

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF VIRGINIA

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Fairfield TIC, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and doing business as names

DBA Fairfield Shopping Center

3. Debtor's federal Employer Identification Number (EIN) 20-1624254

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

1055 Laskin Road, Suite 100  
Virginia Beach, VA 23451

Number, Street, City, State & ZIP Code

Virginia Beach Cit  
County

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Fairfield Shopping Center  
Corner of Providence Road and Kempsville Road  
Virginia Beach, VA 23464  
Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

Debtor Fairfield TIC, LLC  
Name

Case number (if known) \_\_\_\_\_

**7. Describe debtor's business**

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District _____	When _____	Case number _____
District _____	When _____	Case number _____

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

- ☒ No
- ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor _____	Relationship _____
District _____	When _____ Case number, if known _____

Debtor Fairfield TIC, LLC  
Name

Case number (if known) \_\_\_\_\_

**11. Why is the case filed in this district?**

Check all that apply:

- ☒ Debtor has had its domicile, 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.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? \_\_\_\_\_

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other \_\_\_\_\_

**Where is the property?** \_\_\_\_\_

Number, Street, City, State & ZIP Code

**Is the property insured?**

☐ No

☐ Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

**Statistical and administrative information**

**13. Debtor's estimation of available funds**

Check one:

☐ Funds will be available for distribution to unsecured creditors.

☒ After any administrative expenses are paid, no funds will be available to unsecured creditors.

**14. Estimated number of creditors**

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

**15. Estimated Assets**

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☒ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

**16. Estimated liabilities**

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☒ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor Fairfield TIC, LLC  
Name

Case number (if known) \_\_\_\_\_

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature of authorized representative of debtor**

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

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 22, 2018  
MM / DD / YYYY

**X** /s/ Jon S. Wheeler  
Signature of authorized representative of debtor  
  
Title Manager

Jon S. Wheeler  
Printed name

**18. Signature of attorney**

**X** /s/ Karen M. Crowley  
Signature of attorney for debtor

Date October 22, 2018  
MM / DD / YYYY

Karen M. Crowley 35881  
Printed name

Crowley, Liberatore, Ryan & Brogan, PC  
Firm name

Town Point Center, Suite 300  
150 Boush Street  
Norfolk, VA 23510  
Number, Street, City, State & ZIP Code

Contact phone (757) 333-4500

Email address kcrowley@clrbfirm.com

35881 VA  
Bar number and State

Allied Door Controls & Glass Inc  
1104 Lynnhaven Parkway  
Virginia Beach, VA 23452

Anthony N.L. Iarrapino  
Wilschek Iarrapiono Law Office  
35 Elm Street, Suite 200  
Montpelier, VT 05602

Baker Roofing of Norfolk  
P. O. Box 1896  
Norfolk, VA 23501

BCP TIC, LLC  
c/o Jon S. Wheeler  
1055 Laskin Road, Suite 100  
Virginia Beach, VA 23451

BCP TIC, LLC  
1055 Laskin Road, Suite 100  
Virginia Beach, VA 23451

City of Virginia Beach  
Public Utilities  
2405 Courthouse Drive  
Virginia Beach, VA 23456

City of Virginia Beach  
City Treasurer  
2401 Courthouse Drive  
Municipal Center, Bldg. 1  
Virginia Beach, VA 23456

Commonwealth of Virginia  
Department of Taxation  
PO Box 1777  
Richmond, VA 23218-1777

CSC  
251 Little Falls Drive  
Wilmington, DE 19808

David A. Greer  
500 E Main St #1225  
Norfolk, VA 23510

Divaris Property Management Corp.  
4525 Main Street, Suite 900  
Virginia Beach, VA 23462

DMF TIC, LLC  
Attn: Donal M. Faulkner, Jr.  
171 Westview Meadows Road, #212  
Montpelier, VT 05602

GCK TIC, LLC  
Attn: Gary C. Kimnach  
2168 Lords Landing  
Virginia Beach, VA 23454

Internal Revenue Service  
P. O. Box 7346  
Philadelphia, PA 19101-7346

Mark A. Fulks, Esq.  
100 Med Tech Pkway, Suite 200  
P.O. Box 3038  
Johnson City, TN 37604

Nelwyn W. Inman  
Baker Donelson  
1900 Republic Centre  
633 Chestnut Street  
Chattanooga, TN 37450

Niki Providence Road, LLC  
c/o Carl Eason, Esq.  
Wolcott Rivers  
200 Bendix Road, Suite 2010  
Virginia Beach, VA 23452

Plume Street Financial, LLC  
Attn: Jon S. Wheeler  
200 48th Street  
Virginia Beach, VA 23451

Robert W. McFarland, Esq.  
McGuire Woods  
World Trade Center  
101 West Main Street  
Norfolk, VA 23510-1655

Stuart A. Pleasants, P.C.  
2529 Virginia Beach Boulevard  
Virginia Beach, VA 23452

Susan Collins  
c/o Divaris Property Management company  
4525 Main Street, Suite 900  
Virginia Beach, VA 23452

The Nikki Group, LLC  
Attn: Real Estate Dept.  
11260 El Camino Real #220  
San Diego, CA 92130

U.S. Bank N.A., as Trustee for the ...  
c/o C-III Asset Management LLC  
5221 North O'Connor Boulevard, Suite 800  
Irving, TX 75039

Verizon  
P.O. Box 660720  
Dallas, TX 75266-0720

Wheeler Real Estate Co. (& affiliates)  
2529 Virginia Beach Boulevard  
Virginia Beach, VA 23452

Wheeler Reit, L.P.  
2529 Virginia Beach Blvd  
Virginia Beach, VA 23452

William Lascara  
Pender & Coward  
222 Central Park Avenue  
Suite 400  
Virginia Beach, VA 23462