



UNFORESEEABLE EMERGENCY WITHDRAWAL FORM

Would you like to make sure your request is processed as fast as possible?

ICMA-RC knows the answer is “YES!” Follow the steps shown below to ensure we are able to process your request in a timely fashion.

- 1. Provide all required documentation specified on the form.**
- 2. Complete each section of the form, including the worksheet in Section 4.**
- 3. Fax the required documents and the completed form, with the required employer approval, to ICMA-RC.**

Fax:

ICMA-RC ATTN: Workflow Management Team
202-682-6439

OR, if you are unable to fax the documents, you may mail them to the following address:

ICMA-RC
ATTN: Workflow Management Team
P.O. Box 96220
Washington, DC 20090-6220

Please keep a copy of all supporting documents and the completed form for your records.

TIMEFRAME FOR PAYMENTS

Provided that your request is approved, a check will be sent within 3 business days of our receipt of the completed form *and all required supporting documentation*. **Failure to provide the required documentation with the completed form will delay the processing of your request.**

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UNFORESEEABLE EMERGENCY WITHDRAWAL FORM - PAGE 2 OF 4

Employer Plan Number Social Security Number
30 _____ - _____ - _____

3 SUPPORTING DOCUMENTS (REQUIRED FOR ALL REQUESTS)

You must provide documentation that supports the amount you request to withdraw. Signify that you have attached the required documents for the reason you described in Section 2 by checking the applicable boxes below. You should also include any additional documentation related to your circumstances, the financial impact of the unforeseeable emergency, and other resources you have available (if any). **Failure to provide the required documentation will delay the processing of your request.**

FORECLOSURE

- Letter from the mortgage company indicating a dollar reinstatement amount needed to prevent foreclosure (letter must state foreclosure) or acceleration on primary residence

EVICITION

- Letter from the leasing agency, court ordered eviction notice, or notarized letter from your landlord indicating a dollar amount needed to prevent eviction of primary residence

FUNERAL EXPENSES

- Detailed funeral bill indicating the portion for which you are responsible
- Confirmation that the funeral expenses relate to a spouse, dependent, or primary beneficiary

INVOLUNTARY LOST WAGES

- Last full pay stub indicating regular full pay rate
- Letter from employer indicating the dates of employment and UNPAID dates of work missed due to involuntary reasons. This must include information on any sick pay, vacation pay, workers compensation, unemployment benefits, or any form of compensation received while out of work.
- Explanation of lost wages. Use Section 2 on the previous page to provide an explanation of the reason for your lost wages.

LEGAL FEES (INVOLVING CRIMINAL CHARGES)

- Signed attorney retainer agreement or bill from attorney
- Evidence of criminal charges
- Proof that the legal fees related to you, a spouse, dependent, or primary beneficiary

UNREIMBURSED MEDICAL BILLS

- Explanation of Benefits (EOB) from insurance company
- Copies of actual bills showing the amounts covered and not covered by insurance, no more than one year old (Actual bills are needed. Estimates alone are insufficient.)
- If no insurance — statement indicating no medical insurance
- Unreimbursed medical bills related to spouse, dependent, or primary beneficiary

Note: Please ensure that any information disclosing your medical description is removed or blocked out.

PROPERTY DAMAGE DUE TO ACCIDENT OR NATURAL DISASTER (BEYOND INSURANCE REIMBURSEMENT)

- Detailed repair bill for damages to your property. A letter from contractor explaining why repairs are not a result of normal wear and tear. (Actual bills are needed. Estimates alone are insufficient.)
- Letter from insurance company indicating a reason for no coverage
- If covered by insurance, letter from the insurance company indicating the deductible amount owed for the repairs

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Employer Plan Number Social Security Number
30 _____ _____ - _____ - _____

4 UNFORESEEABLE EMERGENCY WITHDRAWAL WORKSHEET

Complete the worksheet and provide supporting documentation for this information when you submit the form.

A. NET WORTH

Assets	Current Value	-	Indebtedness	=	Net Worth
Home.....	\$ _____		\$ _____		\$ _____
Other Real Estate	\$ _____		\$ _____		\$ _____
Automobiles.....	\$ _____		\$ _____		\$ _____
Other Personal Property	\$ _____		\$ _____		\$ _____
Cash (Checking & Savings).....	\$ _____		\$ _____		\$ _____
Stocks and Bonds.....	\$ _____		\$ _____		\$ _____
Life Insurance Cash Value.....	\$ _____		\$ _____		\$ _____
All Other (List) _____	\$ _____		\$ _____		\$ _____
_____	\$ _____		\$ _____		\$ _____
Total Assets	\$ _____		\$ _____		\$ _____

B. MONTHLY INCOME AND EXPENSES

Monthly Income <i>(Net after all withholding)</i>		Monthly Living Expenses	
Your Salary	\$ _____	Mortgage Payments or Rent	\$ _____
Spouse's Salary.....	\$ _____	Utilities (heat, water, telephone, etc. combined).....	\$ _____
Other Income	\$ _____	Food and Clothing	\$ _____
Total Monthly Income	\$ _____	Car Payments.....	\$ _____
		Transportation Expenses	\$ _____
		Credit Card Minimum Payments (combined total).....	\$ _____
		Educational Expenses for Dependents and Self.....	\$ _____
		Insurance Premiums	\$ _____
		Other (list): _____	\$ _____
		_____	\$ _____
		Total Monthly Living Expenses	\$ _____

C. OTHER SOURCES OF FUNDS

To qualify for an unforeseeable emergency withdrawal, the funds in your 457 deferred compensation account must represent a last resort. Would any of the following provide you with the funds needed to pay for the emergency situation:

- 1) Ceasing all contributions to your account? Yes No
- 2) Liquidating assets, including cash (checking/savings/credit union accounts), personal property, investments, etc. (to the extent doing so would not cause severe financial hardship)? Yes No
- 3) Taking a loan from your retirement plan? Yes No
- 4) Reimbursement or compensation by insurance? Yes No

If you have responded "Yes" to any of the above, you will need to fully exhaust those sources of funds before you can receive an unforeseeable emergency withdrawal from your 457 deferred compensation plan account.

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UNFORESEEABLE EMERGENCY WITHDRAWAL FORM - PAGE 4 OF 4

Employer Plan Number Social Security Number
30 _____ - _____ - _____

5 WITHDRAWAL AMOUNT AND TAX WITHHOLDING

Specify the amount that you wish to withdraw and the amounts that should be withheld for federal and/or state taxes. **Regardless of your withholding election, you are ultimately responsible for paying federal and state income taxes on the amount withdrawn.**

a. **Withdrawal Amount:** \$ _____

The requested amount cannot exceed the amount needed to cover the unforeseeable emergency expense or the total value of your account. If you want the amount to be increased to cover the federal and/or state income tax withholding, check the box next to d) below. *(Do not add the additional amount to the amount requested above.)*

TAXATION AND WITHHOLDING REQUIREMENTS

ICMA-RC is required to withhold federal income tax unless you request "No withholding" below. If you do not provide withholding instructions, 10% will be withheld for federal income taxes and a default amount (which varies by state) will be withheld for state income taxes.

- b. Withhold FEDERAL income tax at the rate of _____% *OR* No withholding
- c. Withhold STATE income tax at the rate of _____% *OR* No withholding
- d. Increase the withdrawal amount specified in a) above to cover the federal and/or state income tax withholding. *(Note that requests related to involuntary lost wages are not eligible to be increased to cover tax withholding.)*

6 ROTH ASSETS DEPLETION ORDER

If you have made Roth contributions to your 457 plan, use this section to specify whether Roth assets or non-Roth assets should be distributed first.

Non-Roth assets will be distributed prior to any Roth assets, unless the following box is checked

7 PARTICIPANT SIGNATURE AND CHECKLIST

Review the below information and check the boxes once each step is complete. Be sure to sign and date this section.

Attestation: By signing this form, I acknowledge that I have read and understand the information in the Additional Information section of the *Unforeseeable Emergency Withdrawal Form*. I hereby certify that the statements and information provided in connection with my unforeseeable emergency withdrawal request are true and accurate to the best of my knowledge. I understand that any misrepresentation of facts or material omission is sufficient cause for rejection of my application and/or a delay in the review process.

As required by law and under the penalty of perjury, I certify that the Social Security Number (Taxpayer Identification Number) I have provided is correct.

- I have reviewed Sections 1–6 and confirmed that all sections are complete, including the *Unforeseeable Emergency Withdrawal Worksheet* in Section 4.
- I have obtained and attached the required supporting documentation for my request.

Participant Signature _____ Date (MM/DD/YYYY) ____ / ____ / _____

SUBMIT THIS REQUEST TO YOUR EMPLOYER FOR AUTHORIZATION PRIOR TO SENDING TO ICMA-RC.

8 EMPLOYER AUTHORIZATION

For employer use only. As the authorized official for the employer, I certify that this request has been reviewed and hereby direct ICMA-RC to disburse funds immediately to the individual named on this request.

Authorized Employer Official's Signature _____ Date (MM/DD/YYYY) ____ / ____ / _____

Authorized Employer Official's Name (Please Print) _____

Authorized Employer Official's Title _____

ADDITIONAL INFORMATION

The below information may assist you with questions you have related to the information on the form and help you determine whether or not your circumstances may qualify you to receive an unforeseeable emergency withdrawal.

Required Supporting Documentation

Section 3 specifies the **minimum** documentation that you will need to include with your request. As an example, if the reason for your request is to prevent foreclosure on your primary residence, you will need to include the following:

- An explanation and supporting documents for the unforeseeable reason which caused you to fall behind on payments. Use Section 2 to provide an explanation.
- A letter from the mortgage company indicating a dollar reinstatement amount needed to prevent foreclosure (letter must state foreclosure or acceleration on primary residence).

Obtaining Employer Authorization

Only your employer can authorize an emergency withdrawal. Upon request, ICMA-RC will provide an opinion to your employer concerning your request and whether the emergency situation meets IRS requirements.

Please be aware that if your employer seeks ICMARC's guidance, the processing of your request may be delayed. In order to expedite processing, please include adequate documentation verifying your emergency and the amount needed to cover the emergency.

Taxation and Withholding Requirements

Assets are generally taxable in the year in which they are withdrawn. The taxable amount of your distribution will be reported on a Form 1099-R and will need to be included in your income when you file your taxes. The 1099-R will be sent to you in January following the year of the withdrawal.

Federal and State Tax Withholding

ICMA-RC will withhold federal and state taxes based on the instructions you provide. We automatically withhold state income taxes for states which require us to do so. You should seek state tax advice from the appropriate state department of revenue if you have questions regarding state tax withholding requirements.

Increasing Your Payment Amount to Cover Tax Withholding

Only amounts reasonably necessary to satisfy the unforeseeable emergency will be available for withdrawal, but the amount can include the amounts necessary to pay federal, state, or local tax liabilities that result from the withdrawal. Check the box next to 5.d. to have ICMA-RC increase the amount of your withdrawal to cover the amount withheld for federal and/or state income taxes. (Do not add the additional amount to the amount requested in 5.a.)

Example: John needs \$1,000 to cover the unforeseeable emergency situation. He wants 10% withheld for federal income tax and no state tax withholding. **John should enter the following in Section 5:**

- Withdrawal Amount: \$1,000
- Withhold FEDERAL income tax at the rate of 10% OR No withholding
- Withhold STATE income tax at the rate of _____% OR No withholding
- Increase the withdrawal amount specified in a. above to cover the federal and/or state income tax withholding. (*Note that requests related to involuntary lost wages are not eligible to be increased to cover tax withholding.*)

John will receive a check with the net amount of \$1,000 (the gross amount will be \$1,111.11 and \$111.11 will be withheld for federal income tax).

Roth Assets

If you have made Roth contributions to your 457 plan, you should give careful consideration to how you withdraw the Roth assets (contributions and associated earnings). Use Section 6 to specify whether Roth assets or non-Roth assets should be distributed first.

Qualified "Tax-Free" Distributions

Distributions of Roth assets are tax-free if:

- Five years has passed since January 1 of the year of your first Roth contribution (including rollovers) and
- You are at least 59½ years old (or disabled or deceased)

Examples of Emergency and Non-Emergency Situations

The below table shows situations that may qualify a participant to receive an unforeseeable emergency withdrawal and other circumstances the IRS has stated will not qualify.

Circumstances that MAY Qualify	Circumstances that DO NOT Qualify
<ul style="list-style-type: none"> • Involuntary loss of wages resulting from an illness, accident, or other similar and extraordinary circumstance arising as a result of events beyond your control • Unreimbursed medical expenses resulting from an illness, accident, or other similar and extraordinary circumstance arising as a result of events beyond your control for you, your spouse, a dependent who can be claimed on your tax return or your primary beneficiary (if permitted by your plan) • Damage to your home due to an accident or natural disaster (beyond insurance reimbursement) • Damage to your car or other personal property due to an accident or natural disaster (beyond insurance reimbursement) • Legal bills involving criminal charges against you, your spouse, a dependent who can be claimed on your tax return, or your primary beneficiary (if permitted by your plan) • Expenses associated with the imminent foreclosure of or eviction from your primary residence • Funeral expenses for a spouse, a dependent who can be claimed on your tax return, or your primary beneficiary (if permitted by your plan) <p><i>Please note: Unreimbursed medical expenses and expenses related to property loss or damage must have been incurred and be supported by actual bills — estimates will not be accepted.</i></p>	<ul style="list-style-type: none"> • Purchase of a home, automobile, or other personal property, etc. • Education expenses, such as college tuition • Expenses knowingly incurred, such as, rent or mortgage payments, utilities, credit card bills, car, or personal loan payments • Supplemental income or insurance coverage • Unreimbursed medical expenses associated with elective surgery or routine/preventive medical care • Normal maternity leave • Routine maintenance related to vehicles, home, or other personal property • Tax liability (payment of income tax, back taxes, or fines associated with back taxes and wage garnishments)* • Travel expenses • Personal bankruptcy (except when resulting directly and solely from illness or casualty loss)* • Legal expenses (except in criminal cases) • Marital separation, divorce, or child support* <p><i>*Although not reflected in the Internal Revenue Code, the IRS has stated in question-and-answer sessions that these situations would not comply.</i></p>

SPECIAL CIRCUMSTANCES

Unforeseeable Emergency Situations Related to Someone Else

If you are requesting a withdrawal to help assist with an unforeseeable emergency situation for someone else, the other person must be a primary beneficiary for your account or a qualifying dependent. For requests related to a beneficiary, be sure to confirm the beneficiary information for your account prior to submitting your request. Qualifying dependents (i.e., a qualifying child, qualified relative) must satisfy the definition contained in Code Section 152 and summarized in the below table.

Qualifying Dependents	
Qualifying Child	Qualifying Relative
<ol style="list-style-type: none"> 1. Must be your child or a descendant of such child, or be a brother, sister, stepbrother/stepsister, or a descendant of any such relative 2. Must have the same principal address as you for more than half of the year 3. Must be less than age 19 at the end of the year (or, less than age 24 if a student), or permanently and totally disabled 4. Must not have provided over one-half his/her own support for the year 	<ol style="list-style-type: none"> 1. Must be related to you or lived with you for the entire year as a member of your household 2. Must receive over one-half support by you for the year 3. Must not be a qualifying child of the you or any other person 4. Must be a non-spouse 5. Gross income for the year must be less than the exemption amount (defined in Section 151(d))

SUMMARY DESCRIPTION

This publication provides a summary of the rules governing the payment of funds from your 457 Deferred Compensation plan. The actual rules governing your benefits are contained in state retirement laws and the federal tax code. This publication is a summary, written in less legalistic terms. It is not a complete description of the law. If there are any conflicts between what is written in this publication and what is contained in the law, the applicable law will govern.

PRIVACY

Please note that ICMA-RC has privacy procedures in place to safeguard your personal information, including health information that you provide as part of an unforeseeable emergency withdrawal request. You have the right to access and amend the information that you provide.



Building Retirement Security

ATTN: WORKFLOW MANAGEMENT TEAM

P.O. BOX 96220

WASHINGTON, DC 20090-6220

800-669-7400

EN ESPAÑOL LLAME AL 800-669-8216