Case 09-00966 Doc 1 Filed 10/30/09 Entered 10/30/09 13:04:53 Desc Main Document Page 1 of 7

| United States Bankruptcy C District of District of Columb   |                          |                           |                                |  |                                    |   |   |   |   |  | Voluntary Petition        |
|---|--------------------------|---------------------------|--------------------------------|--|------------------------------------|---|---|---|---|--|---------------------------|
| Name of Debtor (if individual, enter Last, First, Middle): Hidden Creek LDHA  |                          |                           |                                |  | Name                               | of Joint De   | ebtor (Spouse   | e) (Last, First   | , Middle):  |  |                           |
| All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):  |                          |                           |                                |  |                                    |   | All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):              |   |   |  |                           |
| Last four dig<br>(if more than<br>38-6549   | one, state all)          | Sec. or Indi              | vidual-Tax <sub>l</sub>        | payer I.D. (   | (ITIN) No./                        | Complete E  | IN Last f   | Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) |   |  |                           |
| Street Address 1066 30  |                          |                           | Street, City,                  | and State)   | ):                                 | ZID C. I  |   | Address of  | Joint Debtor  | (No. and St  | reet, City, and State):   |
|   |                          |                           |                                |  |                                    | ZIP Code<br><b>20007</b>  | ;   |   |   |  | ZIP Code                  |
| County of R D.C.  | esidence or              | of the Prin               | cipal Place                    | of Busines   | s:                                 |   | Coun  | ty of Reside  | ence or of the  | Principal Pl   | ace of Business:          |
| Mailing Add   | dress of Deb             | otor (if diffe            | erent from st                  | reet addres  | ss):                               |   | Maili   | ng Address  | of Joint Debt   | tor (if differe  | ent from street address): |
|   |                          |                           |                                |  | Γ                                  | ZIP Code  | ;   |   |   |  | ZIP Code                  |
| Location of (if different   |                          |                           |                                | or   |                                    |   |   |   |   |  |                           |
| <ul> <li>□ Individual (includes Joint Debtors)         See Exhibit D on page 2 of this form.</li> <li>□ Corporation (includes LLC and LLP)</li> <li>■ Partnership</li> <li>□ Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul>  |                          |                           | Sing in 1 Rail Stoo            | Nature of Business (Check one box)  Health Care Business Single Asset Real Estate as define in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank Other  Tax-Exempt Entity (Check box, if applicable) Debtor is a tax-exempt organizatiunder Title 26 of the United State Code (the Internal Revenue Code |                                    |   | ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt   | the later 7<br>eer 9<br>eer 11<br>eer 12  | Petition is F   | ptcy Code Under Which iled (Check one box)  hapter 15 Petition for Recognition f a Foreign Main Proceeding hapter 15 Petition for Recognition f a Foreign Nonmain Proceeding |                           |
|   |                          |                           | und                            |  |                                    |   | defined in 11 U.S.C. § 101(8) as business debts.  States "incurred by an individual primarily for                     |   |   |  |                           |
| Filing Fee (Check one box)  ■ Full Filing Fee attached  □ Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  □ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. |                          |                           |                                |  | Check                              | Debtor is c if: Debtor's a to insider c all applica A plan is Acceptane | a small busin<br>not a small b<br>aggregate nor<br>s or affiliates)<br>able boxes:<br>being filed w<br>ces of the pla | ncontingent I<br>are less that<br>ith this petiti<br>n were solici  | s defined in 11 U.S.C. § 101(51D). or as defined in 11 U.S.C. § 101(51D). liquidated debts (excluding debts owed n \$2,190,000. |  |                           |
| Statistical/Administrative Information  ■ Debtor estimates that funds will be available for distribution to unsecured creditor:  □ Debtor estimates that, after any exempt property is excluded and administrative exthere will be no funds available for distribution to unsecured creditors.  |                          |                           |                                |  |                                    |   | es paid,  |   | THIS  | S SPACE IS FOR COURT USE ONLY  |                           |
| Estimated N  1- 49  | umber of C<br>50-<br>99  | reditors  100- 199        | 200-<br>999                    | 1,000-<br>5,000  | 5,001-<br>10,000                   | 10,001-<br>25,000   | 25,001-<br>50,000   | 50,001-<br>100,000  | OVER 100,000  |  |                           |
| Estimated A  So to \$50,000   | \$50,001 to \$100,000    | \$100,001 to<br>\$500,000 | \$500,001<br>to \$1<br>million | \$1,000,001<br>to \$10<br>million  | \$10,000,001<br>to \$50<br>million | \$50,000,001<br>to \$100<br>million                                     | \$100,000,000<br>to \$500<br>million  | \$500,000,001<br>to \$1 billion   |   |  |                           |
| Estimated L   | \$50,001 to<br>\$100,000 | \$100,001 to \$500,000    | \$500,001<br>to \$1            | \$1,000,001<br>to \$10   | \$10,000,001 to \$50               | \$50,000,001 to \$100   | \$100,000,000<br>to \$500   | \$500,000,001 to \$1 billion  |   |  |                           |

Case 09-00966 Doc 1 Filed 10/30/09 Entered 10/30/09 13:04:53 Desc Main B1 (Official Form 1)(1/08) Page 2 of 7

Page 2 Name of Debtor(s): Voluntary Petition **Hidden Creek LDHA** (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: **Walkabout Creek Limited Dividend Housing Association** 09-00632 7/21/09 District: Judge: Relationship: District of Columbia S. Martin Teel, Jr. Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) **Exhibit C** Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) ☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

B1 (Official Form 1)(1/08)

DOCUMENT Page 3 OF 7

Page 3

# **Voluntary Petition**

(This page must be completed and filed in every case)

# Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

 $\mathbf{X}$ 

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

#### Signature of Attorney\*

### X /s/ Janet Nesse

Signature of Attorney for Debtor(s)

#### Janet Nesse 358514

Printed Name of Attorney for Debtor(s)

#### Stinson Morrison Hecker LLP

Firm Name

1150 18th Street, N.W. Suite 800

Washington, DC 20036-3816

Address

#### 202-785-9100 Fax: 202-785-9163

Telephone Number

# October 30, 2009

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

#### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

#### ▼ /s/ John Freeman

Signature of Authorized Individual

#### John Freeman

Printed Name of Authorized Individual

#### President FRI, Inc./Managing General Partner Hidden Creek

Title of Authorized Individual

#### October 30, 2009

Date

Name of Debtor(s):

**Hidden Creek LDHA** 

## Signatures

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

| ₹7 |
|----|
| ×  |
|    |
|    |

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

#### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

| • |  |
|---|--|
|   |  |

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Case 09-00966 Doc 1 Filed 10/30/09 Entered 10/30/09 13:04:53 Desc Main Document Page 4 of 7

**B4** (Official Form 4) (12/07)

# **United States Bankruptcy Court District of District of Columbia**

| In re | Hidden Creek LDHA | Case No.  |         |    |
|-------|-------------------|-----------|---------|----|
|       |                   | Debtor(s) | Chapter | 11 |

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

| (1)  | (2)   | (3)   | (4)   | (5)  |
|--|---|---|---|--|
| Name of creditor and complete<br>mailing address including zip<br>code                                   | Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted | Nature of claim (trade<br>debt, bank loan,<br>government contract,<br>etc.) | Indicate if claim is contingent, unliquidated, disputed, or subject to setoff | Amount of claim [if secured, also state value of security] |
| Appraisal Advisory Group<br>1414 West High Street<br>Mt. Pleasant, MI 48858                              | Appraisal Advisory Group<br>1414 West High Street<br>Mt. Pleasant, MI 48858   |   |   | 1,500.00   |
| Calder City Glass<br>5823 Eda Jean Ridge NE<br>Comstock Park, MI 49321                                   | Calder City Glass<br>5823 Eda Jean Ridge NE<br>Comstock Park, MI 49321  |   |   | 619.24   |
| Crystal Carpet Care<br>1835 McCabe Ave.<br>Lowell, MI 49331  | Crystal Carpet Care<br>1835 McCabe Ave.<br>Lowell, MI 49331   |   |   | 66.00  |
| Grafx Central, Inc.<br>502 N. Mission<br>Mt. Pleasant, MI 48858  | Grafx Central, Inc.<br>502 N. Mission<br>Mt. Pleasant, MI 48858   |   |   | 256.79   |
| Grand Rapid Area Chamber<br>111 Pearl Street NW<br>Grand Rapids, MI 49503-2804                           | Grand Rapid Area Chamber<br>111 Pearl Street NW<br>Grand Rapids, MI 49503-2804  |   |   | 345.00   |
| Grand Rapids/Kalamazoo   | Grand Rapids/Kalamazoo  |   |   | 2,751.00   |
| Kent County Health Department Finance Division - Lab Testing 700 Fuller Avenue NE Grand Rapids, MI 49503 | Kent County Health Department<br>Finance Division - Lab Testing<br>700 Fuller Avenue NE<br>Grand Rapids, MI 49503   |   |   | 15.00  |
| Nobel Concrete Inc.<br>1777 De Went Drive<br>Jenison, MI 49428   | Nobel Concrete Inc.<br>1777 De Went Drive<br>Jenison, MI 49428  |   |   | 1,500.00   |
| O'Leary Paint<br>P.O. Box 17009<br>Lansing, MI 48901   | O'Leary Paint<br>P.O. Box 17009<br>Lansing, MI 48901  |   |   | 515.96   |
| Premiere Painting & Servc,<br>Inc<br>P.O. Box 210<br>Comstock Park, MI 49321                             | Premiere Painting & Servc, Inc<br>P.O. Box 210<br>Comstock Park, MI 49321   |   |   | 385.00   |

Case 09-00966 Doc 1 Filed 10/30/09 Entered 10/30/09 13:04:53 Desc Main Document Page 5 of 7

| B4 (Offi | cial Form 4) (12/07) - Cont. |          |  |  |
|----------|------------------------------|----------|--|--|
| In re    | Hidden Creek LDHA            | Case No. |  |  |
|          | Debtor(s)                    | •        |  |  |

# LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

| (1)   | (2)   | (3)   | (4)   | (5)  |
|---|---|---|---|--|
| Name of creditor and complete<br>mailing address including zip<br>code                        | Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted | Nature of claim (trade<br>debt, bank loan,<br>government contract,<br>etc.) | Indicate if claim is contingent, unliquidated, disputed, or subject to setoff | Amount of claim [if secured, also state value of security] |
| Property Management Assoc.<br>of<br>West Michigan<br>2675 44th Street SW<br>Wyoming, MI 49519 | Property Management Assoc. of<br>West Michigan<br>2675 44th Street SW<br>Wyoming, MI 49519  |   |   | 55.00  |
| Schott's Carpet<br>900 Metzgar NW<br>Comstock Park, MI 49321                                  | Schott's Carpet<br>900 Metzgar NW<br>Comstock Park, MI 49321  |   |   | 1,104.74   |
| Select Living Corporation<br>P.O. Box 534<br>Grandville, MI 49468-0534                        | Select Living Corporation<br>P.O. Box 534<br>Grandville, MI 49468-0534  |   |   | 507.50   |
| Superior Asphalt, Inc.<br>669 Century SW<br>Grand Rapids, MI 49503                            | Superior Asphalt, Inc.<br>669 Century SW<br>Grand Rapids, MI 49503  |   |   | 40,995.00  |
|   |   |   |   |  |
|   |   |   |   |  |
|   |   |   |   |  |
|   |   |   |   |  |
|   |   |   |   |  |

# DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, the President FRI, Inc./Managing General Partner Hidden Creek of the partnership named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

| Date | October 30, 2009 | Signature | /s/ John Freeman   |  |
|------|------------------|-----------|--|--|
|      |                  |           | John Freeman President FRI, Inc./Managing General Partner Hidden Creek |  |

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

Appraisal Advisory Group 1414 West High Street Mt. Pleasant, MI 48858

Calder City Glass 5823 Eda Jean Ridge NE Comstock Park, MI 49321

Crystal Carpet Care 1835 McCabe Ave. Lowell, MI 49331

Grafx Central, Inc. 502 N. Mission Mt. Pleasant, MI 48858

Grand Rapid Area Chamber 111 Pearl Street NW Grand Rapids, MI 49503-2804

Grand Rapids/Kalamazoo

Kent County Health Department Finance Division - Lab Testing 700 Fuller Avenue NE Grand Rapids, MI 49503

Michigan State Housing Develop PO Box 30044 Lansing, MI 48909

Nobel Concrete Inc. 1777 De Went Drive Jenison, MI 49428 O'Leary Paint P.O. Box 17009 Lansing, MI 48901

Premiere Painting & Servc, Inc P.O. Box 210 Comstock Park, MI 49321

Property Management Assoc. of West Michigan 2675 44th Street SW Wyoming, MI 49519

Schott's Carpet 900 Metzgar NW Comstock Park, MI 49321

Select Living Corporation P.O. Box 534 Grandville, MI 49468-0534

Superior Asphalt, Inc. 669 Century SW Grand Rapids, MI 49503