

Our ref: 23CVL055ABE

19 January 2024

Mr R Kotecha
4 Hampton Gate
4 Friday Lane
Barston
Solihull
B92 0HY

Dear Mr Kotecha

**Aberdeen House Care Limited - ("the Company")
(In Creditors' Voluntary Liquidation)**

As you are aware Gareth David Wilcox of Opus Restructuring LLP, and I were appointed as Joint Liquidators of the Company on Wednesday 17 January 2024. As Joint Liquidators of the Company we act both jointly and severally.

The effect of my appointment as Joint Liquidator is that your powers as a Director cease. This means that you have no authority to deal with the Company's affairs or assets, with the exception of such authority as I may from time to time delegate to you.

I would remind you that the Directors of the Company are required by the insolvency legislation to co-operate fully with the Liquidators, to provide such information concerning the Company and its formation, business dealings, affairs or property as we may at any time reasonably require. We may also require you to attend to meetings with us at such times as we may reasonably require.

I enclose a list of the Company's accounting records that you have already delivered to us and would ask you to sign and return that list to me to either confirm that that you have delivered up all of the Company's accounting records for the last 6 years, or to provide me with information about what other accounting records were maintained, and their current whereabouts.

I also enclose a Director's questionnaire in connection with the Liquidators statutory duties under the Company Directors Disqualification Act to report on the conduct of all those who have been Directors, or have otherwise been involved in the management of the Company, in the last 3 years. You should complete this to the best of your ability, returning it to me within the next twenty-one days.

Finally, I would also like to take this opportunity to draw your attention to the provisions of section 216 and 217 of the Insolvency Act 1986 which are briefly explained below.

As you are a Director of the Company, once the Company is placed into liquidation you will be prohibited from using any name by which the Company was known, including any trading names, or a name which is so similar as to suggest an association with that Company.

The restriction from using a prohibited name applies for the period of 5 years beginning with the day on which the Company is placed into liquidation and except with the permission of the court you cannot:

- a) be a Director of any other Company that is known by a prohibited name, or,
- b) in any way, whether directly or indirectly, be concerned or take part in the promotion, formation or management of any such Company, or,
- c) in any way, whether directly or indirectly, be concerned or take part in the carrying on of an unincorporated business under a prohibited name.

Your attention is also drawn to rules 22.1 to 22.7 of The Insolvency (England and Wales) Rules 2016 which provide three exceptions to the restriction imposed by section 216 of the Insolvency Act 1986. You should note that the interpretation of these rules has been subject to case law and you should seek independent legal advice to ensure that you do not contravene section 216.

You should note that it is a criminal offence to contravene section 216 of the Insolvency Act 1986 and if you act in contravention of this section you are liable on conviction to imprisonment and/or a fine.

Your attention is also drawn to section 217 of the Insolvency Act 1986, which provides, amongst other things, that a person who is involved in the management of a Company in contravention of section 216 of the Insolvency Act 1986 is personally liable for any debts of the Company incurred during the period of that involvement.

Copies of sections 216 and 217 of the Insolvency Act 1986 are attached, together with a copy of rules 22.1 to 22.7 of The Insolvency (England and Wales) Rules 2016.

Business Helpline Group Limited and Opus Restructuring LLP uses personal information in order to fulfil the legal obligations of our Insolvency Practitioners under the Insolvency Act and other relevant legislation, and also to fulfil the legitimate interests of keeping creditors and others informed about the insolvency proceedings. You can find more information on how we use your personal information on our website at

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If you have any queries regarding this letter, please contact Kerry Marsh by email at support@businesshelpline.uk, or by phone on 01282 502832.

Yours faithfully



Laura Stewart
Joint Liquidator