

**INSOLVENT ESTATE : JAN BURGER**  
**IDENTITY NUMBER : 820406 5220 08 9**  
**MASTER'S REFERENCE NUMBER : C1086/2021**

REPORT of the Trustees, CHAVONNES BADENHORST ST CLAIR COOPER and CLIVE SINCLAIR HENDRICKS to be submitted at the Statutory Second Meeting of Creditors, convened to be held before the Presiding Officer, Magistrates Court, Kuilsriver on Wednesday, 27 July 2022 at 09h00.

The above-mentioned estate was placed in provisional sequestration by an order of the Western Cape High Court, Cape Town on 13 September 2021. The final Sequestration Order was granted on 18 October 2021. We were appointed Provisional Trustees by the Master of the High Court, Cape Town, on 9 November 2021 and Trustees on 10 May 2022, the relevant Certificates of Appointment are dated accordingly.

The First Meeting of Creditors was held before the Presiding Officer, Magistrates Court, Kuilsriver on Wednesday, 4 May 2022. One claim from the Applicant Creditor ME Hartshorne was proved at the said meeting.

The Insolvent did furnish the Trustees with the completed STATEMENT OF DEBTORS AFFAIRS.

**REPORT**

We are now to report more fully in terms of Section 81 of the Insolvency Act No. 24, of 1936, as amended, as follows:

**SECTION 81(a) – ASSETS AND LIABILITIES**

**ASSETS:**

**MOVABLE ASSETS:**

Monies attached from Bank Account

R 8 578.50

**IMMOVABLE ASSETS:**

Nil

R 0.00

Shortfall

R 4 841 408.73

**TOTAL**

**R 8 578.50**

**LIABILITIES**

Secured Creditors

None

R 0.00

Preferent Creditors

SARS

R unknown

Concurrent Creditors

Maurice Errol Hartshorne (Applicant)

R 829 589.04

Various Creditors

R 4 020 398.19

**TOTAL**

**R 4 849 987.23**

**NOTES:**

None

### **COMMENTS ON ASSETS**

According to the Insolvent he does not own any movable or immovable assets.

### **SECTION 81(b) : CAUSES OF INSOLVENCY**

The Insolvent was involved in various businesses, that have since been liquidated, the Insolvent signed personal surety that has since been called up for settlement, according to the Insolvent the Businesses were doing very well until his partner ran the businesses into the ground, the ultimate cause of Sequestration was the sureties that were called up for payment.

### **SECTION 81(c) : BOOKS AND RECORDS**

The insolvent did not personally trade and was therefore not required to keep books and records as contemplated by Section 134 of the Insolvency Act.

### **SECTION 81(d) : CONTRAVENTIONS AND OFFENCES**

We are not aware of any contraventions of the Insolvency Act, or any other offences that the insolvent may have committed.

### **SECTION 81(e) : SUBSISTENCE ALLOWANCE**

No allowance has been made to the insolvent in terms of Section 79 of the Insolvency Act, nor has he requested any such allowance.

### **SECTION 81(f) : BUSINESS CARRIED ON BEHALF OF THE ESTATE**

No business was carried on, on behalf of the estate.

### **SECTION 81(g) : LEGAL PROCEEDINGS**

We have no knowledge of any legal proceedings pending by or threatened against the estate as at date of sequestration other than for the normal recovery of debt, the Trustees will support an Enquiry if instructed and funded by a Creditor.

### **SECTION 81(h) : CONTRACT FOR THE ACQUISITION OF IMMOVABLE PROPERTY AND LEASES**

No notice has been served on me in terms of Section 35 of the Insolvency Act and the insolvent was not as far as we are aware, a party to any contract for the purchase of immovable property interrupted by insolvency, nor was he a party to any lease that we aware of.

### **SECTION 81(I) : DIRECTIONS TO CREDITORS**

Draft resolutions are submitted with this report and creditors are requested to adopt these resolutions to enable me to bring the winding up of the estate to a conclusion.

We confirm that at this stage it is clear if a danger of contribution exists

Dated at Bloubaan this 14 day of July 2022

.....  
**CB ST CLAIR COOPER**  
(Trustee)

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 2022

.....  
**CS HENDRICKS**  
(Trustee)