In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the Insolvency Act 1986.

# LIQ03 Notice of progress report in voluntary winding up



For further information, please refer to our guidance at www.gov.uk/companieshouse

1	Company details	
Company number	0 6 0 8 8 9 6 3	→ Filling in this form  Please complete in typescript or in
Company name in full	Simply Removals UK Limited	bold black capitals.
2	Liquidator's name	
Full forename(s)	Jason	
Surname	Callender	
3	Liquidator's address	
Building name/number	Olympia House	***************************************
Street	Armitage Road	
Post town	London	
County/Region		
Postcode	N W 1 1 8 R Q	
Country		
4	Liquidator's name •	
Full forename(s)		Other liquidator Use this section to tell us about
Surname		another liquidator.
5	Liquidator's address 🛭	
Building name/number		Other liquidator Use this section to tell us about
Street		another liquidator.
Post town		
County/Region		_
Postcode		
Country		

# LIQ03 Notice of progress report in voluntary winding up

6	Period of progress report					
From date						
To date	3         7         0         2         0         2         0					
7	Progress report					
	☑ The progress report is attached					
8	Sign and date					
Liquidator's signature	Signature					
	X					
Signature date						

# LIQ03

Notice of progress report in voluntary winding up

# 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	Paul Tomasino
Company name	Panos Eliades Franklin & Co
Address	Olympia House
	Armitage Road
Post town	London
County/Region	
Postcode	N W 1 1 8 R Q
Country	
DX	
Telephone	0208 731 6807

# ✓ 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.
- $\ \square$  You have attached the required documents.
- ☐ You have signed 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.

### **7** Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email 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

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- 7. Creditors
- 8. Investigations
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### **APPENDICES**

- 1. Summary of Receipts and Payments for the period 24 October 2019 to 23 October 2020
- 2. Analysis of Time Costs for period 24 October 2019 to 23 October 2020
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- 4. Time costs summary for period, cumulative & comparison with estimate and expenses summary for period, cumulative & comparison with estimate
- 5. Statement of right to request further information pursuant to Insolvency Rule 18.9

### 1. INTRODUCTION

The purpose of this report is to provide details of my acts and dealings as Liquidator for the year ended 23 October 2020 in accordance with Section 104A of the Insolvency Act 1986.

Information about the way that my firm will use and store personal data in relation to insolvency appointments can be found at https://www.pefandco.com/privacy-policy/. If you are unable to download this, please contact my office and a hard copy will be provided to you.

### 2. STATUTORY INFORMATION

### **Company Details**

Company Name

Simply Removals UK Limited

Company Number

06088963

Registered Office

Olympia House, Armitage Road, London, NW11 8RQ

Former Registered

Office

12 Gateway Mews

Bounds Green

London N11 2UT

Principal Activity

Removal Services

### **Appointment Details**

Officeholder

Jason Callender

Officeholder's address

Olympia House, Armitage Road, London, NW11 8RQ

Date of appointment

24/10/2019

Changes to

None

Officeholder

### 3. ADMINISTRATION AND PLANNING

A Liquidator is required to comply with a number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit in producing or enhancing realisations for the insolvent estate, they assist in the efficient and compliant progressing of the administration of the Liquidation, which ensures that work is carried out to high professional standards. A detailed list of these tasks may be found in Appendix 3.

### 4. ASSET REALISATIONS

My summary of Receipts and Payment for the year from 24 October 2019 to 23 October 2020 is attached at Appendix 1.

According to the Statement of Affairs, the assets of the Company had a total estimated realisable value of £20,531, which comprised the following:

Asset Name	Est. To Realise £	Realised To Date £
Plant & Machinery	5,465	5,465.00
Fixtures and Fittings	1,130	1,130.00
Furniture & Equipment	2,436	2,436.00
Motor Vehicles	3,500	1,500.00
Goodwill	8,000	8,000.00
Book Debts	Uncertain	Nil
Cash at Bank	-	3,692.56
Total	20,531	22,223.56

### **REALISATION OF ASSETS**

My firm instructed Ashwells Nationwide Services Limited ("Ashwells"), who are professional independent agents, to value the tangible and intangible assets of the Company on 5 November 2019.

### **Connected Party Transactions**

In accordance with Statement of Insolvency Practice 13, I would advise you that the following assets have been sold connected parties during the period covered by this report:

Date of transaction	Assets involved & nature of transaction	Consideration paid & date	Sold to	Relationship
26/11/2019	Plant & Machinery - Invoice	£5,465 + VAT paid on 6/1/2020	Simply Storage Space (Romford) Limited	Common Director – Mr D Muretti
Fixtures, Fittings, Furniture & Equipment – Sale & Purchase Agreement		£3,566 + VAT paid on 27/7/2020 SM Service Group Limited		Employee – Mr P Shaw
26/11/2019	Goodwill and Intellectual Property – Sale & Purchase Agreement	£8,000 paid on 12/10/2020	SM Service Group Limited	Employee – Mr P Shaw
31/10/2019	Motor Vehicle – Invoice	£1,500 paid on 31/10/2020	Commercial Moving Limited	Employee – Mr P Shaw

The sale of the assets above represent the maximum price achievable and it is considered that had the chattel assets not been sold to a connect party, they would likely have been abandoned on site due to the nature of the assets, costs of removal and costs of sale. A sale of the goodwill would not have materialised in the event a connected party sale could not be achieved. Further details in relation to the connected party transactions are detailed below.

### Plant & Machinery, Fixtures & Fittings

Plant and Machinery and Fixtures and Fittings had estimated realisable values of £5,465 and £1,130 respectively, consisting of storage containers that had been heavily used and damaged, a Phoenix Diamond safe, storage racking and desks. The realisable values were estimated by the Director, Mr Muretti by reference to age, specification and condition. Ashwells valued the Plant and Machinery together with the Fixtures and Fittings at £5,165 In Situ and £2,500 Ex Situ.

The Plant and Machinery was purchased by Simply Storage Space (Romford) Limited, a company connected by the common Directorship of Mr Muretti, for £5,465 plus VAT.

The Fixtures and Fittings were purchased by SM Service Group Limited, a company connected by one of the employees of Simply Removals UK Limited, Mr Shaw, who is a Director of SM Service Group, for £1,130 plus VAT.

As far as I am aware, Simply Storage Space (Romford) Limited were not independently advised in relation to the transaction.

### Furniture, Equipment and Goodwill

Furniture and Equipment had and estimated realisable value of £2,436, which consisted of various tower PCs, laptops and monitors, in addition to two TV's and two servers. The realisable value was estimated by the Director by reference to age, specification and condition. Ashwells valued the Computer Equipment at £2,175 In Situ and £850 Ex Situ.

The Goodwill had an estimated realisable value of £8,000. Whilst there was no book value attributed to the Goodwill of the Company, the Director suggested an associated Company may be interested in purchasing the Goodwill and he estimated a realisable value of £8,000. The Director did not consider any value attributable to unconnected parties. Ashwells valued the Goodwill and Intellectual Property at £7,500 Is Situ and nil Ex Situ. The Goodwill and Intellectual Property was purchased for £8,000 by SM Service Group Limited.

Trainer Shepherd Phillips Melin Haynes LLP ("TSPMH") were instructed to assist with the sale of the tangible and intangible assets of the Company to SM Service Group and a Sale and Purchase Agreement ("SPA") was completed by all parties on 26 November 2019. The SPA incorporated the sale of the following assets:

- Fixtures & Fittings £1,130 + VAT
- Chattel Assets £2,436 + VAT
- Goodwill & Intellectual Property £8,000

I have chased for payment of the assets throughout the period of this report and can confirm the final payment was eventually received on 12 October 2020. This has now been paid in full.

As far as I am aware SM Service Group Limited were not independently advised in relation to the transaction.

### **Motor Vehicles**

This comprised two motor vehicles, a Vauxhall Movana van and Fiat Ducato with a combined estimated realisable value of £3,500. Both vehicles were free of finance, however had extensive mileage and were in poor condition. The realisable value attributed to the motor vehicles by the Director was considered to be in a best-case scenario. Ashwells advised that the vehicles were scrap but in the event of a there being any interest, they valued the Motor Vehicles at £500 In Situ and £150 Ex Situ. These two vehicles were scrapped, as a buyer could not been found.

However, it emerged that there was a third vehicle which also had little value and potentially considered as scrap. This was sold on 31 October 2019 for £1,500 to Commercial Moving Ltd, a Company of which Mr Shaw is a Director. As far as I am aware, Commercial Moving Group was not independently advised in relation to the transaction.

### **Book Debts**

Book Debts which comprises approximately 100 debtors with a total balance of £44,071 outstanding. Given the quantum and age of the debtors, the Director was uncertain as to the estimated realisable value. I have obtained a list of debtors, however the Director has advised that he has made a mistake and the debtors actually relate to another group company. An explanation as to this error has been provided and I have recently been provided with an updated ledger which consists of nine debtors totalling £34,662.18. I am currently reviewing the updated ledger, however it would appear one debtor totalling £19,249 is in Liquidation and the remaining eight debtors are disputed. A realisation therefore looks unlikely, however my next report to Creditors will provide further clarity.

### Cash at Bank

Although not reflected on the Statement of Affairs, it emerged that a balance of £3,692.56 had remained in the Company bank account held at Barclays Bank plc. This was received via BACS payment on 7 January 2020.

### 5. COSTS AND EXPENSES

### Liquidator's Remuneration

On 31 October 2019 I sought Creditors' approval of the following decisions by way of a decision-by-correspondence procedure:

That the Liquidator's fees be fixed by reference to the time properly given by him and his staff in attending to matters as set out in the enclosed fees estimate, such time to be charged at the prevailing standard hourly charge out rates of Panos Eliades Franklin & Co at the time when the work is performed; and

That the Liquidator be authorised to draw "Category 2" disbursements to be fixed as set out in the enclosed expenses estimate.

That approval was received on 21 November 2019 and the sum approved was £23,945.

Time costs for the period 24 October 2019 to 23 October 2020 total £28,176, representing 75.80 hours at an average hourly rate of £371.72. The sum of £5,000 has been drawn on account of time costs incurred.

Of the time costs of £6,636.50 categorised as "Administration & Planning":-

- (i) £4,604.50 is referable to complying with statutory obligations and case planning
- (ii) £1,827 is referable to cashiering, post-appointment VAT and Corporation Tax matters and maintenance of financial records
- (iii) £205 is referable to meetings, telephone calls and correspondence.

Time costs of £7,759.50 categorised as "Realisation of Assets" are referable to meetings, telephone calls, correspondence etc in respect of instructing Ashwells regarding the valuation of assets, instructing TSPMH in relation to the SPA, agreeing payment terms and monitoring receipts, and liaising with the Director in relation to outstanding debtors.

Of the time costs of £6,760 categorised as "Creditors":-

- (i) £1,627 is referable to issuing reports to Creditors.
- (ii) £7 is referable to dealing with telephone calls, correspondence etc in respect of general enquiries.
- (iii) £4,422 is referable to processing employees' claims and adjudication of Creditors' claims.

The time costs for the period are detailed at Appendix 2 and a comparison between the original estimate and time costs to date is given at Appendix 4.

A statement of right to request further information pursuant to Insolvency Rule 18.9 is appended at 5. An electronic copy of "A Creditors' Guide to Liquidators' fees" published by R3 is available at the following link: https://www.r3.org.uk/media/documents/publications/professional/Liquidations%20Creditor%20Fee%20Guide%20April%202017.pdf and this firm's charge-out rate and disbursement policy may be found at www.pefandco.com. Additionally, hard copies of both the Creditors' Guide and this firm's charge-out rate and disbursement policy are available on request.

### **DISBURSEMENTS**

The disbursements that have been incurred during the period are detailed at Appendix 4, together with a comparison of the expenses likely to be incurred in the Liquidation as a whole with the original expenses estimate. The original expenses estimate has been exceeded in relation to storage costs due to a larger than anticipated amount of books and records delivered by the Company.

No Category 2 disbursements have been drawn.

### OTHER COSTS

### Administrative Software Fee

A fee for the proprietary software used to process the administration of the Liquidation.

### **Solicitors**

Trainer Shepherd Phillips Melin Haynes LLP were instructed as legal advisors to prepare an SPA for the sale and purchase of the assets that were purchased by SM Service Group Limited. Their costs have been agreed on the basis of their standard hourly charge out rates, plus disbursements and VAT. The solicitors' fees for the period 24 October 2019 to 23 October 2020 amount to £750 plus VAT and they have been paid in full.

Trainer Shepherd Phillips Melin Haynes LLP were instructed due to their competitive rates and known effectiveness in insolvency related matters. They are SRA regulated.

### Agents

Ashwells were instructed as agents to value the aforementioned assets. Ashwells were chosen due to their insolvency specialism, efficient and competitive market rates. Their valuation fee was agreed at a fixed sum of 300 plus VAT and disbursements and they have been paid in full.

### **Sundry Expenses**

The sum of £520 had to be paid to Enfield Council in order to release the Motor Vehicles as they had been clamped.

### 6. CREDITORS' RIGHTS

An Unsecured Creditor may, with the permission of the Court or with the concurrence of 5% in value of the Unsecured Creditors (including the Creditor in question), request further details of the Liquidator's remuneration and expenses, within 21 days of receipt of this report. Any Secured Creditor may request the same details in the same time limit.

An Unsecured Creditor may, with the permission of the Court or with the concurrence of 10% in value of the Creditors (including the Creditor in question), apply to Court to challenge the amount and/or basis of the Liquidator's fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report. Any Secured Creditor may make a similar application to Court within the same time limit. Your attention is drawn to Appendix 5.

General information about this insolvency process may also be found on the R3 website at http://www.creditorinsolvencyguide.co.uk.

### 7. CREDITORS

Irrespective of whether sufficient realisations are achieved to pay a dividend to creditors, I have had to carry out key tasks which are detailed in the list at Appendix 3. The following sections explain the anticipated outcomes to creditors and any distributions paid. I have complied with my statutory and regulatory duties to report to creditors and during the review period the following key documents have been issued:

- The initial report issued to creditors upon appointment
- This progress report

### SECURED CREDITOR

The Company did not grant any charges over its assets.

### PREFERENTIAL CREDITORS

Preferential creditors' claims totalled £12,092 in respect of unpaid wages and holiday pay. There was not a claim for contributions to the occupational pension scheme and state scheme premiums. The relevant information for employees to submit claims has been provided to the Redundancy Payments Office and information and help has been given to employees to enable them to submit their claims online.

There are insufficient funds to make a distribution to Preferential Creditors.

### **UNSECURED CREDITORS**

The Statement of Affairs included 121 Unsecured Creditors with an estimated total liability of £1,039,715. I have received claims from 13 Creditors at a total of £82,422.77. Proofs of claim are still being received and therefore the total value of unsecured creditors' claims is not known at present. My firm has spent time corresponding with consumers in relation to their claims and potential insurance claims.

### PRESCRIBED PART

Where a floating charge is created on or after 15 September 2003, a proportion of realisations covered by the charge must be set aside, known as the Prescribed Part, which is designated for distribution to Unsecured Creditors, subject to Liquidation costs and expenses.

In this case, the Company did not grant a floating charge to any creditor on or after 15 September 2003 and consequently the Prescribed Part provisions do not apply.

### **DIVIDEND PROSPECTS**

After taking into account Liquidation costs and expenses, there are insufficient funds available to pay a dividend to Creditors and notice is hereby given in accordance with Insolvency Rule 14.36 that no dividend will be declared to any class of creditor.

### 8. INVESTIGATIONS

My investigations within the ambit of Statement of Insolvency Practice 2, which have entailed an examination of the Company's books and records and all other relevant information and consideration of all relevant issues, did not reveal any other basis of realisation nor any other matters to be conveyed in this report. An appropriate report on the Director's conduct was submitted to the Department for Business, Innovation & Skills Disqualification Unit. The contents of that report are confidential.

During the Review Period, an initial review of the Company's affairs in the period prior to appointment was carried out. This included seeking information and explanations from the director by means of questionnaires; making enquiries of the Company's accountants; reviewing information received from creditors and collecting and examining the Company's accounting records/bank statements.

This work was also carried out with the objective of making an initial assessment of whether there were any matters that might lead to any recoveries for the benefit of creditors. This would typically include any potential claims which may be brought against parties either connected to or who have past dealings with the Company. This initial assessment has been completed and did not identify any further assets or actions which might lead to a recovery for creditors.

# 9. EC REGULATION ON INSOLVENCY PROCEEDINGS (WHETHER PROCEEDINGS ARE MAIN PROCEEDINGS OR TERRITORIAL)

The Company's centre of main interest was in the United Kingdom and therefore it is considered that the EC Regulation applies. These proceedings are main proceedings as defined in Article 3 of the EC Regulation.

### 10. CONCLUSION

The continuing conduct of the Liquidation is essentially concerned with matters of a procedural and administrative nature and I can presently give no indication as to when the Liquidation will be brought to a conclusion.

If you require any further information, please contact Eleonora Marmor at this office.

JASON CALLENDER

**LIQUIDATOR** 

(Authorised by the Insolvency Practitioners Association)

Enc

# Simply Removals UK Limited Trading As: Simply Removals (In Liquidation)

# Liquidator's Summary of Receipts & Payments To 23/10/2020

1,130.00	
	22,223.5
	·
520.00	(7,861.27
	(7,001.27
-	14,362.2
=	
	1,000.0
	14,075.4
	(713.20
	14,362.2
	Jason Callend Liquidate
	5,465.00 2,436.00 1,500.00 8,000.00 3,692.56 80.00 5,000.00 750.00 185.00 594.30 271.57 160.40 520.00

Q

# Time Entry - SIP9 Time & Cost Summary

CVL.701 - Simply Removals UK Limited All Post Appointment Project Codes From: 24/10/2019 To: 23/10/2020

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	0.50	10.10	4.80	3.20	18.60	6,636.50	356.80
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.60	2.10	13.10	7.60	23.40	6,760.00	288.89
Investigations	0.00	15.80	0.00	3.30	19.10	7,020.00	367.54
Pre-Appointment Time	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	10.50	4.20	0.00	0.00	14.70	7,759.50	527.86
Statutory Compliance	0.00	0.00	00.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	00:00	0.00	0.00
Total Hours	11.60	32.20	17.90	14.10	75.80	28,176.00	371.72
Total Fees Claimed						5,000.00	
Total Disbursements Claimed						0.00	

Version 15-03-18

### **APPENDIX 3**

# Detailed list of work undertaken for the review period from 24 October 2019 to 23 October 2020

Detailed information about the tasks undertaken by the Liquidator and his staff during the review period is set out below.

General	
Description	
STATUTORY AND GENERAL ADMINISTRATION	
Statutory/advertising	Filing of documents to meet statutory requirements Quarterly VAT returns Advertising in accordance with statutory requirements Bonding the case for the value of the assets
Document maintenance/file review/checklist	Filing of documents Periodic file reviews documenting strategy Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries
Bank account administration	Opening estate bank account Bank account reconciliations Correspondence with bank regarding specific issues Maintenance of the estate cash book Banking remittances and issuing cheques
Planning / Review	Periodic file reviews documenting case strategy and case progression
Pension scheme	Identifying whether there is a pension scheme
Reports	Circulating initial report to creditors upon appointment Preparing annual progress report and general reports to creditors
Meeting of Creditors	Preparation of initial report to creditors Advertisement of meeting and Liquidator's appointment Draft minutes of meetings Responding to queries and questions following meeting
INVESTIGATIONS	
SIP 2 Review	Collection and making an inventory of company books and records Correspondence to request information on the company's dealings, making further enquiries of third parties Reviewing questionnaires submitted by creditors and directors Reconstruction of financial affairs of the company Reviewing company's books and records Preparation of deficiency statement Review of specific transactions and liaising with directors regarding certain transactions
Statutory reporting on conduct of director(s)	Preparing statutory investigation reports Liaising with Insolvency Service Submission of report with the Insolvency Service Preparation and submission of supplementary report if required Assisting the Insolvency Service with its investigations
REALISATION OF	
ASSETS Cash at Bank	Review account closing bank statements Apply to Bank for balance on account
Plant and Equipment, Fixtures & Fittings and Furniture & Equipment	Instructing and liaising with valuers, auctioneers and interested parties Reviewing asset listings Negotiating and chasing payment Instructing and liaising with lawyers to draft legal document
Debtors	Collecting supporting documentation Correspondence with debtors

General Description	
	Reviewing and assessing debtors' ledgers
Goodwill	Liaising with Director and Agent to determine estimated realisable value  Monitoring receipt of payment
Motor Vehicles	Liaising with agents Dealing with potential purchasers Negotiating sales
CREDITORS AND DISTRIBUTIONS	
Creditor Communication	Receive and follow up creditor enquiries via telephone Correspondence with consumers regarding their claims and enquiries Review and prepare correspondence to creditors and their representatives via facsimile, email and post
Dealing with proofs of debt	Receipting and filing POD when not related to a dividend

.

**APPENDIX 4** 

### Time costs summary for the review period, cumulative & comparison with original fee estimate

	Original fees estimate			Actual time costs incurred during the Review Period			Total time costs incurred to date		
Work category	Number of hours	Blended hourly rate £ per hour	Total fees	Number of hours	Average hourly rate £ per hour	Total time costs	Number of hours	Average hourly rate £ per hour	Total time costs
Administration (including statutory reporting)	9.00	339.72	3057.50	18.60	356.80	6636.50	18.60	356.80	6636.50
Investigations	10.00	366.00	3660.00	19.10	367.54	7020.00	19.10	367.54	7020.00
Realisation of Assets	7.00	378.57	2650.00	14.70	527.86	7759.50	14.70	527.86	7759.50
Creditors	59.50	245.00	14577.50	23.40	288.89	6760.00	23.40	288.89	6760.00
Totals	85.50	280.06	23945.00	75.80	371.72	28176.00	75.80	371.72	28176.00

### **Current Charge-out Rates**

In accordance with the provisions of Statement of Insolvency Practice 9 ("SIP 9"), the charge-out rates applicable to this appointment, exclusive of VAT, are details as follows:-

	Charge out rates £				
Staff	01.01.12 – 31.12.16	01.01.17 -			
Partners/Office Holders	550	575			
Managers	385	410			
Senior Administrators/Cashiers	275	300			
Semi-Senior Administrators/Support Staff	220	240			
Junior Administrator	130	140			

### Time charging policy

Charge-out rates are normally reviewed annually on 1st January, when rates are adjusted to reflect such matters as inflation and increases in direct and indirect costs. Time is recorded and charged in units of a minimum of 6 minutes. It is the policy of Panos Eliades Franklin & Co to fully recover the time chargeable for support staff in respect of secretarial, cashiering and filing activities.

### Expenses summary for the review period, cumulative & comparison with estimate

Below are details of the Liquidator's expenses for the period under review and the total to date.

Expenses	Original expenses estimate £	Actual expenses incurred in the Review Period £	Actual expenses incurred to date £	Reason for any excess (if the expenses are likely to, or have, exceeded the original estimate)
Category 1 Expenses				
Statutory Advertising	192.48	160.40	160.40	
Agents' and valuers' costs	1500.00	300.00	300.00	
Legal Fees	1000.00	750.00	750.00	
Specific Penalty Bond	80.00	80.00	80.00	
Administrative Software Fee	185.00	185.00	185.00	
Postage, Stationary, Office Costs	303	594.30	594.30	Administrative error initially
Sundry expenses	0	520.00	520.00	Not initially anticipated

### STATEMENT OF RIGHT TO REQUEST INFORMATION

### **INSOLVENCY RULE 18.9**

### Rule 18.9 Creditors' and members' requests for further information

- (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).