



Rodewald Consulting Limited
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RO Construction Limited (In Liquidation) Liquidator's First Report

8 November 2018

1. Background

RO Construction Limited (In Liquidation) ("the Company") was placed into liquidation by special resolution of the shareholder on the 2nd day of November 2018 at 9:45 pm. Thomas Lee Rodewald, Chartered Accountant of Tauranga was appointed as Liquidator of the company.

2. Disclaimer

This report is not intended for general circulation, nor is it to be reproduced or used for any purpose other than that outlined above without written permission in each specific instance. The Liquidator does not accept any responsibility or liability for any damage or loss occasioned to any party as a result of the circulation, publication, reproduction or use of this report. In particular the Liquidator takes no responsibility for any misinformation contained therein that has been supplied by the company, its officers or any other person. The report is also based upon information available at this date, and the Liquidator therefore reserves the right to review, and if necessary, amend the report.

3. Declaration of Independence, Relevant Relationships and Indemnities

Attached as **Appendix 1** is the Declaration of Independence, Relevant Relationships and Indemnities.

4. Company Information

Date of Incorporation:	29 January 2015	
Trading Address:	32 Rhoboro Road, Twizel	
Type of business:	Building Construction	
Date trading ceased:	April 2018	
Shareholders:	Richard John O'Sullivan	Number of Shares: 100
Directors:	Richard John O'Sullivan	

5. Events Leading to Appointment of Liquidators

The Director of the company has advised the reason for the failure of the Company is due to losses on contracts completed.

6. Statement of Affairs

We attach as **Appendix 2** a statement of the Company's affairs as at the date of our appointment.

This has been prepared from information provided by a director of the Company and the Liquidator is not yet able to express an opinion on the validity of that information.

Also attached as **Appendix 3** is a list of known creditors as at the date of appointment.

7. Proposals for Conducting the Liquidation

The Liquidator will review the Company's books and records to establish if there are any potentially voidable transactions, any potential shareholder current issues and ensure the Director/s have complied with their duties and obligations imposed on them under the Companies Act 1993.

8. Estimated Date of Completion of Liquidation and Notice As To Further Reports

It is not practicable to estimate the date of the completion of the liquidation at this stage. Further reports will be issued six monthly, with a final report at the conclusion of the liquidation.

9. Creditors Meeting

Having regard to the assets and liabilities of the company, the likely result of the liquidation and other relevant matters, the Liquidator considers in accordance with section 245 of the Companies Act 1993 that no such meeting should be held.

A meeting will not be called unless within 10 working days after receiving this notice a creditor gives notice in writing to the Liquidators requiring a meeting to be called.

The Liquidator dispenses with holding a creditors meeting pursuant to Section 243 of the Companies Act 1993 as the dividend is expected to be nil or very small.

In accordance with Section 314 of the Companies Act 1993 a creditor or shareholder may request the Liquidator to call a meeting of creditors or shareholders at any time in the course of the Liquidation to vote on a proposal that a Liquidation Committee be appointed to act with the Liquidator. This request must be in writing.

The Liquidator may decline a request by a creditor or a shareholder to call a meeting on the grounds that:

- a) the request is frivolous or vexatious; or
- b) the request was not made in good faith; or
- c) the costs of calling the meeting would be out of proportion to the value of the company's assets.

The decision to decline a request may be reviewed by the Court on the application of any creditor or shareholder.

10. Creditors Claims

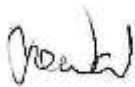
If your terms of trade with the company include reservation of title of goods supplied please contact Tom Rodewald by email tomr@rodewaldconsulting.co.nz

Please complete and return the enclosed Unsecured Creditors Claim form by 2 January 2019 to carolc@rodewaldconsulting.co.nz. If you believe that you are a secured creditor please contact our Tauranga office and the appropriate forms will be sent to you.

Completion of your claim should be given your urgent attention. If creditors do not lodge a claim with the Liquidator, the creditor is not entitled to share in any distribution to creditors that may be made by the Liquidator.

11. Further Information

If you require any further information or if you have any information that will be of assistance to the Liquidators please contact Tom Rodewald on 021 2277408 or email: tomr@rodewaldconsulting.co.nz.



Thomas Lee Rodewald
Liquidator

Declaration of Independence, Relevant Relationships and Indemnities

Name of Insolvent: RO Construction Limited

I Thomas Lee Rodewald, Chartered Accountant and accredited Insolvency Practitioner declare that:

Independence:

- I have undertaken a proper assessment of risks to independence in accordance with the law, code and applicable professional standards;
- I have determined that the assessment identified no real or potential risks to independence.

Relationship

I have not had any communication or prior meeting with the insolvent or its director or any associated party prior to accepting appointment other than to provide necessary documentation.

This appointment arose from a viewing of my Liquidation Online website.

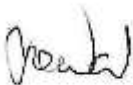
I have provided no other information to the insolvent, officers of the insolvent or the advisors.

I have had no relationship with the insolvent, associates of the insolvent or security holder in the preceding 2 years;

I have no other relevant relationships, including personal, business and professional relationships, over the previous 24 months with the insolvent, an associate of the insolvent, a former insolvency practitioner appointed to the Insolvent or any person or entity that has a charge over the whole or substantially whole of the Insolvent's property that should be disclosed.

Independence and Upfront Payments

I have received an upfront payment of \$3,000. This is held in the name of the insolvent in the Rodewald Consulting Limited Trust Account and will be applied on a time and cost basis.



Thomas Lee Rodewald

Appendix 2

RO Construction Limited (In Liquidation) Statement of Affairs as at the Date of the Appointment of the Liquidators being 2 November 2018

	<i>Estimated to Realise</i>
Assets	Note
Plant & Equipment	Unknown
Shareholder Current Account	Unknown
Motor vehicles	Unknown
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	Unknown
 Less Secured Claims	
Fleet Partners	Approx. 21,000
Southbank Building Supplies Limited t/a Placemakers Crandford Street	29361.58
 Less Preferential Claims	
Employee Claims	Unknown
Inland Revenue Department	50,970
	<hr/>
	Unknown
 Deficit before Unsecured Creditors	 Unknown
 Less Unsecured Creditors	
IRD – Income Tax (penalties & interest)	27,327
Personal Loan	Unknown
ANZ Bank	49,361
Trade Creditors	11,251
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Deficit (before costs of liquidation)	Unknown

Disclaimer

This statement should be read in conjunction with the disclaimer on page one of the above Liquidator's report and Rodewald Consulting Limited have not audited the report and they, their directors or employees accept no liability to any other party in relying on the information presented. The purpose of the report is to give creditors of the company an indication of the financial position of the company as at the date of appointment of the Liquidator.

Rodewald Consulting Limited

RO Construction Limited(In Liquidation)
Schedule of Creditors as at 2 November 2018

Name	Address 1	Address 2	Address 3
Fleetpartners NZ	PO Box 98899	Manukau City	Auckland 2241
Southbank Building Supplies Limited	318 Cranford Street		Christchurch
ANZ Bank			
BB Rees Accounting	PO Box 42075	Tower Junction	Christchurch
Brita Safety	PO Box 16864	Horley	Christchurch
Darren White	27 Takaro Avenue	Sockburn	Christchurch
Contact Energy	Private Bag 4709		Christchurch
Spark NZ Limited	PO Box 1413		Christchurch
Personal Loan	Unknown		
Inland Revenue Department	PO Box 39010	Wellington MC	Lower Hutt

CREDITORS CLAIM FORM

(Also for use by Preferential Creditors)
Section 304 (1) Companies Act 1993

Name and postal address of creditor in full Telephone number: My reference is: (if applicable) E-mail address: <input type="checkbox"/> I consent to receiving future information about the company by email	*Any personal information collected is for the purpose of administering the liquidation in accordance with the Companies Act 1993. The information will be used and retained by Rodewald Consulting Limited and will be released to other parties only with your authorization or in compliance with the Privacy Act 1993. Under section 304(1) of the Companies Act 1993 any claim by an unsecured creditor against a company in liquidation must be in this prescribed form and must - (a) Contain full particulars of the claim; and (b) Identify any documents that evidence or substantiate the claim. You may have access to, and request correction of any personal information. (*Not applicable, if creditor is not an individual within the meaning of the Privacy Act 1993.)
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RO Construction Limited (In Liquidation)

I _____ (If claim is made on behalf of creditor, specify relationship to creditor and authority) claim that the company was at the date it was put into liquidation indebted to the above named creditor for the sum of [amount in words and figures]:

\$ _____

STATUS OF CLAIM:

1. I am an unsecured creditor
2. I am surrendering the security I hold and I am claiming as an unsecured creditor
3. I am making a preferential claim (refer details of reverse)
4. I am claiming reservation of title rights pursuant to rights held by me
(Refer details on reverse)

TICK

Full particulars of the claim are set out, and any supporting documents that substantiate the claim are identified on the reverse of the form. *(Please include copies of all unpaid invoices)*

Signed:

Date:

WARNING:-

It is an offence under section 304(6) of the Companies Act 1993 to:-
 Make, or authorize the making of, a claim that is false or misleading in a material particular knowing it to be false or misleading; or

 Omit, or authorize the omission, from a claim of any matter knowing that the omission makes the claim false or misleading in a material particular.

Received
(Date Stamp)

Reserved for Office Use:

Claim admitted for voting purposes:	Signed:	Date:
Claim rejected for voting purposes:	Signed:	Date:
Claim rejected for payment:	Signed:	Date:
Preferential claim for: \$	Ordinary Claim for: \$	Deferred Claim for: \$
Signed Liquidator:	Dated:	

Note: If the decision to admit or reject a claim is amended, regulation 8 of the Companies Act 1993 Liquidation Regulations 1994 requires that it be recorded in writing.

Please return this form to:

Rodewald Consulting Ltd, PO Box 15543, Tauranga 3144
carolc@rodewaldconsulting.co.nz

PARTICULARS OF CLAIM

Date	Details of claim and Identification of Documents that Evidence or Substantiate the Claim (i.e., unpaid invoices)	Amount \$
	<p>RETENTION OF TITLE CLAIMANTS ONLY Please provide details of the basis of your retention of title claim and furnish a copy of the documentation showing that such reservation of title clause is a condition of contract.</p> <p align="right">Yes/No</p> <p align="right">\$.....</p> <p>PREFERENTIAL CLAIMANTS ONLY</p> <p>1. Are you claiming the full amount of your claim as preferential?</p> <p>2. If no, what part of the claim is preferential?</p> <p>3. Why do you believe you are a preferential creditor?</p> <p>(E.g. employee, GST etc)</p> <p>.....</p> <p>4. Details of your claim</p> <p>.....</p> <p>.....</p>	

If applicable, please record your GST registration number: - -

Total GST included in your claim \$.....