

Hays IRA Letter

Note to charity: Personalize letter with parts in bold typeface

**Financial Institution
Office of General Counsel
123 Main Street
City, State, ZIP**

Dear **General Counsel**:

We have been informed that **Favorite Charity** is a beneficiary of an **IRA** of **Jane Doe** -- account number **123-45-678**. Please liquidate the funds held for our benefit in the deceased's account and send them in a lump sum by check within 30 days to our organization at this address: **Favorite Charity, Bequest Administrator, 55 Main Street, Des Moines, Iowa 55555**.

We request that you bypass your company's internal company policy that we must first open an account. **Favorite Charity** is not legally required to open an account (Inherited IRA) to receive our rightful death benefit on our donor's original **IRA**. It is your internal policy for your convenience, but not a legal requirement. As a beneficiary, we decline to become a "new customer" by opening this account.

We understand that you have these internal requirements for human beneficiaries. However, charitable organizations have different and much easier methods to verify our identity. Hence, mirroring the policies you use for human beneficiaries for charity beneficiaries causes huge delays and overly burdensome paperwork.

We are a U.S. recognized tax-exempt charity and have been for **XXX** years. We are not on a suspected terrorist list nor engaged in money laundering.

We have no plans to keep our rightful sums at your institution but instead request a lump sum payout.

As a nonprofit institution, we are not willing to provide our employees' Social Security numbers in light of the numerous data breaches nationwide and the exposure to identify theft. That is a risk we are not willing to take. We further know there is no legal requirement to demand an employee's Social Security Number to fulfill your obligations for tax reporting as nonprofits have our own tax identification number to report our distribution.

You have enough information "to form a reasonable belief that you know our identity" with the following enclosed documents:

1. IRS Form W-9 and W-4R for your tax reporting responsibilities
2. Evidence of our tax-exempt status – further verifiable on-line via IRS Publication 78
3. Corporate resolution
4. Death certificate of account owner or other evidence of death

When sending the check, please include a copy of the beneficiary designation on this account and the date of death balance. Further, we would appreciate an itemized account of any additions or subtractions from the date of death balance.

If you are not able to issue a computer-generated IRS Form 1099 because your systems won't allow payment to a beneficiary, we will accept one that you have manually produced.

If we are a partial beneficiary of the account, we waive and release all rights to divided future interests or odd shares earned after the date of death and request prompt distribution of our proceeds prior to completion of actions by other beneficiaries.

If you feel you are unable to make this prompt distribution as requested, please have your Legal or Compliance Department provide us with your specific legal citations or basis for not distributing our funds to us.

Sincerely,

Insert name and contact information of your institution's legal counsel

Enclosures: **IRS Tax Exemption Letter**
 IRS Form W-9 and W-4R
 Corporate Resolution
 Death Certificate or other evidence of death

cc Senator Ron Wyden, Chair US Senate Finance Committee – sent via fax: 202-228-0554
 Senator Mike Crapo, Ranking Member, US Senate Finance Committee – sent via fax: 202-228-0554
 Patrick McHenry, Chairman of the House Financial Services Committee – sent via Fax: 828.327.8311
 Jamie Cummins, Tax Counsel, Senate Finance Committee – sent via email:
 jamiescottcummins@gmail.com
 Andrea Gacki, Director, Financial Crimes Enforcement Network (FinCEN)- sent via email:
 FRC@fincen.gov
 _____, **(insert the name of your state's attorney general)** Office of Attorney General