

Dear IRA Administrator:

I write to you regarding the Individual Retirement Account (IRA) of [account name], which designates [name of charitable organization] as a beneficiary.

You have asked [name of charitable organization] to open an inherited IRA account. [Name of charitable organization] takes the position that IRA accounts are governed by Internal Revenue Code Section 408. Internal Revenue Code Section 408 specifically refers to “individual” beneficiaries. We believe that when the IRC refers to individuals, it specifically means human beings with a measurable life expectancy. [Name of charitable organization] is a non-profit corporation, not an individual, and as such can’t open or hold an inherited IRA.

The assets in the [account name] IRA that your institution, [insert institution name], is holding lawfully belong to the [name of charitable organization] and we ask for them to be delivered promptly, please. We have provided you with our name, address and EIN. If your institution will not do this, please provide us with your legal basis for holding these funds and not delivering them to us.

Sincerely,

[Insert signature]

[Name]

[Title]

[Name of charitable organization]

[Organization’s address]

[Phone/email]

[EIN]