

LIQ03

Notice of progress report in voluntary winding up



Companies House

FRIDAY



A18 *A990148J* #39
10/07/2020
COMPANIES HOUSE

1 Company details

Company number 03915252

Company name in full Ability Associates Limited

→ Filling in this form
Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Alan

Surname Simon

3 Liquidator's address

Building name/number Langley House

Street Park Road

Post town London

County/Region

Postcode N28EY

Country

4 Liquidator's name ①

Full forename(s)

Surname

① Other liquidator
Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

② Other liquidator
Use this section to tell us about
another liquidator.

LIQ03

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6 Period of progress report

| | | | | | | | | |
|-----------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| From date | ^d 1 | ^d 2 | ^m 0 | ^m 6 | ^y 2 | ^y 0 | ^y 1 | ^y 9 |
| To date | ^d 1 | ^d 1 | ^m 0 | ^m 6 | ^y 2 | ^y 0 | ^y 2 | ^y 0 |

7 Progress report☒ The progress report is attached**8** Sign and date

Liquidator's signature

Signature

X

Alan Smith

X

Signature date

| | | | | | | | |
|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| ^d 0 | ^d 8 | ^m 0 | ^m 7 | ^y 2 | ^y 0 | ^y 2 | ^y 0 |
|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|

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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 **Alan Simon**

Company name **AABRS Limited**

Address **Langley House**

Park Road

Post town **London**

County/Region

Postcode **N 2 8 E Y**

Country

DX

Telephone **020 8444 2000**



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 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 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

**Liquidator's Annual
Progress Report to
Creditors & Members**

**Ability Associates Limited
- in Liquidation**

08 July 2020

ABILITY ASSOCIATES LIMITED - IN LIQUIDATION

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ABILITY ASSOCIATES LIMITED - IN LIQUIDATION

1 Introduction and Statutory Information

- 1.1 I, Alan Simon of AABRS Limited, Langley House, Park Road, London, N2 8EY, was appointed as Liquidator of Ability Associates Limited (the **Company**) on 12 June 2017.
- 1.2 This progress report covers the period from 12 June 2019 to 11 June 2020 (**the Period**) and is to be read in conjunction with my previously issued progress reports.
- 1.3 The Company operated residential care homes for adults with learning difficulties and challenging behaviour at the following trading addresses:
 - Dalwood Farm, Hindon Road, Dinton, Salisbury, Wiltshire SP3 5EY
 - 77 The Street, Kilmington, Warminster, BA12 8RW
 - 90 Ruskin Drive, Warminster, BA12 8SA.
- 1.4 The registered office of the Company has been changed to Langley House, Park Road, East Finchley, London, N2 8EY and its registered number is 03915252.
- 1.5 Information about the way that we will use, and store personal data on insolvency appointments can be found at <https://www.aabrs.com/privacy-policy>. If you are unable to download this, please contact us and a hard copy will be provided.

2 Receipts and Payments

- 2.1 At Appendix B is my Receipts and Payments Account for the Period together with a cumulative Receipts and Payments Account for the period from the date of my appointment as Liquidator to the end of the Period.
- 2.1 In Section 3 below, you will find an update on the progress made during the Period in realising the Company's assets and dealing with its affairs.

3 Progress of the Liquidation

- 3.1 This section of the report provides creditors with an update on the progress made in the liquidation during the Period.
- 3.2 At Appendix B is my Receipts and Payments Account for the Period together with a cumulative Receipts and Payments Account for the period from the date of my appointment as Liquidator to the end of the Period.
- 3.3 Attached at Appendix C is a time analysis outlining the time spent by the Liquidator and his staff during the period of this report together with a cumulative time analysis covering the period since my appointment as Liquidator.
- 3.4 Further information about the basis of remuneration agreed in this case and the Liquidator's fees estimate can be found in section 5 of this report, together with any relevant information about revisions to this estimate, where applicable.

Administration (including statutory compliance & reporting)

- 3.5 An office holder must comply with certain statutory obligations under the

ABILITY ASSOCIATES LIMITED - IN LIQUIDATION

Insolvency Act 1986 and other related legislation. Details about the work I anticipated to be done in this area was outlined to creditors in my initial fees estimate.

- 3.6 Where the costs of statutory compliance work or reporting to creditors exceeds the initial estimate, it will usually be because the duration of the case has taken longer than anticipated, possibly due to protracted asset realisations, which have in turn placed a further statutory reporting requirement on the Liquidator.
- 3.7 Some of the work undertaken by an insolvency practitioner may not necessarily provide a financial benefit to creditors but is required on every case by statute. Examples of this work include investigations required by Statement of Insolvency Practice 2 and the Company Directors Disqualification Act 1986 or dealing with the claims of the former employees via the National Insurance Fund.
- 3.8 Below are details of the work I have undertaken during the reporting period:-
- (i) Preparing and issuing an annual progress report to members and creditors;
 - (ii) Lodging a periodic return with the Registrar of Companies for the liquidation;
 - (iii) Complying with statutory duties in respect of the Liquidator's specific penalty bond;
 - (iv) Updating case files on my firm's insolvency software;
 - (v) Storing the Company's books and records;
 - (vi) Periodic case progression reviews;
 - (vii) Maintaining the liquidation estate cashbook and bank account;
 - (viii) Dealing with all post-appointment corporation tax compliance;
 - (ix) Instructing E-Accounting Solutions Limited, a third party offering accountancy and bookkeeping services, to assist with investigations in analysing bank statements and preparing cessation accounts;
 - (x) Circulating the Company's creditors with a proposal for a revised fee estimate as a decision to be made via electronic voting;
 - (xi) Instructing a Barrister to assist the Liquidator in making an application to Court for fee approval.
- 3.9 Based on the current position of the case, the work remaining to be completed is the following:-
- (i) Issuance of the Liquidator's final account to creditors once all matters have been concluded.

Realisation of Assets

- 3.10 It is considered the work the Liquidator and his staff have undertaken to date may bring a financial benefit to creditors. This may be a distribution to secured

ABILITY ASSOCIATES LIMITED - IN LIQUIDATION

creditors of the Company only (from which a Prescribed Part fund may be derived for the benefit of unsecured creditors) or may, depending on realisations and the extent of any 3rd party security, result in a distribution to the preferential and unsecured creditors of the Company.

- 3.11 No realisations were achieved during the Period.

Unrealised Assets

- 3.12 The assets included within the directors' statement of affairs have been dealt with and there are no known assets yet to be realised.

Creditors (claims and distributions)

- 3.13 Further information on the anticipated outcome for creditors in this case can be found at section 4 of this report. A Liquidator is not only required to deal with correspondence and claims from unsecured creditors (which may include retention of title claims), but also those of any secured and preferential creditors of the Company. This may involve separate reporting to any secured creditor and dealing with distributions from asset realisations caught under their security, most typically a debenture.
- 3.14 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.
- 3.15 The above work may not necessarily bring any financial benefit to creditors generally, however a Liquidator is required by statute to undertake this work. Similarly, if a distribution is to be paid to any class of creditor, work will be required to agree those claims and process the dividend payments to each relevant class of creditor. The more creditors a company has, the more time and cost will be involved by the Liquidator in dealing with those claims.
- 3.16 I consider the following matters worth noting in my report to creditors at this stage:
- There is no secured creditor;
 - It was anticipated within the directors' statement of affairs that there would be preferential claims totalling £20,898.89;
 - I have provided support and assistance in lodging claims with the Redundancy Payments Office to seventeen employees from which has emanated preferential claims totalling £16,975.41;
 - It was anticipated within the directors' statement of affairs that there would be twenty-seven unsecured creditor claims in this case totalling £154,946;
 - I have received unsecured claims totalling £97,355.17 from nine creditors; I have yet to receive claims from twenty creditors whose debts are estimated to total £99,942.66 as per directors' statement of affairs;
 - No claims have been agreed at this stage.

ABILITY ASSOCIATES LIMITED - IN LIQUIDATION**Investigations**

- 3.17 You may recall from my first progress report to creditors that some of the work the Liquidator is required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 (**CDDA 1986**) and Statement of Insolvency Practice 2 – Investigations by Office Holders in Administration and Insolvent Liquidations. This work may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that the Liquidator can pursue for the benefit of creditors.
- 3.18 My report on the conduct of the directors of the Company to the Department for Business Innovation & Skills under the CDDA 1986 was submitted during the first year of the liquidation and is confidential.
- 3.19 E-Accounting Solutions Limited was instructed to assist with investigations in analysing bank statements and preparing cessation accounts as a possible claim for terminal loss relief had been identified during my initial assessment.
- 3.20 The accounts revealed that no claim for terminal loss relief is available and accordingly, I am bringing this matter to its conclusion.

Matters Yet to be Dealt With

- 3.21 Based on the current position of the case, the matters yet to be dealt with are as follows:-
- (i) Issuance of the Liquidator's final account to creditors once all matters have been concluded.

4 Creditors**Secured Creditors**

- 4.1 There is no secured creditor registered at Companies House.

Qualifying Floating Charge Holder (QFC)

- 4.2 The Company did not grant any floating charges to a secured creditor. Accordingly, there is no requirement to create a fund out of a company's net floating charge property for unsecured creditors (known as the Prescribed Part).

Preferential Creditors

- 4.3 A summary of preferential claims received is detailed below:

| Preferential claim | Received Claim £ | Statement of Affairs Claim £ | Dividend paid p in the £1 |
|---|-----------------------------|---|--------------------------------------|
| Redundancy Payments Office (RPO) | 16,925.56 | 20,898.89 | Nil |
| Employee claims (Total number of claims = 17) | 49.85 | see above | Nil |

- 4.4 I would confirm that it is anticipated there will be insufficient funds realised after defraying the expenses of the liquidation to pay a dividend to preferential creditors.

ABILITY ASSOCIATES LIMITED - IN LIQUIDATION**Unsecured Creditors**

- 4.5 I have received claims totalling £97,355.17 from nine creditors. I have yet to receive claims from twenty-one creditors whose debts are estimated to total £99,942.66 as per directors' statement of affairs.
- 4.6 No claims have been agreed and will only be adjudicated should a dividend become payable.
- 4.7 I confirm it is anticipated there will be insufficient funds realised after defraying the expenses of the liquidation and providing for a dividend to preferential creditors to pay a dividend to unsecured creditors.

5 Liquidator's Remuneration

- 5.1 Creditors initially approved that the basis of the Liquidator's remuneration be fixed by reference to the time properly spent by him and his staff in managing the Liquidation.
- 5.2 Creditors also agreed that the Liquidator is authorised to draw category 2 disbursements in accordance with AABRS Limited's published tariff.
- 5.3 My fees estimate was provided to creditors when the basis of my remuneration was initially approved and was based on information available to me at that time.
- 5.4 A copy of my approved fee estimate is reproduced below:

| Category of work | Estimated Number of Hours | Average blended charge out rate £ | Estimated cost £ |
|---|---------------------------|-----------------------------------|-------------------|
| Administration (inc statutory compliance & reporting) | 32.00 | 235.58 | 7,538.58 |
| Creditors (claims & distributions) | 47.50 | 282.40 | 13,414.16 |
| Investigations | 8.00 | 227.41 | 1,819.29 |
| Realisation of assets | 27.00 | 242.46 | 6,546.55 |
| Total estimated fees | | | £29,318.58 |

- 5.5 My time costs for the current Period are £6,265.50. This represents 24.60 hours at an average rate of £254.70 per hour. Attached as Appendix C is a Time Analysis which provides details of the activity costs incurred by staff grade during the Period in respect of the costs fixed by reference to time properly spent by me in managing the liquidation.
- 5.6 During the Period, £3,862.30 (£3,218.58 plus VAT) has been drawn on account.
- 5.7 Also attached as Appendix C is a cumulative Time Analysis for the period from 12 June 2017 to 11 June 2020 which provides details of my time costs since my appointment. The cumulative time costs incurred to date are £32,415. This represents 125.30 hours at an average rate of £258.70 per hour.

ABILITY ASSOCIATES LIMITED - IN LIQUIDATION

- 5.8 During the period 12 June 2017 to 11 June 2020, £35,182.50 (£29,318.58 plus VAT) has been drawn on account.
- 5.9 On 09 August 2019, I circulated the Company's creditors with a proposal that the basis of the Liquidator's remuneration, as initially agreed, be revised. That proposal was to be considered as a decision to be made via electronic voting. No votes were received in respect of this and accordingly, a decision was not made.
- 5.10 Subsequently, a Barrister has been instructed to assist the Liquidator in making an application to Court for fee approval.
- 5.11 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from www.aabrs.com/resources/creditors-guides.
- 5.12 Attached as Appendix A is additional information in relation to the Liquidator's fees, expenses and disbursements, including where relevant, information on the use of subcontractors and professional advisers.


6 Creditors' Rights

- 6.1 Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report.
- 6.2 Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for the Liquidator's remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidator, as set out in this progress report, are excessive.

7 Next Report

- 7.1 I am required to provide a further report on the progress of the liquidation within two months of the next anniversary of the liquidation, unless I have concluded matters prior to this, in which case I will make my final account available to all creditors.
- 7.2 If you have any queries in relation to the contents of this report, I can be contacted by telephone on 020 8444 2000 or by email at info@aabrs.com.

Yours faithfully,



Alan Simon
Liquidator

ABILITY ASSOCIATES LIMITED - IN LIQUIDATION**Appendix A****Additional Information in Relation to the Liquidator's Fees, Expenses & Disbursements****8 Staff Allocation and the Use of Sub-Contractors**

- 8.1 The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.
- 8.2 The constitution of the case team will usually consist of a Director, a Manager, and an Administrator or Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment.
- 8.3 On this case, we are proposing to use the services of the following sub-contractors:

| Service (s) | Provider | Basis of fee arrangement | Cost to date |
|--------------------------------------|--------------------------------|--------------------------|--------------|
| Accountancy and bookkeeping services | E-Accounting Solutions Limited | Hourly rate | £105.60 |

- 8.4 Accountancy and bookkeeping services have been used to assist with investigations in analysing bank statements and preparing cessation accounts. These have been used to assist me in ascertaining whether there are potential further recoveries to be made to the insolvent estate. This work was contracted to E-Accounting Solutions Limited who is an unconnected third party. This is specialised work and I consider there will be a direct benefit to creditors by way of a reduced cost when compared to the time taken by my staff to complete the work.

9 Professional Advisors

- 9.1 On this assignment, we have used the professional advisors listed below. We have also indicated alongside, the basis of our fee arrangement with them, which is subject to review on a regular basis.

| Name of Professional Advisor | Basis of Fee Arrangement |
|--|---|
| Williams & Partners Ltd (valuation and disposal advice) | Valuation fee plus a percentage of realisations |
| Hardwicke (Barrister) | Set fee |

- 9.2 Our choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them.

10 Liquidator's Expenses & Disbursements

- 10.1 The estimate of expenses (including disbursements) which were anticipated at the outset of the liquidation was provided to creditors when the basis of my fees were approved, a copy of which is set out below:

ABILITY ASSOCIATES LIMITED - IN LIQUIDATION

| Expenses | Estimated cost £ |
|---|-----------------------------|
| Agents' costs for dealing with the sale of the tangible assets | 2,529.00 |
| Agents' costs for dealing with the production of accounts (if required) | 180.00 |
| Statutory advertising | 247.32 |
| Specific penalty bond | 186.00 |
| Category 2 disbursements | |
| Storage of the Company's books and records | 150.00 |

Current position of Liquidator's expenses

- 10.2 An analysis of the expenses paid to the date of this report, together with those incurred but not paid at the date of this report is provided below:

| Expenses | Paid in prior period £ | Paid in the Period £ | Incurred but not paid to date £ | Total anticipated cost £ |
|---|---------------------------------------|-------------------------------------|--|---|
| Specific penalty bond (1) | 223.20 | 0.00 | 0.00 | 223.20 |
| Agents fees - Williams & Partners Ltd | 2,529.00 | 0.00 | 0.00 | 2,529.00 |
| Accountants fees – E-Accounting Solutions Limited | 0.00 | 105.60 | 0.00 | 105.60 |
| Legal fees – Hardwicke | 0.00 | 960.00 | 600.00 | 1,560.00 |
| Statutory advertising | 164.88 | 0.00 | 0.00 | 164.88 |
| Category 2 disbursements | | | | |
| Storage costs | 120.00 | 0.00 | 60.00 | 240.00 |

- (1) The current bond covers realisations into the estate up to a value of £50,000.

- 10.3 All payments are shown as inclusive of VAT as the Company is not VAT registered.
- 10.4 Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case. These disbursements are included in the tables of expenses above.
- 10.5 Category 2 disbursements do require approval from creditors. These are costs which are directly referable to the appointment in question but are not payments which are made to an independent third party and may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis such as internal room hire, document storage or business mileage. Details of Category 2 disbursements charged by this firm (where appropriate) were provided at the time the Liquidator's fees were approved by creditors. Any Category 2 disbursements incurred are specifically highlighted in the tables of expenses above.

ABILITY ASSOCIATES LIMITED - IN LIQUIDATION**11 Charge-Out Rates**

- 11.1 AABRS Limited's current charge-out rates effective from 01 September 2019 are detailed below. Please note this firm records its time in minimum units of 6 minutes.
- 11.2 Our rates were reviewed on 01 September 2019. Details of our previous rates are available at www.aabrs.com/resources/charge-out-rate/
- 11.3 A schedule of charge out rates as at 01 September 2019 are shown below:-

| | (Per hour) |
|----------------------------|-------------------|
| Director | £750.00 |
| Manager | £315.00 - £550.00 |
| Other Senior Professional | £275.00 - £310.00 |
| Assistants & Support Staff | £175.00 - £260.00 |

Appendix B

**Ability Associates Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments**

| Statement of Affairs £ | | From 12/06/2019 To 11/06/2020 £ | From 12/06/2017 To 11/06/2020 £ |
|------------------------------|---|---------------------------------------|---------------------------------------|
| | ASSET REALISATIONS | | |
| NIL | Plant & Machinery | NIL | NIL |
| NIL | Equipment | NIL | NIL |
| 4,550.00 | Proceeds of Sale of Motor Vehicle | NIL | 4,550.00 |
| 752.49 | Petty Cash held in AABRS client account | NIL | 751.79 |
| Uncertain | Book Debts | NIL | NIL |
| | Cash at Bank | NIL | 17,617.48 |
| 14,721.93 | Cash held in AABRS Client account | NIL | 21,921.93 |
| | Bank Interest Gross | 14.10 | 42.39 |
| | Sundry Refunds | NIL | 113.76 |
| | | 14.10 | 44,997.35 |
| | COST OF REALISATIONS | | |
| | Specific Bond | NIL | 223.20 |
| | Liquidators Fees | 3,862.30 | 35,182.30 |
| | Agents/Valuers Fees | NIL | 2,529.00 |
| | Accountants Fees | 105.60 | 416.40 |
| | Legal Fees | 960.00 | 960.00 |
| | Storage Costs | NIL | 120.00 |
| | Statutory Advertising | NIL | 164.88 |
| | | (4,927.90) | (39,595.78) |
| | PREFERENTIAL CREDITORS | | |
| (20,898.89) | Employees | NIL | NIL |
| | | NIL | NIL |
| | UNSECURED CREDITORS | | |
| (13,950.00) | Trade & Expense Creditors | NIL | NIL |
| (98,613.00) | Employees | NIL | NIL |
| (8,883.00) | Director - Andrew Nosko | NIL | NIL |
| (7,500.00) | Lloyds Bank Plc | NIL | NIL |
| (10,000.00) | HM Revenue & Customs (PAYE) | NIL | NIL |
| (16,000.00) | HM Revenue & Customs (Corporation) | NIL | NIL |
| | | NIL | NIL |
| | DISTRIBUTIONS | | |
| (100.00) | Ordinary A Shares | NIL | NIL |
| (1.00) | Ordinary B Shares | NIL | NIL |
| | | NIL | NIL |
| (155,921.47) | | (4,913.80) | 5,401.57 |
| | REPRESENTED BY | | |
| | Bank 1 Deposit | | 5,401.57 |
| | | | 5,401.57 |

Note:
The Company is not VAT registered.

Appendix C - Time Entry - SIP9 Time & Cost Summary + Cumulative

A0880 - Ability Associates Limited
Project Code: POST
From: 12/06/2019 To: 11/06/2020

| Classification of Work Function | Partner | Manager | Other Senior Professionals | Assistants & Support Staff | Total Hours | Time Cost (£) | Average Hourly Rate (£) | Total Hours Cum (POST Only) | Total Time Costs Cum (POST Only) |
|------------------------------------|------------------|-------------|----------------------------|----------------------------|--------------|-----------------|-------------------------|-----------------------------|----------------------------------|
| Administration & Planning | 1.00 | 1.80 | 1.50 | 0.80 | 5.10 | 1,672.50 | 327.94 | 38.70 | 10,483.00 |
| Case Specific Matters | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Creditors | 0.30 | 3.60 | 11.50 | 0.00 | 15.40 | 3,542.00 | 230.00 | 40.20 | 9,650.50 |
| Investigations | 0.00 | 0.30 | 1.40 | 0.00 | 1.70 | 551.00 | 324.12 | 16.90 | 4,817.00 |
| Realisations of Assets | 0.00 | 0.40 | 0.80 | 1.20 | 2.40 | 500.00 | 208.33 | 28.80 | 7,359.50 |
| Trading | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.70 | 105.00 |
| Total Hours / Costs | 1.30 | 6.10 | 15.20 | 2.00 | 24.60 | 6,265.50 | 254.70 | 125.30 | 32,415.00 |
| Total Fees Claimed | 29,318.58 | | | | | | | | |
| Total Disbursements Claimed | 286.00 | | | | | | | | |