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STATUTORY INSTRUMENTS

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**2018 No. 719**

**The Housing Administration (England and Wales) Rules 2018**

**PART 3**

**PROCESS OF HOUSING ADMINISTRATION**

**CHAPTER 2**

**Statement of affairs**

**Content of statement of affairs**

**3.3.**—(1) The statement of the registered provider’s affairs must be headed “Statement of affairs” and must—

- (a) identify the registered provider immediately below the heading; and
- (b) state that it is a statement of affairs of the registered provider on a specified date, being the date on which it entered housing administration.

(2) The statement of affairs must contain (in addition to the matters required by paragraph 47(2) of Schedule B1)—

- (a) a summary of the assets of the registered provider, setting out the book value and the estimated realisable value of—
  - (i) any assets subject to a fixed charge,
  - (ii) any assets subject to a floating charge,
  - (iii) any uncharged assets,
  - (iv) the total value of all the assets;
- (b) a summary of the liabilities of the registered provider, setting out—
  - (i) the amount of preferential debt,
  - (ii) an estimate of the deficiency with respect to preferential debts or the surplus available after paying the preferential debts,
  - (iii) an estimate of the prescribed part, if applicable,
  - (iv) the amount of debt secured by floating charges,
  - (v) an estimate of the total assets available to pay debts secured by floating charges,
  - (vi) an estimate of the deficiency with respect of debts secured by floating charges or the surplus available after paying the debts secured by fixed or floating charges,
  - (vii) the amount of unsecured debt (excluding preferential debts),
  - (viii) an estimate of the deficiency with respect to unsecured debts or the surplus available after paying unsecured debts,
  - (ix) any issued and called-up capital, where appropriate,

- (x) an estimate of the deficiency with respect to, or surplus available to, members of the registered provider;
  - (c) a list of the registered provider's creditors with the further particulars required by paragraph (3) indicating—
    - (i) any creditors under hire-purchase, chattel leasing or conditional sales agreements;
    - (ii) any creditors who are consumers claiming amounts paid in advance for the supply of goods or services;
    - (iii) any creditors claiming retention of title over property in the registered provider's possession; and
  - (d) the name and address of each member of the registered provider and full details of their interest in the registered provider.
- (3) The particulars required by paragraph 47(2) of Schedule B1 and paragraph (2)(c) of this rule relating to each creditor are as follows—
- (a) the name and postal address of each creditor;
  - (b) the amount of the debt owed to the creditor;
  - (c) details of any security held by the creditor;
  - (d) the date on which the security was given;
  - (e) the value of any such security.
- (4) Paragraph (5) applies where the particulars required by paragraph (3) relate to creditors who are either—
- (a) employees or former employees of the registered provider; or
  - (b) consumers claiming amounts paid in advance for the supply of goods or services.
- (5) Where this paragraph applies—
- (a) the statement of affairs itself must state separately for each of paragraph (4)(a) and (b) the number of such creditors and the total of the debts owed to each of them;
  - (b) the particulars required by paragraph (3) must be set out in separate schedules to the statement of affairs for each of paragraphs (4)(a) and (b).