

**Further information**

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

**This form is available in an alternative format. Please visit the forms page on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)**



Qualia Care Properties Limited  
**In Administration**

In the High Court of Justice, Business & Property Court in Leeds  
Insolvency & Companies List  
No. 000725 of 2020

Joint **Administrators' Final** Progress Report to Members and  
Creditors

for the period ending 23 June 2022



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## 1 Introduction

Robert William Sandler (“Mr Sandler”) and John Sugden (“Mr Sugden”) of Auker Rhodes Accounting Limited were appointed Joint Administrators’ of Qualia Care Properties Limited (“the Company”) by the Company’s directors on 11 September 2020.

Mr Sugden was removed as Joint Administrator of the Company on 15 October 2020 by an Order of the Court and Mr Sandler remained the sole Administrator.

On 22 April 2021, I was appointed as Joint Administrator of the Company at a meeting of creditors held on the same day.

In accordance with Rules 3.53 & 3.60(3) of the IR 2016, I am providing creditors with a final progress report. Additional information in respect of the Company and office holders is attached at Appendix A.

This report provides creditors with the following information:

- A summary of the Administration and its outcome;
- The costs of the work undertaken;
- Whether the work provided a financial benefit to creditors, and if so the nature of that benefit.
- This final report does not include for work undertaken by the Joint Administrator for the period 11 March 2022 to date and a summary of work undertaken, together with details of time costs incurred will be provided in the Liquidators first progress report.

## 2 Overview of the Administration

Prior to my appointment, the Joint Administrator identified in his Proposals dated 4 November 2020 (the “Proposals”), that he was seeking to achieve the statutory objective of achieving a better result for the Company’s creditors as a whole than would be likely if the company were wound up (i.e., go into Liquidation) without first being in Administration.

This objective was to be achieved by a sale of certain of the Company’s assets, including certain freehold properties, at a level that would see a better result for the Company’s creditors as a whole than would be likely if the Company had been wound up. In furtherance of this objective, the sale of certain Company assets was negotiated with Property Alternative Holdings Ltd (“PAHL”) and completed on 12 October 2020 pursuant to a sale/ purchase agreement (the “SPA”), which provided in relevant part for a £50,000 payment upon execution of the SPA, payment of the sum of £4,000,000 to be made in quarterly instalment payments of £500,000 and the balance of £1,802,654 to paid on or before 31 December 2028.

At a Creditors’ Committee Meeting on 22 April 2021, the Creditors’ Committee consented to an extension of the initial 12-month period of the administration for such period as the Administrators deemed necessary and appropriate. Accordingly, the Joint Administrator filed a notice extending the initial administration period until 10 September 2022 for the purpose of implementing the Proposals.



Following my appointment, as instructed by the Creditors' Committee and with the assistance of my staff, I prepared a high-level, report detailing my analysis of:

- the SPA;
- the commercial viability of a Company Voluntary Arrangement as the proposed exit route to the administration, as compared to other possible exit strategies;
- antecedent transactions and potential claims against third-parties, the prospects for their recoverability, and the impact of any recovery strategy on the ongoing trading of Qualia Care Limited; and
- actions undertaken by the incumbent Joint Administrator, Robert Sadler.

Following the engagement of the Gateley law firm by the Joint Administrator, I have worked closely with its solicitors to identify and analyse the merit of the potential claims described above. I am also in the process of coordinating with Gateley written demands on the purchaser under the SPA to cure a default arising out of the non-payment of the agreed-upon instalments, the acceleration of the balance of the remaining debt that is due and owing, and ongoing strategy related thereto.

Following a meeting of the creditors committee on 22 June 2022 it has been agreed to place the Company in a Creditors Voluntary Liquidation with immediate effect.

The Company is now being moved from Administration to Creditors' Voluntary Liquidation to enable a dividend to be paid to non-preferential creditors. The Liquidator will also continue to pursue the remaining assets and other matters described in this report. As noted in the Joint Administrators' approved Proposals, in the absence any alternative nomination, the Joint Administrators would take the appointment as Joint Liquidators without further recourse to the creditors. There were no other nominations and therefore Stephen Hunt shall be appointed Liquidator as agreed by the Creditors Committee.

### 3 Realisation of Assets

#### 3.1 Freehold Land & Property

The sum totalling £115,228.48 has been realised during the Administration.

It is not possible to estimate whether there will be funds available to enable a dividend to be paid to creditors. This will be a matter for the Liquidator in the liquidation of the Company.

#### 3.2 Cash at Bank

Cash at bank in the sum of £142,974.71 has been realised during the Administration.

It is not possible to estimate whether there will be funds available to enable a dividend to be paid to creditors. This will be a matter for the Liquidator in the liquidation of the Company.





### 3.3 Deposit repaid re Airedale Care Home

Deposit in the sum of £128,089.29 has been repaid by Airedale Care Home during the period of the Administration.

It is not possible to estimate whether there will be funds available to enable a dividend to be paid to creditors. This will be a matter for the Liquidator in the liquidation of the Company.

### 3.4 Cash in hand of solicitors

Cash in hand totalling £5,425.59 has been realised.

It is not possible to estimate whether there will be funds available to enable a dividend to be paid to creditors. This will be a matter for the Liquidator in the liquidation of the Company.

### 3.5 Meeting deposit monies

Following the request for a meeting to be held, the Administrator has facilitated the receipt of deposit monies to allow the meeting to be held. Funds totalling £8,120.00 have been received towards the costs of convening the creditors' meeting.

This work has not provided a net financial benefit to creditors as the deposits were returned to creditors.

### 3.6 Bank Interest Gross

Interest in respect of funds held in the Administration account of £33.13 has been received in the period of the Administration.

## 4 Professional Agents, Advisors and Sub-Contractors

The professional agents and advisors listed below were instructed were instructed by the Joint Administrator. I have set out the basis of the fee arrangement upon which they were instructed.

Name of Agent/Advisor	Basis of fee arrangement
Fisher German	Fixed Fee
Gateleys	Time Costs

## 5 Statutory and Professional Compliance

I was required, as Joint Administrator, to meet a considerable number of statutory and regulatory obligations. This work did not provide a direct financial benefit to creditors but was a necessary requirement of the Administration process.



Whilst these tasks did not have a direct benefit in enhancing realisations for the insolvent estate, they assisted in the efficient and compliant progression of the Administration. This ensured that my staff and I carried out our work to high professional standards.

In order that creditors can have an informed understanding of these matters, they are listed at Appendix C1.

## 6 Creditor Communication, Claims and Distributions

### 6.1 Communication

I was required, as Joint Administrator, to undertake certain tasks in relation to creditors' claims. This work did not provide a direct financial benefit to the Administration estate but was essential to the administration of the case.

In order that creditors can have an informed understanding of these matters, they are also listed at Appendix C1.

### 6.2 Claims

The position as regards creditors' claims is detailed below.

#### 6.2.1 Secured Creditors

An examination of the Company's mortgage register held by the Registrar of Companies shows that the Company had no outstanding charges over its assets.

#### 6.2.2 Preferential Creditors

No preferential claims were received, and it is not believed that there are any such claims.

#### 6.2.3 Non-Preferential Creditors

The director's estimated Statement of Affairs showed creditors with a total value of £2,245,794. I am not aware of any claims received from creditors.

It is not possible to estimate whether there will be funds available to enable a dividend to be paid to creditors. This will be a matter for the Liquidator in the liquidation of the Company.

## 7 Fees and Expenses

### 7.1 Pre-Appointment Fees

Pre-appointment costs in relation to the Administration were agreed by the Company at £3,000 plus VAT and have been settled in advance of the Administration commencing.



## 7.2 Post-Appointment Fees

The remuneration of the Joint Administrators was approved by the creditors' committee at the first meeting held on 7 May 2021. The remuneration was capped for Auker Rhodes Accounting at £89,600.

The Griffins fee of £40,000 was agreed by the Creditors Committee as a separate interim fee.

At a meeting on 22 June 2022, the Creditors Committee unanimously passed a resolution to approve my fees in the amount £50,000, which I have already incurred in connection with the above work. The Creditors' Committee tabled my request for approval for an estimated additional amount of fees to cover future work until its next meeting.

The time charged is based on computerised records capturing time charged by the Administrators and our staff in dealing with the conduct of the case.

## 7.3 Time Costs Incurred to Date

A breakdown of the time costs incurred in the period of the report and for the entire period of the Administration to date is attached at Appendix C2.

It is Griffins' policy to use the most junior grade of staff compatible with the efficient conduct of a matter, in order to ensure that costs to creditors are kept to a minimum. Where investigation work has been undertaken, this will normally be carried out by a senior member of staff and partner. Such investigations are conducted with regard to the level of assets available to fund any further investigations or actions, and the materiality of any matters that have been identified.

A copy of Griffins charge-out rates (including the firm's disbursement policy) is available for download at <http://www.griffins.net/technical/>.

The time costs my staff and I have recorded as incurred for the period of this report, 11 March 2022 to 23 June 2022, total £25,629.98, representing 63 hours at an average rate of £406.83.

The time costs my staff and I have recorded as incurred for the entire period of my appointment total £85,997.12, representing 215.25 hours at an average rate of £399.52.

The time costs Mr Sandler and his staff recorded as incurred for the period from 11 September 2020 to 10 March 2022 total £73,255, representing 331.60 hours at an average rate of £220.91. Please note that I have not been provided details of Mr Sandler's time costs from 11 March 2022 to date. This information will be provided to creditors by the Liquidator in the first progress report issued.

I have drawn the sum of £40,000 in respect of my fees for acting as Joint Administrator. Mr Sandler has drawn the sum of £67,600 in respect of his fees for acting as Joint Administrator.

In accordance with the IA 1986, all unpaid fees (subject to any approved fees estimate) and costs are charged on and payable out of the Company's property. As a result, the Liquidator will be responsible discharging these sums from the assets and funds handed over to them by the Joint Administrators.



## 7.4 Expenses

Expenses are any payments from the insolvency estate which are neither an office holder's remuneration, nor a distribution to a creditor or a member.

Expenses fall into two categories:

Category 1 expenses: These are payments to persons providing the service to which the expense relates, who are not an associate of the office holder.

Category 2 expenses: These are payments to associates or which have an element of shared costs.

Griffins do not utilise any service charge providers who are associates of the firm. Additionally, it is not Griffins' policy to charge, or re-charge, expenses that are not directly referable to the appointment in question.

The table below details the actual expenses (including disbursements) incurred to date. This table should be read in conjunction with the Receipts and Payments Accounts at Appendix B.

Nature of expense incurred	Notes	Total Expenses incurred in the Administration
		£
Statutory Advertising		88.00
Specific Bond	1	720.00
Administrator's expenses		15.75
Meeting deposit returns	2	7,440.00
Bank charges re deposit returns		66.00
Meeting room hire		40.00
Land Registry searches		3.00
Agents fees		3,101.93
Legal fees		47,019.64
Legal expenses		153.09
Irrecoverable VAT		31,600.08
TOTAL		90,320.48

Note 1: The specific bond is required by the Insolvency Practitioner on all Insolvency appointments with regards estimated value of insolvent assets.

Note 2: The deposits have been returned to creditors who had paid monies towards the costs of convening the creditors' meeting.



## 8 Receipts and Payments Account

An account of receipts and payments for the period 11 September 2021 to 10 March 2022 is at Appendix B, together with a cumulative account for the entire period of the administration and a comparison with the amounts recorded in the Estimated Statement of Affairs as set out in the Administrators' Proposals.

The receipts and payments account reflects actual payments made to date rather than accrued unpaid expenses (see table in 7.4 above for total expenses incurred to date).

The receipts and payment only goes up to the period ending 10 March 2022 and a receipts and payment for the period 11 March 2022 to 23 June 2022 will be provided in the Liquidators first progress report.

## 9 Other Matters to Assist Creditors

### 9.1 Privacy

Griffins' Privacy Policy explains the measures I take to protect your data and the legal basis for doing so. Please review this Privacy Policy on Griffins' website: <http://www.griffins.net/data-privacy-notice/>.

### 9.2 Code of Ethics

The Joint Administrators are both bound by Code of Ethics for Insolvency Practitioners when carrying out all professional work relating to insolvency appointments. Please refer to the Institute of Chartered Accountants in England and Wales' website for further details: <https://www.icaew.com/regulation/insolvency/sips-regulations-and-guidance/insolvency-code-of-ethics>.

### 9.3 Our Relationships

The Joint Administrators had no professional or personal relationships with the parties who approve our fees or who provide services to the estate where the relationship could give rise to a conflict of interest.

### 9.4 Contact Us

If you would like to make any comments, suggestions, raise a query or make a complaint about the service you have received, please contact my team manager, Ian Ramsay in the first instance at [ian.ramsay@griffins.net](mailto:ian.ramsay@griffins.net).

A copy of Griffins' complaints procedure and professional indemnity insurance can be found at:

<http://www.griffins.net/legal-information/>.



## 9.5 Creditors' Insolvency Guides

Creditors can find more information on the insolvency process at:

<http://www.creditorinsolvencyguide.co.uk/>.


## 10 Creditors' Rights

Creditors are advised that Rule 18.9 of the IR 2016 provides the right to make a request to the Joint Administrators for further information about remuneration or expenses which have been itemised in this report. Further, Rule 18.34 of the IR 2016, provides creditors with a right to challenge the Administrators' remuneration and expenses.

Copies of these Rules are attached at Appendix D for your information.

## 11 Conclusion of the Administration

As set out in the report, a notice is to be sent to the Registrar of Companies in accordance with Paragraph 83 of Schedule B1 to the Insolvency Act 1986 to bring the Administration to an end and place the Company into Creditors' Voluntary Liquidation.



**Stephen Hunt**  
Joint Administrator

Date: 23 June 2022



Qualia Care Properties Limited  
In Administration

Statutory and Office Holders' Information



## Company Information

Company name: Qualia Care Properties Limited  
Trading name: Qualia Care Properties Limited  
Company registration number: 10601750  
Nature of business: Care home freehold ownership  
Registered office: Devonshire House 32-34 North Parade, Bradford, BD1 3HZ  
Previous registered office: St James' House, 2nd Floor, 28 Park Place, Leeds, LS1 2SP  
Trading address: St James' House, 2nd Floor, 28 Park Place, Leeds, LS1 2SP  
Court name: High Court of Justice, Business & Property Court in Leeds Insolvency & Companies List  
Court reference: No. 000725 of 2020

## Joint **Administrators**' details

Name: Rober William Sadler  
IP number: 9172  
Name of firm: Auker Rhodes Accounting Limited  
Firm's address: Devonshire House 32-34 North Parade, Bradford, BD1 3HZ  
Date of Appointment: 11 September 2020

Name: Stephen Hunt  
IP number: 9183  
Name of firm: Griffins  
Firm's address: Tavistock House South, Tavistock Square, London WC1H 9LG  
Date of Successor Appointment: 22 April 2021





**Former Joint Administrator's details**

Name:	John Sugden
IP number:	8064
Name of firm:	Auker Rhodes Accounting Limited
Firm's address:	Devonshire House 32-34 North Parade, Bradford, BD1 3HZ
Date of Appointment:	11 September 2020
Date ceased to act:	15 October 2020



Qualia Care Properties Limited  
In Administration

Joint Administrators' Receipts and Payments Account for the period 11 September  
2021 to 10 March 2022, together with an account for the entire period of the  
Administration



**QUALIA CARE PROPERTIES LIMITED**  
(In Administration)

**Administrators' Receipts and Payments Account for the period**  
**11 September 2021 to 10 March 2022**

	From 11/09/20 to 10/09/21 (£)	From 11/09/21 to 10/03/22 (£)	Total 11/09/20 to 10/03/22 (£)
<b>INCOME</b>			
Freehold land & property	103,095.78	12,132.70	115,228.48
Cash at bank	142,974.71	-	142,974.71
Deposit repaid re Alredale Care Home	128,089.29	-	128,089.29
Cash in hands of solicitors	5,425.59	-	5,425.59
Meeting deposit monies	8,120.00	-	8,120.00
Bank interest (gross)	21.04	12.09	33.13
	<u>387,726.41</u>	<u>12,144.79</u>	<u>399,871.20</u>
<b>EXPENDITURE</b>			
Specific bond	720.00	-	720.00
Joint Administrator's remuneration - ARA	59,000.00	8,600.00	67,600.00
Administrator's expenses	15.75	-	15.75
Joint Administrator's remuneration - Griffins	-	40,000.00	40,000.00
Meeting deposit returns	6,760.00	680.00	7,440.00
Bank charges re deposit returns	36.00	30.00	66.00
Agents' / valuers' fees	3,101.93	-	3,101.93
Legal fees re sale, FCA & Administration	40,201.31	-	40,201.31
Legal expenses	153.09	-	153.09
Legal fees re refund of deposit monies	5,500.00	-	5,500.00
Legal fees & expenses lien	1,390.33	-	1,390.33
HM Land Registry search	3.00	-	3.00
Statutory advertising	88.00	-	88.00
Meeting room hire	40.00	-	40.00
Irrecoverable VAT	21,880.08	9,720.00	31,600.08
	<u>138,889.49</u>	<u>59,030.00</u>	<u>197,919.49</u>
<b>Balance</b>			<u>201,951.71</u>
<b>MADE UP AS FOLLOWS</b>			
Current account			201,951.71
			<u>201,951.71</u>

Qualia Care Properties Limited  
In Administration

Statutory and Creditor Compliance Tasks



## Post-Appointment Statutory and Professional Compliance

I undertake the following tasks:

### Statutory

- Notify creditors of my appointment and advertise the appointment in the Gazette;
- Obtain a Specific Penalty bond for a sum equal to the Company's assets subject to the statutory provisions. This bond covers any losses to the estate for any possible fraud or dishonesty of the Administrators whether acting alone or in collusion with one or more persons and/or the fraud and dishonesty of any person committed with the connivance of the Administrators;
- To provide creditors with an opportunity to establish a Committee when a decision procedure is required;
- If a Creditors' Committee is established prepare a certificate of constitution and hold the first Committee meeting;
- Submit a report on the conduct of the Company's directors to the Department for Business, Innovation & Skills;
- Establish whether the Company has an occupational pension scheme and, if so, comply with Section 120 Pensions Act 2004 and submit a S120 Notice to the Pension Protection Fund, The Pension Regulator and to the Trustees of the Pension Fund if applicable.

### Professional Compliance

- On appointment, set the case up on our insolvency database and maintain and separately record all financial records on the case, including the recording of creditors and employees;
- Undertake a one-month case review to ensure that all initial statutory matters have been completed, asset realisation and initial investigations commenced;
- Request/obtain the Company's books and records.

## Annual Statutory and Professional Compliance

In addition to the tasks identified above, each year I undertake the following statutory tasks:

### Statutory

- Prepare and issue a Progress Report to creditors for every 6-month period of the Administration;
- If a Creditors' Committee has been established, prepare and issue six-monthly reports to the committee members, or within any other reporting timescale agreed;
- Submit VAT returns to HM Revenue and Customs, to ensure that any VAT refunds or payments are received or paid;
- Submit annual tax returns to HM Revenue and Customs.

### Professional Compliance



- Undertake bi-annual case reviews to ensure that the case is being progressed efficiently and in a timely manner; statutory duties have been undertaken; consider any ethical, money laundering and Bribery Act 2010 issues pertaining to the case and ensure that any identified matters are addressed;
- Maintain the case cash book, by undertaking quarterly bank reconciliations.

### Closing Statutory and Professional Compliance

After concluding all case related matters, I undertake the following tasks:

#### Statutory

- Considering whether an extension to the Administration is necessary and, if so, seeking approval for this via creditors or the Court and issuing notice of the outcome;
- Considering which exit route from Administration is appropriate;
- Drafting and issuing my final Progress Report to members and creditors;
- Filing the relevant statutory documents at Companies House;
- Retain and store the Administration records for a minimum of 6 years after the vacation of office.

#### Professional Compliance

- Prepare and submit a letter to HM Revenue and Customs requesting clearance to end the Administration;
- Reconcile the cash book ready for closure.

### Tasks in relation to creditors' claims

I undertake the following tasks:

- Ensure that all creditors' claims are listed with the correct addresses and references and that the amount claimed correlates to the directors' estimated Statement of Affairs;
- Enter proof of debt forms/claims as and when they are received;
- Deal with enquires from creditors.



Qualia Care Properties Limited  
In Administration

Griffins' Time Analysis for the period 11 March 2022 to 23 June 2022, together with a  
cumulative account for the entire period of the appointment

Auker Rhodes Accounting Limited's Time Analysis for the period 11 September 2020 to 10  
March 2022



## Time Entry - Detailed SIP9 Time & Cost Summary

QUALI03 - Qualia Care Properties Limited  
From: 11/03/2022 To: 23/06/2022  
Project Code: POST

[illegible]



## Time Entry - Detailed SIP9 Time & Cost Summary

QUALI03 - Qualia Care Properties Limited  
From: 22/04/2021 To: 23/06/2022  
Project Code: POST

[illegible]

**QUALIA CARE PROPERTIES LIMITED**  
(In Administration)

**AUKER RHODES ACCOUNTING TIME COST SUMMARY**  
**FOR THE PERIOD 11 SEPTEMBER 2020 TO 10 MARCH 2022**

Classification of work	Officeholder	Manager	Other senior professional	Assistants & support staff	Total hours	Time cost (£)	Average hourly rate (£)
Case administration	76.60	108.90	10.90	0.70	197.10	42,915.00	217.73
FCA	14.40	-	-	-	14.40	3,600.00	250.00
Closure	-	-	-	-	-	-	-
Creditors & shareholders	15.60	52.10	1.40	-	69.10	14,530.00	210.27
Employees	-	-	-	-	-	-	-
Investigations	15.00	10.00	-	-	25.00	5,750.00	230.00
Realisation of assets	25.20	0.80	-	-	26.00	6,460.00	248.46
Trading	-	-	-	-	-	-	-
<b>Total hours</b>	<b>146.80</b>	<b>171.80</b>	<b>12.30</b>	<b>0.70</b>	<b>331.60</b>	<b>73,255.00</b>	<b>220.91</b>
<b>Total fees drawn in the period</b>						<b>67,600.00</b>	

Qualia Care Properties Limited  
In Administration

Creditors' Rights - Rules 18.9 and 18.34 of the Insolvency (England and Wales) Rules 2016



## Insolvency (England and Wales) Rules 2016

### Rule 18.9

#### **Creditors' and members' requests for further information in administration, winding up and bankruptcy**

(1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—

- (a) a secured creditor;
- (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
- (c) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;
- (d) any unsecured creditor with the permission of the court; or
- (e) any member of the company in a members' voluntary winding up with the permission of the court.

(2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.

(3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—

- (a) providing all of the information requested;
- (b) providing some of the information requested; or
- (c) declining to provide the information requested.

(4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—

- (a) the time or cost of preparation of the information would be excessive; or
- (b) disclosure of the information would be prejudicial to the conduct of the proceedings;
- (c) disclosure of the information might reasonably be expected to lead to violence against any person; or
- (d) the office-holder is subject to an obligation of confidentiality in relation to the information.

(5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.

(6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—

- (a) the office-holder giving reasons for not providing all of the information requested;

or



(b) the expiry of the 14 days within which an office-holder must respond to a request.

(7) The court may make such order as it thinks just on an application under paragraph (6).

#### Rule 18.34

Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive

(1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—

(a) the remuneration charged by the office-holder is in all the circumstances excessive;

(b) the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or

(c) the expenses incurred by the office-holder are in all the circumstances excessive.

(2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable—

(a) a secured creditor,

(b) an unsecured creditor with either—

(i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or

(ii) the permission of the court, or

(c) in a members' voluntary winding up—

(i) members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or

(ii) a member of the company with the permission of the court.

(3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").

