

2.24B

The Insolvency (Northern Ireland) Order 1989

Administrator's progress report

Name of Company

P.W. Homes Limited

Company number

NI037945

In the High Court of Justice in Northern Ireland
Chancery Division (Company Insolvency)Court case number
9806 of 2012(a) Insert full
name(s) and
address(es) of
administrator(s)I (a)
Peter Michael Allen
Deloitte (NI) Limited
19 Bedford Street
Belfast
BT2 7EJ**COMPANIES HOUSE****09 DEC 2016****BELFAST**

Administrator of the above company attach a progress report for the period

From

To

(b) Insert date

(b) 10 May 2016

(b) 9 November 2016

Signed

Administrator

Dated

8 December 2016

Contact Details:

You do not have to give any contact information in the box opposite but if you do, it will help Companies Registry to contact you if there is a query on the form.

The contact information that you give will be visible to searchers of the

public record

Peter Michael Allen
Deloitte (NI) Limited
19 Bedford Street
Belfast
BT2 7EJ

DX Number

FRIDAY



J5LH7Q6I

JNI

09/12/2016

#18

COMPANIES HOUSE

+44 (0) 28 9032 2861
DX Exchange

When you have completed and signed this form please send it to the Registrar of Companies at the Companies Registry for Northern Ireland

Court Case No. 9806 of 2012
High Court of Justice in Northern
Ireland (Chancery Division)
Company Number: NI037945

P.W. Homes Ltd (in Administration) ("the Company")

Registered office: c/o Deloitte (NI) Limited, 19 Bedford Street, Belfast, BT2 7EJ

Progress report to creditors for the period 10 May 2016 to 9 November 2016 pursuant to Rule 2.048 of the Insolvency Rules(Northern Ireland) 1991 ("the Rules")

Peter Michael Allen and John Charles Reid ("the Joint Administrators") were appointed Joint Administrators of P. W. Homes Limited on 10 May 2012 by Ulster Bank Limited, 11-16 Donegall Square East, Belfast, BT1 5UB. Subsequently, an Order was granted by the High Court on 21 January 2016 to discharge and release John Charles Reid as Joint Administrator of P. W. Homes Limited in Administration. Peter Michael Allen remains sole Administrator from 21 January 2016. The affairs, business and property of the Company are managed by the Administrator. The Administrator acts as agent of the Company only and contracts without personal liability. The licensed Insolvency Practitioner of Deloitte (NI) Limited ("Deloitte") is licensed in the UK to act as an Insolvency Practitioner by the Institute of Chartered Accountants of Scotland.

For the purposes of paragraph 101(2) of Schedule B1 of the Insolvency (Northern Ireland) Order 1989 (as amended) ("the Order"), the Administrator confirms that, during the period of Joint Administration, the Joint Administrators were authorised to carry out all functions, duties and powers by either of them jointly and severally.

Council Regulation (EC) No 1346/2000 applies and these are the main proceedings as defined in Article 3(1) of that regulation.

Contents

Contacts	3
Key Messages	4
Progress of the administration	5
Information for creditors	8
Remuneration and expenses	10

Contacts

Administrator of the Company

Peter Michael Allen

P.W. Homes Limited

c/o Deloitte (NI) Limited

19 Bedford Street

Belfast

BT2 7EJ

Contact Details

Email: anjohnston@deloitte.ie

Tel: +44 28 9592 3549

Key Messages

Commentary

Purpose of administration

- The purpose of the administration is to make a distribution to secured and/or preferential creditors.

Progress of administration

- The Administrator continues to pursue the realisation of the remaining ROI property assets and work on achieving the release of a road bond liability on one of the NI sites.

Costs

- The basis of the Administrator's remuneration has been fixed by reference to time costs.
- The Administrator's time costs incurred during the report period are £3,938.
- The Administrator has drawn zero fees in the period. Further detail is provided on pages 11 to 13.

Outstanding matters

- To realise the remaining property assets and resolve any outstanding property matters.
- To make final distributions to the Secured Creditor, under the terms of their security.
- To dispense costs and close the administration.

Dividend prospects

- Secured creditors will not be paid in full.
- Preferential creditors will not be paid a dividend.
- Unsecured creditors will not be paid a dividend.

Extension to administration period

- The Administration was extended by order of the High Court of Justice, Chancery Division and will now end on or before 6 November 2017.

Progress of the administration

Summary

Receipts and payments

Progress of the administration Summary

Progress of the administration

Since the last report to creditors, the Administrator has been managing the sales process of the following property assets:

Carrigallen Road (Drumminshingore), Newtownmore, County Leitrim

The site has two partially completed detached units completed to roof level and is currently on the market for sale. Bids are closed and recommendations have been provided to the Secured Creditor and are being considered in conjunction with the overall strategy and return on remaining administration assets. In the interim the Administrator continues to liaise with the sales agent to ensure that interest is maintained in the asset.

Residential Site at Forest Park Development, Killygordon Village, Lifford

The site has planning permission for 25 units. The Company has an equitable interest only in this site as the stamp duty liability was not paid following the purchase of the site by the Company in 2007. The site was placed on the market for sale in May 2012 and, whilst there have been several expressions of interest to date, only one formal offer has been received. A recommendation on this offer has been provided to the Secured Creditor and is being considered in conjunction with the overall strategy and return on remaining administration assets. In the interim the Administrator continues to liaise with the sales agent to ensure that interest is maintained in the asset.

Site at Townspark, East Tallow, County Waterford

The property is a greenfield site with planning permission for 75 units. The Company has an equitable interest only in this property as the stamp duty was not paid following the Company's purchase in 2008 of the site from Conra Properties Limited, an ROI registered company. Bidding has now closed with recommendations on the offers provided to the Secured Creditor. These are being considered in conjunction with the overall strategy and return on remaining administration assets.

In the interim the Administrator continues to liaise with the sales agent to ensure that interest is maintained in the asset.

Statutory tasks

In addition to managing the sale of the properties and road bond works, during the reporting period the following tasks were carried out, which primarily relate to fulfilment of statutory and compliance obligations and other tasks of an administrative nature:

- Statutory reporting;
- Case reviews and cashiering functions; and
- VAT and Corporation Tax returns.

These tasks are a necessary part of the engagement but do not generate any direct financial benefit for creditors.

Progress of the administration

Receipts and payments

Administrator's receipts and payments account

10 May 2012 to 9 November 2016

	€	£	Notes	Period	To date
Receipts					
Bank Interest Gross	-	320			
11 Cloughboy Road	-	80,000			
8.4 Acres Cloughboy Road, Bready	-	115,000			
47 Elmwood Green, Castlederg	-	49,000			
59 Elmwood Green, Castlederg	-	80,000			
42 Dunalong Manor, Bready	-	88,650			
Site at Berrymill Road, Agharvan	-	40,000			
Rent - Dunalong	-	3,187			
Funds from Ulster Bank, Secured Creditor	-	23,765			
Refund - foreign exchange difference	-	157			
Total receipts	1,022,258	440,081			
Payments					
Bank Charges (Fixed)	8	65			
Administrators' Expenses	-	80			
Management fees	-	1,424			
Architect Fees	-	2,000			
Administrators' Fee	-	48,577			
Distribution to Ulster Bank	-	318,522			
Transfer Map Dunalong Manor, Bready	-	750			
Outlay Re: Elmwood Green, Strabane	-	6,788			
Management Fee re. Dunalong	-	483			
Retention of monies re. assessment drought	-	4,630			
Specific Bond	-	30			
Outlays - Dunalong Manor	-	678			
Preparation of S. of A.	-	980			
Outlays - Cloughboy Road	-	7,235			
Agents Fees	-	13,257			
Legal Fees (N)	-	18,827			
Legal Fees and Outlay (ROI)	-	4,759			
Statutory Advertising	-	237			
Insurance of Assets - (ROI assets)	-	6,987			
Debita Tax Advice	-	3,139			
Insurance (NI Assets)	-	146			
Total payments	8	440,074			
Balance		7			
Made up of:					
Fixed B Current A/C	1	7			
VAT Receivable (Fixed Chg)	2	-			
Balance in hand		7			

A receipts and payments account is provided opposite, detailing the transactions in the administration to date.

Notes to receipts and payments account

1. All funds are now held in a non interest bearing bank account, pending distribution. Any associated corporation tax on interest received, whilst on an interest bearing account, will be accounted for to HM Revenue & Customs in due course.
2. All sums are shown net of VAT, which is recoverable and will be accounted for to HM Revenue & Customs in due course.

Information for Creditors

Outcome

Information for creditors

Outcome

Secured Creditor

The Secured Creditor, formerly Ulster Bank Limited and now Promontoria (Aran) Limited ("PAL"), an affiliate of Cerberus Global Investors, holds separate fixed-charge security against the individual properties outlined on page 6.

The Company had bank debt at the date of the administration appointment of £4,052,775 and €4,179,091.

Total secured creditor distributions of £318,922 have been made since the date of appointment under the fixed charges attached to the various properties realised. Further distributions will be made to PAL upon the realisation of remaining assets.

It is not anticipated that there will be sufficient asset realisations to repay the Secured Creditor in full.

Preferential creditors

To date, one claim has been received relating to an employee entitlement. This claim was reviewed by the Redundancy Payments Office and was admitted to the value of £523. As there are no floating charge assets, it is not envisaged that a distribution will be made to the preferential creditors.

Prescribed Part

The Administrator does not anticipate there to be sufficient floating charge realisations in order for a prescribed part fund to be available.

Unsecured creditors

According to the Director's Statement of Affairs, amounts due to unsecured creditors total £75,250. Creditor claims received to date total £17,506.21. On present information insufficient funds will be realised to enable a dividend to be paid to unsecured creditors.

Extensions to the administration

The administration has been extended by the High Court of Justice, Chancery Division and will now end on or before 6 November 2017. I am hopeful that the administration can be completed in this time, but should it become necessary, to complete the purpose of the administration, a further extension will be sought from the High Court.

Exit

After realising all assets, it is anticipated that there will be insufficient realisations in order for the Secured Creditor to be repaid in full. Furthermore there will be no floating charge asset realisations and a distribution to unsecured creditors is unlikely.

The Administrator considers that dissolution will be the most appropriate exit route from administration.

Remuneration and expenses

Administrator's remuneration

Detailed information

Remuneration and expenses

Administrator's remuneration

Administrator's remuneration

"A Creditors' Guide to Remuneration" is available upon request in writing to the Administrator at the address on page 1 and this will be provided to you at no cost.

Basis of remuneration

The basis of our remuneration was fixed on 11 April 2013 by the secured creditor by reference to the time properly given by the Administrator and his staff in attending to matters arising in the administration, calculated at the prevailing standard hourly charge out rates used by Deloitte at the time when the work is performed, plus VAT.

Time costs incurred

Our time costs for the period are £3,937.50 made up of 14.2 hours at an average charge out rate of £277.29/hour across all grades of staff.

Since the date of our appointment to 9 November 2016, we have incurred total time costs of £175,478.

The Administrator has drawn remuneration totalling £48,677 to date, as shown in the receipts and payments account of page 7.

Details of time costs incurred, together with an explanation of the work undertaken and charge out rates is provided on pages 12 to 14. Creditors may request a detailed breakdown of the time costs incurred by writing to the address at the front of this report.

Please note the Administrator does not intend to draw the full value of time costs incurred and the balance of unrecovered time costs will be written off.

Administrator's time costs for the period 10 May 2016 to 9 November 2016

All partners and technical staff (including cashiers) assigned to the case recorded their time spent working on the case on a computerised time recording system. Time spent by secretarial staff working on the assignment has not been recorded or recovered. The appropriate staff have been assigned to work on each aspect of the case based upon their seniority and experience, having regard to the complexity of the relevant work, the financial value of the assets being realised and/or claims agreed.

	Partners & Directors		Assistant Directors		Managers		Assistant Managers		Assistant to Supervisor		TOTAL		Average per hour	
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Cost (£)	Cost (£)
Administration and Planning	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Cashiering and Statutory Filing	0.50	250.00	0.30	105.00	-	-	-	-	0.90	130.50	1.20	235.50	196.25	196.25
Case Management and Closure	-	-	1.90	665.00	-	-	-	-	0.30	43.50	2.70	958.50	355.00	355.00
Initial Actions	0.50	250.00	-	-	-	-	5.00	875.00	-	-	5.50	1,125.00	204.55	204.55
General Reporting	1.00	500.00	2.20	770.00	-	-	5.00	875.00	1.20	174.00	9.40	2,319.00	246.70	246.70
Investigations	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reports on Directors' Conduct	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Trading	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Day 1 Control of Trading	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Realisation of Assets	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Property - Freehold and Leasehold	-	-	2.50	875.00	2.00	700.00	-	-	0.30	43.50	4.80	1,618.50	337.19	337.19
Creditors	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Employees Secured	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Unsecured	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Case Specific Matters	-	-	-	-	-	-	-	-	-	-	-	-	-	-
VAT	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Tax	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL HOURS & COST	1.00	500.00	4.70	1,645.00	2.00	700.00	5.00	875.00	1.50	217.50	14.20	3,937.50	277.29	277.29
AVERAGE RATE/HOUR PER GRADE	£ 500.00		£ 350.00		£ 350.00		£ 175.00		£ 145.00					
FEES DRAWN														

Administrator's time costs for the period 10 May 2012 to 9 November 2016

All partners and technical staff (including cashiers) assigned to the case recorded their time spent working on the case on a computerised time recording system. Time spent by secretarial staff working on the assignment has not been recorded or recovered. The appropriate staff have been assigned to work on each aspect of the case based upon their seniority and experience, having regard to the complexity of the relevant work, the financial value of the assets being realised and/or claims agreed.

	Partners & Directors		Assistant Directors		Managers		Assistant Managers		Available & Support		TOTAL		Average rate per hour (£)
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	
Administration and Planning													
Cashiering and Statutory Filing	0.40	340.00	2.60	1,338.00	6.90	3,345.00	14.40	5,298.50	14.40	3,962.50	38.70	14,184.00	366.51
Case Management and Closure	17.50	10,195.00	45.00	20,978.00	13.50	5,557.00	21.85	6,450.50	26.09	5,759.50	123.94	48,940.00	394.87
Initial Actions													
General Reporting	0.50	250.00	16.60	7,197.50	9.70	3,856.00	13.30	3,923.50	0.25	52.50	13.55	3,978.00	283.43
	18.40	10,785.00	64.20	29,613.50	30.10	12,760.00	83.85	25,803.50	54.34	2,723.00	74.70	24,159.50	323.42
Investigations													
Reports on Directors' Conduct	-	-	-	-	-	-	5.40	1,690.00	-	-	5.40	1,690.00	312.96
Trading													
Day 1 Control of Trading	-	-	-	-	3.00	1,170.00	-	-	-	-	3.00	1,170.00	390.00
Realisation of Assets													
Property - Freehold and Leasehold	-	-	14.20	5,960.00	75.50	29,775.00	25.50	7,465.00	21.30	2,668.50	136.50	45,868.50	336.03
	-	-	14.20	5,960.00	75.50	29,775.00	25.50	7,465.00	21.30	2,668.50	136.50	45,868.50	336.03
Creditors													
Employees	-	-	0.10	46.50	-	-	-	-	3.80	779.00	3.90	825.50	211.67
Secured	7.00	4,135.00	13.20	6,222.50	23.00	9,105.00	29.00	8,265.00	-	-	72.20	28,727.50	397.89
Unsecured	-	-	-	-	0.30	120.00	-	-	4.10	829.50	4.40	949.50	215.80
Case Specific Matters	7.00	4,135.00	13.30	6,269.00	23.30	9,225.00	29.00	9,265.00	7.90	1,608.50	80.50	30,502.50	378.91
VAT	-	-	-	-	-	-	-	-	-	-	-	-	-
Tax	-	-	1.30	625.00	0.70	280.00	9.40	2,925.50	-	-	11.40	3,830.50	336.01
	-	-	-	-	0.30	123.00	3.90	929.00	0.50	105.00	4.70	1,157.00	246.17
	-	-	1.30	625.00	1.00	403.00	13.30	3,854.50	0.50	105.00	16.10	4,987.50	309.78
TOTAL HOURS & COST	25.40	14,920.00	93.00	42,367.50	132.90	53,333.00	167.05	48,078.00	84.04	16,779.50	492.39	175,478.00	356.38
AVERAGE RATE/HOUR PER GRADE		£ 587.40		£ 455.88		£ 401.30		£ 306.13		£ 199.88		£ 48,677.00	
FEES DRAWN													

Remuneration and expenses

Detailed information

Administrator's time costs – work undertaken

A detailed breakdown of the time costs incurred by the Administrator and their staff during the period from 10 May 2012 to 9 November 2016 and from 10 May 2016 to 9 November 2016 are provided. Time is charged in six minute increments. The work undertaken has been categorised into the following task headings:

Administration and planning

- Activities include case set-up and management, statutory reporting and compliance, appointment notifications, correspondence, cashiering functions and closure of the case.

Investigations

- Investigating the companies affairs and reporting on the conduct of its director and submission of a confidential report to the Department of Enterprise, Trade and Investment.

Trading

- Gathering information on site matters on appointment

Realisation of Assets

- Identifying, securing and insuring and the sale process of assets, property issues, and VAT and taxation matters.

Creditors

- Set-up of creditor records, creditor communications, preferential claims, unsecured and secured claims as well as dealing with the RPO in relation to a claim submitted by a former employee.

Case specific matters

- Includes tax and VAT work.

Case specific matters

- Includes completion and submission of VAT and Corporation Tax returns.

Grade	From 1 Sept 15 to 31 Jan 16	From 1 Feb 2016
Partners/Directors	645 to 1020	500 to 600
Assistant Directors	500 to 770	350 to 550
Managers	430 to 695	325 to 425
Assistant Managers	325 to 550	175 to 250
Assistants	80 to 325	50 to 150

Charge out rates

The average charge - out rates applicable to this case are provided in the final column of the table in the preceding page.

The above bands are specific to the Restructuring Services department partners and staff. In certain circumstances the use of specialists from other Deloitte departments such as Tax/VAT, Financial Advisory or Deloitte Real Estate may be required on the case. These departments may charge rates that fall outside the Restructuring Services department bands quoted above so, where such specialists have performed work on the case, average rates may also fall outside the Restructuring Services department bands.

Charge out rates are reviewed annually.

Remuneration and expenses

Detailed information

Expenses

Category 1 expenses incurred

Spent	Value	Paid
Statutory Advertising	237	237
Statutory Bonding	30	30
Insurance of Assets	669	669
Legal Services - John McKee & Sons	5,762	5,762
Professional Tax Advice - Deloitte	2,340	2,340
Legal Services - PFS & Partners Ltd	980	980
Total Expenses	10,018	10,018

The Administrator's direct expenses and disbursements incurred to date (excluding VAT) are set out above.

Category 2 expenses incurred

Spent	Value	Paid
Mileage	80	80
Total Expenses	80	80

These are costs and expenses initially paid by Deloitte and which are not generally made to a third party, for example, reimbursement to staff engaged on the case for their mileage costs. These may also include shared or allocated costs. Specific approval is required before these costs and expenses can be drawn from the administration estate.

The Administrator has obtained approval from the secured creditor to draw both category 1 and category 2 expenses from the estate. Mileage is calculated at the prevailing standard mileage rate of up to 45p used by Deloitte at the time when the mileage is incurred.

Creditors' claim that remuneration is excessive

Any creditor with the support of at least 25% in value of the creditors (including himself) may apply to the Court for an order that our remuneration be reduced, on the grounds that it is, in all the circumstances, excessive (in accordance with Rule 2.110 of the Rules).

On receipt of such an application, the Court will either dismiss the application giving 7 days notice to the applicant, or set a hearing date. We should be given at least 14 days notice of any such hearing by the applicant



Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited, a UK private company limited by guarantee ("DTTL"), its network of member firms, and their related entities. DTTL and each of its member firms are legally separate and independent entities. DTTL (also referred to as "Deloitte Global") does not provide services to clients. Please see www.deloitte.com/about for a more detailed description of DTTL and its member firms.

At Deloitte, we make an impact that matters for our clients, our people, our profession, and in the wider society by delivering the solutions and insights they need to address their most complex business challenges. As one of the largest global professional services and consulting networks, with over 220,000 professionals in more than 150 countries, we bring world-class capabilities and high-quality services to our clients. In Ireland, Deloitte has over 2,000 people providing audit, tax, consulting, and corporate finance services to public and private clients spanning multiple industries. Our people have the leadership capabilities, experience, and insight to collaborate with clients so they can move forward with confidence.

This communication contains general information only, and none of Deloitte Touche Tohmatsu Limited, its member firms, or their related entities (collectively, the "Deloitte Network") is, by means of this communication, rendering professional advice or services. Before making any decision or taking any action that may affect your finances or your business, you should consult a qualified professional adviser. No entity in the Deloitte Network shall be responsible for any loss whatsoever sustained by any person who relies on this communication.