

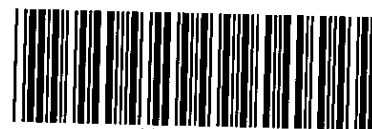
LIQ03

Notice of progress report in voluntary winding up



Companies House

WEDNESDAY



A6BY8LJV

A21

02/08/2017

#20

COMPANIES HOUSE

1 Company details

Company number 0 4 3 0 1 1 7 5

Company name in full A & H Properties (UK) Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Darren

Surname Edwards

3 Liquidator's address

Building name/number 40a Station Road

Street Upminster

Post town

County/Region Essex

Postcode

Country

4 Liquidator's name

Full forename(s)

Surname

● Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address

Building name/number

Street

Post town

County/Region

Postcode

Country

● Other liquidator

Use this section to tell us about
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

6**Period of progress report**

From date	1	8	0	7	2	0	1	6
To date	1	7	0	7	2	0	1	7

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

Liquidator's signature

Signature

X **X**

Signature date

^d0^d1^m0^m8^y2^y0^y1^y7

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.

Darren Edwards

Aspect Plus Limited

40a Station Road

Upminster

Essex

Postcode

R M 1 4 2 T R

DX

0800 988 1897



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

IN THE MATTER OF
A & H PROPERTIES (UK) LIMITED - IN LIQUIDATION
AND
THE INSOLVENCY ACT 1986

THE LIQUIDATOR'S THIRD ANNUAL PROGRESS REPORT
PURSUANT TO SECTION 104A OF THE INSOLVENCY ACT 1986
FOR THE YEAR ENDED 17 JULY 2017



Aspect Plus Limited
40a Station Road
Upminster
Essex
RM14 2TR

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APPENDICES

- 1. Receipts and Payments Account from 18 July 2016 to 17 July 2017 and cumulative from 18 July 2016 to 17 July 2017.
- 2. Time Analysis for the period 18 July 2016 to 17 July 2017 and cumulative from 18 July 2016 to 17 July 2017.
- 3. Charge out rates and disbursement policy
- 4. Proof of debt form

(a) Introduction

The Company was placed into Liquidation by a Special Resolution of the members followed by a meeting of the creditors convened under Section 98 of the Insolvency Act 1986, on 18 July 2014. This report provides an update on the progress in the Liquidation for the year ended 17 July 2017.

I write to provide my third annual progress report prepared in accordance with Section 104A of the Act, detailing the progress of my administration of the Company's estate since the second anniversary and up to 17 July 2017 ("the Review Period").

Rule 4.49C-CVL(5): Progress Report

(b) Statutory Information

Company Name: A & H Properties (UK) Limited
Registered Office: 40a Station Road, Upminster, Essex RM14 2TR
Company Number: 04301175
Trading Address: 2 Orchard View, Robinson Road, Horndon on The Hill, Stanford Le Hope, SS17 8PU

(c) Liquidator's name and address

Liquidator Name: Darren Edwards
Liquidator Firm: Aspect Plus Limited
Liquidator Address: 40a Station Road, Upminster, Essex RM14 2TR
Appointment Date: 18 July 2014

(d) Basis of Liquidator's remuneration

Pre-appointment costs

I can advise that a fixed fee of £4,000.00 plus VAT and disbursements was agreed and paid prior to the S98 meeting of creditors by Paul John Hubbard, who is associated to the Company due to his appointment as a Director of the Company.

This fee relates to the assistance given to the Director of the Company in notifying and convening the members and creditors meetings under Section 98 of the Insolvency Act 1986; and the preparation of the Statement of Affairs and Directors' report to creditors. This fee was a fixed fee and was approved at the first meeting of creditors.

Basis of remuneration

At the first meeting of Creditors on 18 July 2014, a resolution was passed approving that the basis of the remuneration of the Liquidator to be fixed by reference to the time properly spent by the Liquidator and his staff in attending to matters arising in the winding-up.

In accordance with the provisions of Statement of Insolvency Practice 9 ("SIP 9"), a schedule of this firm's charge-out rates was issued to creditors at the time the basis of the Liquidator's remuneration was approved.

I can advise that there has been an increase in the charge-out rates during this appointment and current and previous rates are detailed at Appendix 3. I can confirm that this firm's current hourly charge-out rates, exclusive of VAT, as from 1 January 2016 are as follows:-

	£
Partners	325
Managers / Senior Managers	250
Senior Administrators	190
Administrators	150
Other professional Staff	90

Staff allocation and the use of subcontractors

The general approach to this firm's resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case. The constitution of the case team will usually consist of a Partner, Manager, Senior Administrator and an Administrator. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and additional staff may be allocated to meet the demands of the case. We have not utilised the services of any subcontractors in this case.

(e) Basis of Liquidator's remuneration (continued)

This firm's time costs during the Review Period total £2,148.00. This represents 9.70 hours at an average rate of £221.44 per hour. I attach at Appendix 2 a Time Analysis which provides details of the activity during the year, analysed by staff grade.

During the Review Period, no fees have been drawn representing the Liquidator's remuneration.

The firm's time costs for the total period of the Liquidation are £10,183.50. This represents 57.50 hours at an average hourly rate of £177.10 per hour. These time costs are detailed at Appendix 2.

During the Liquidation, the Liquidator has drawn no remuneration on account in respect of these time costs.

To view an explanatory note concerning Liquidators' remuneration issued by the Joint Insolvency Committee, please contact this office to arrange for a hard copy to be sent to you. Alternatively, you may view the guide to Liquidators' guide to fees online by copying the link below to your web browser:

<http://www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees>

A copy of this firm's charge out rates and disbursement policy is attached at Appendix 3.

I can advise that R3, the Association of Business Recovery Professionals have a website for creditors which provides information to assist those creditors who are unfamiliar with the insolvency process. Please copy the following link in your web browser to access information: -

www.creditorinsolvencyguide.co.uk

Included in the work undertaken by me and my staff is the following:-

- Dealing with creditors' enquiries both by correspondence and by telephone and noting their claims.
- Pursuing claims against the Directors and Shareholders of the Company.

- General statutory and administrative tasks.
- Corresponding with HM Revenue & Customs regarding pre-appoint VAT and PAYE position, completion of returns, provision of supporting information and liaising with the appointed agent.
- Preparation of my annual report to creditors and distribution to creditors.

(f) Liquidator's expenses

Expenses incurred in the Liquidation are explained at (g) below in my comments on the Receipts and Payments Accounts

At present, Category 2 disbursements have not been fully reconciled and no payments have been made in this regard. These will include costs which are directly referable to the Liquidation but are not paid to an independent third party and will include shared or allocated costs such as photocopying, internal room hire and business mileage.

Category 1 disbursements relate to specific expenditure directly referable to the Liquidation and paid to an independent third party, such as statutory advertising, storage costs and postage. I can advise that the sum of £338.40 plus VAT has been incurred and not paid in respect statutory advertising.

I can advise that this firm utilises an IT system in which to maintain records and information regarding the Liquidation. A one off fee of £110.00 per case is charged by the IT provider for the use of this software which has been incurred but not paid to date.

In addition to the above, I am required to obtain a specific bond insurance, based on the level of realisations expected to be realised, as required by the Insolvency Practitioners Regulations 2005. This cost has been incurred in the sum of £30.00 which has been paid in full..

This firm uses a commercial archiving company for storage facilities for the Company's records and papers. This is recharged at the rate of £5 per box per annum for storage and on a time costs basis at £37.50 per hour for contents listing together with a small charge to cover the administration costs of archiving and retrieval of documents. I am also required to keep my working papers for 6 years from the conclusion of the Liquidation.

(g) Other professional costs

No other professionals have been instructed in the Liquidation.

(h) Details of progress for the period under review

As detailed in my first and second progress reports, the Company's latest accounts filed at Companies House for the period ended 31 July 2012 show that the Company had tangible assets of £665,866, debtors of £13,244 and cash at bank of £118.00.

On 12 April 2013, the Company's only asset (a commercial property known as Design House) was sold for £540,000 including VAT of £90,000, following which, the outstanding liability to the debenture holder, Lloyds TSB Bank Plc ("Lloyds") was discharged in full.

The sale price was commensurate to the revaluation reserve of £432,973 reflected in the accounts as at 31 July 2012. This would indicate that the property was sold for a true and fair value to a third party.

A & H PROPERTIES (UK) LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION
Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986
1 August 2017

Lloyds released a credit balance which would indicate that their Debenture dated 5 April 2011 was discharged. The Directors provided Lloyds with a personal guarantee limited to £375,000 dated 18 May 2011. A review of HM Land Registry disclosed details of the solicitors that acted in the sale and a copy of their file has been obtained.

The Contract of sale for Design House included a clause stating that the buyer was not required to pay the £90,000 VAT due on the purchase price to the Company until the buyer had reclaimed the same from HMRC.

The VAT on the sale of Design House was due and payable to HMRC no later than 7 August 2013. The balance on the Company's bank account as at this date was £61.79.

On 20 August 2013, £21,288 is deposited into the Company's bank account by the bank in relation to repayment of charges incurred.

On 27 August 2013, £21,288 is paid out of the Company's bank account £10,614.00 of which is transferred to Hugh Hubbard and £10,614.00 to his co-Director, Paul John Hubbard.

A further review of statements received from Lloyds Bank show the receipt of £74,900 on 27 March 2014 (Dep Stanford-Le-Hope) which was subsequently distributed on the 16 April 2014 by way of 4 cheques. Copies of these cheques have been obtained from which reveal the following:

Date	Cheque number	Amount (£)	Payee
14 April 2014	000121	15,000.00	Anne Hubbard
14 April 2014	000122	22,450.00	Hugh Hubbard
14 April 2014	000124	22,450.00	Paul Hubbard
14 April 2014	000125	15,000.00	Rebecca Hubbard
TOTAL		74,900.00	

It would therefore appear that the total sum of £96,188.00 was distributed to shareholders and should be considered an illegal dividend or misfeasance in view of the outstanding liability to HM Revenue of Customs for arrears of VAT.

A demand was made for repayment of the monies from the shareholders albeit no response has been received to date. Matters are complicated insofar as investigations have revealed that Mr H J Hubbard and Mrs R Hubbard are now deceased.

Consequently, I have approached solicitors for advice in connection with the above and to take the appropriate action to recover the monies.

A Receipts and Payments Account is attached at Appendix 1, which is further explained below. It should be noted that all figures in the Receipts and Payment Account are shown net of VAT.

Receipts

There have been no realisations during the Review Period.

Payments

There have been no payments during the Review Period.

(i) Details of any assets that remain to be realised and outstanding matters

Recovery actions will be taken against the respective shareholders as referred to above.

If necessary, the agreement of creditors' claims will be carried out in due course to enable the preparation of a distribution to creditors.

Subject to the above and prior to finalising the Liquidation, the final tax position is to be confirmed and statutory matters concluded.

(j) Investigations

As previously reported, in accordance with the Company Directors Disqualification Act 1986 a report/return on the conduct of the Directors of the Company has been submitted to the Department for Business Innovation & Skills.

Whilst this is a confidential report/return, the content of which cannot be disclosed, it should be noted that on 2 August 2016, a Disqualification Order was made against Paul John Hubbard for a period of 6 years.

Shortly after appointment, an initial assessment was made of whether there could be any matters that might lead to recoveries for the estate and what further investigations may be appropriate. This assessment took into account information provided by creditors either at the initial meeting or as a response to my request to complete an investigation questionnaire. The investigations have highlighted the potential recovery action referred to above.

(k) Creditors' rights to request information and their right to challenge the Liquidator's remuneration and expenses

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 provides further information about his remuneration or expenses which have been itemised in this progress report.

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 the basis fixed for the Liquidator's remuneration, the remuneration charged or the expenses incurred by the Liquidator as set out in this progress report are excessive.

(l) Any other relevant information:

Prescribed Part

As Liquidator, I have a duty to advise whether the prescribed part applies in respect of the amount of funds available for unsecured creditors. This provision only applies where the Company has granted a floating charge to a secured creditor on or after 15 September 2003. I can advise that the Company has not granted any charges and therefore there is no prescribed part in this instance.

Secured creditors

There are no secured creditors.

Preferential creditors

The Liquidator has not received any preferential claims.

Unsecured creditors

Unsecured creditors' claims in the sum of £119,319.00 have been received and noted.

Based on current information, a dividend payable to the unsecured creditors, is dependent upon a successful outcome from the action referred to above. The quantum and timing is not known at present. I attach a proof of debt form at Appendix D for those creditors who have not yet submitted a claim in the Liquidation.

(m) EC Regulations (Whether Proceedings Are Main Proceedings Or Territorial)

The Company's centre of main interest was in 2 Orchard View, Robinson Road, Hornon on The Hill, Stanford Le Hope, SS17 8PU and therefore it is considered that the EC Regulations will apply. These proceedings are main proceedings as defined in Article 3 of the EC Regulation.

(n) Next report

The administration of the Liquidation will currently be continuing in order to finalise the outstanding matters at detailed at point (i) which are preventing this case from being closed.

I am required to provide a further report on the progress of the Liquidation within two months of the end of the next anniversary of the Liquidation, unless I have concluded matters prior to this date and issued my final account.

I trust you will find this report adequate for your purposes but should you require any further information, please do not hesitate to contact in the first instance Chris Towler at this office.



Darren Edwards
Liquidator

Date: 1 August 2017

**A & H Properties (UK) Limited - In Creditors Voluntary Liquidation
Liquidator's Abstract of Receipts & Payments**

From 18 July 2016 To 17 July 2017

S of A £		As Previously Reported	18/07/16 to 17/07/17	Total £
RECEIPTS				
NIL	Cash at Bank	61.79	NIL	61.79
NIL	Bank Interest Gross	0.06	NIL	0.06
<hr/>		<hr/>		
NIL		61.85	NIL	61.85
PAYMENTS				
NIL	Sundry	(28.00)	NIL	(28.00)
NIL	Specific Bond	(30.00)	NIL	(30.00)
<hr/>		<hr/>		
0		(58.00)	NIL	(58.00)
<hr/>		<hr/>		
0	CASH IN HAND	3.85	NIL	3.85
<hr/>		<hr/>		

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A & H Properties (UK) Limited - In Creditors Voluntary Liquidation
Liquidator's Abstract of Receipts & Payments

From 18 July 2014 To 17 July 2017

S of A £	As Previously Reported	18/07/14 to 17/07/17	Total £
RECEIPTS			
NIL Cash at Bank	NIL	61.79	61.79
NIL Bank Interest Gross	NIL	0.06	0.06
<u>NIL</u>	<u>NIL</u>	<u>61.85</u>	<u>61.85</u>
PAYMENTS			
NIL Sundry	NIL	(28.00)	(28.00)
NIL Specific Bond	NIL	(30.00)	(30.00)
<u>0</u>	<u>NIL</u>	<u>(58.00)</u>	<u>(58.00)</u>
<u>0</u> CASH IN HAND	<u>NIL</u>	<u>3.85</u>	<u>3.85</u>

Deed

Liquidator's Remuneration Schedule
A & H Properties (UK) Limited
Between 18 July 2016 and 17 July 2017

Classification of work function	Partner/Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	1.30	4.20	0.00	3.40	8.90	1,910.50	214.66
Investigations	0.50	0.30	0.00	0.00	0.80	237.50	296.88
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total hours	1.80	4.50	0.00	3.40	9.70		
Time costs	585.00	1,125.00	0.00	438.00		2,148.00	
Average hourly rate	325.00	250.00	0.00	128.82			221.44

Description	Total Incurred £	Total Recovered £
	0.00	0.00
Totals	0.00	0.00

Summary of Fees

Time spent in administering the Assignment	Hours	9.70
Total value of time spent to 17 July 2017	£	2,148.00
Total Liquidator's fees charged to 17 July 2017	£	0.00

Liquidator's Remuneration Schedule
A & H Properties (UK) Limited
Between 18 July 2014 and 17 July 2017

Classification of work function	Partner/ Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	4.40	11.20	2.00	13.40	31.00	4,884.00	157.55
Investigations	2.40	19.10	0.50	0.00	22.00	4,484.50	203.84
Realisation of Assets	0.00	0.80	0.00	0.00	0.80	188.00	235.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	2.10	1.60	0.00	3.70	627.00	169.46
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total hours	6.80	33.20	4.10	13.40	57.50		
Time costs	1,973.50	6,704.00	532.00	974.00		10,183.50	
Average hourly rate	290.22	201.93	129.76	72.69			177.10

Description	Total Incurred £	Total Recovered £
Statutory Advertising	338.40	0.00
Bordereau	30.00	30.00
INSOLV IT Software	110.00	0.00
Land Registry Fees	28.00	28.00
Totals	506.40	58.00

Summary of Fees

Time spent in administering the Assignment	Hours	57.50
Total value of time spent to 17 July 2017	£	10,183.50
Total Liquidator's fees charged to 17 July 2017	£	0.00

ASPECT PLUS LIMITED**CHARGE OUT RATE AND DISBURSEMENT POLICY**

This guide to our fees & disbursements has been produced to provide creditors with information required by best practice guidance. We recommend that this guidance is read in conjunction with the note entitled "A Creditors Guide to Liquidators' Fees", which can be viewed at the following website: -

<http://www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees>

At Aspect Plus Limited, we seek to recover fees on time cost basis. Set out below are our firm's current hourly rates excluding VAT: -

Staff	Charge out rates from 1 January 2016	Charge out rates from 1 April 2011 to 31 December 2015
Partners/Office Holders	325	270
Managers/Directors	250	190
Seniors	190	140
Administrators	150	100
Junior Assistants	90	50

Storage and Archiving is recharged to the estate at the rate of £5 per box per annum for storage and on a time costs basis at £37.50 per hour for contents listing together with a small charge to cover the administration costs of archiving and retrieval of documents. A cost may also be incurred in respect of the collection and delivery of records at a rate of 75p per mile per van and £18.50 per hour per storage staff member.

Category 2 disbursements

A resolution for our category 2 disbursements may be sought, details of which are detailed below: -

Category 2 disbursements are expenses that are directly referable to an insolvency assignment but not paid to an independent third party and include elements of shared or allocated costs incurred by Aspect Plus Limited and recharged to the estate. Category 2 disbursements may be drawn if they have been approved in the same manner as an office holder's remuneration. Examples of Category 2 disbursements are photocopying, all business mileage, internal room hire and internal storage.

Stationary, fax, postage, photocopying and telephone will be charge at a fixed rate of £10 per creditor.

Mileage (own car usage) will be charged at 45p per mile.

VAT will be charged on the above disbursements where applicable.

Time charging policy

Support staff do not charge their time to each case.

Support staff include, secretarial and administration support.

Please be advised that the minimum unit of time recorded is 6 minutes.

Proof of Debt – General Form

A & H Properties (UK) Limited

Date of resolution for voluntary winding-up 18 July 2014

DETAILS OF CLAIM		
1.	Name of Creditor (if a company, its registered name)	
2.	Address of Creditor (i.e. principal place of business)	
3.	If the Creditor is a registered company: <ul style="list-style-type: none"> For UK companies: its registered number For other companies: the country or territory in which it is incorporated and the number if any under which it is registered The number, if any, under which it is registered as an overseas company under Part 34 of the Companies Act 	
4.	Total amount of claim, including any Value Added Tax, as at the date of winding-up, less any payments made after this date in relation to the claim, any deduction under R14.20 of the Insolvency (England & Wales) Rules 2016 and any adjustment by way of set-off in accordance with R14.24 and R14.25	£
5.	If the total amount above includes outstanding uncapitalised interest, please state	YES (£) / NO
6.	Particulars of how and when debt incurred	
7.	Particulars of any security held, the value of the security, and the date it was given	
8.	Details of any reservation of title in relation to goods to which the debt relates	
9.	Details of any document by reference to which the debt can be substantiated. [Note the liquidator may call for any document or evidence to substantiate the claim at his discretion]	
10.	Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986	Category Amount(s) claimed as preferential £
AUTHENTICATION		
Signature of Creditor or person authorised to act on his behalf		
Name in BLOCK LETTERS		
Date		
If signed by someone other than the Creditor, state your postal address and authority for signing on behalf of the Creditor		
Are you the sole member of the Creditor?		YES / NO

OPTING OUT OF RECEIVING DOCUMENTS

The consequences of opting-out

As previously advised, most future documents will not be sent to creditors by post. Nevertheless, the Liquidator is required to inform creditors of their rights to opt out of receiving documents.

Creditors have the right to elect to opt out of receiving further documents about the Liquidation unless:

- (i) the Insolvency Act 1986 requires a document to be delivered to all creditors without expressly excluding opted-out creditors;
- (ii) it is a notice relating to a change in the office-holder or the office-holder's contact details; or
- (iii) it is a notice of a dividend or proposed dividend or a notice which the court orders to be sent to all creditors or all creditors of a particular category to which the creditor belongs.

Opting-out will not affect the creditor's entitlement to receive dividends should any be paid to creditors.

Unless the Insolvency (England & Wales) Rules 2016 provide to the contrary, opting-out will not affect any right the creditor may have to vote in a decision procedure or a participate in a deemed consent procedure in the proceedings although the creditor will not receive notice of it.

A creditor who opts out will be treated as having opted out in respect of any consecutive insolvency proceedings of a different kind in respect of the same company.

How to opt out

A creditor may at any time elect to be an opted-out creditor.

The creditor's election to opt out must be by a notice in writing authenticated and dated by the creditor.

The creditor must deliver the notice to the Liquidator (details below).

How to opt back in

The creditor may at any time revoke the election to opt out by a further notice in writing, authenticated and dated by the creditor and delivered to the Liquidator (details below).

Contact details

The Liquidator's contact details are as follows:

Names of Liquidator(s):	Darren Edwards
Address of Liquidator(s):	40a Station Road, Upminster, Essex, RM14 2TR
Email Address	chris@aspectplus.co.uk
Telephone Number	01708 300170

FORM TO OPT-OUT OF RECEIVING FURTHER CORRESPONDENCE

A & H PROPERTIES (UK) LIMITED - IN LIQUIDATION

Date of Liquidation: 18 July 2014

Name of creditor:

I/We confirm that we no longer wish to receive no further information of documents concerning the Liquidation of the Company.

Signed:

Date: