

# Landscape, Irrigation & Lawn Sprinkler Industry Trusts

## Defined Contribution Pension Trust

c/o Southern California Pipe Trades Administrative Corporation  
501 Shatto Place, 5<sup>th</sup> Floor, Los Angeles, California 90020 (800) 595-7473/Fax (213)365-0699

## Distribution Election Form Application & Authorization

Complete all applicable sections and return pages 1 – 3 to the address above. (Save pages 4-5 for your records.)

### SECTION 1—PARTICIPANT INFORMATION

Participant Name \_\_\_\_\_

Participant Social Security Number \_\_\_\_\_

Street Address (the address to which payments to you and Form 1099-R should be sent) \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Phone Number and/or Email Address \_\_\_\_\_

If this is a foreign address, additional forms are required. They are available from the Trust Fund Office.

**MARITAL STATUS:**  Single  Married  Divorced (date of divorce: \_\_\_\_\_)  
If divorce date is after Plan enrollment, attach divorce settlement papers

Last Day Worked (month / day / year): \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Type of Withdrawal Requested (you must mark one):

- Normal Retirement at age 65  Early Retirement at age 62  
 Total Disability (attach copy of SSA disability award)  Termination of Employment (two-year waiting period)

### SECTION 2—PAYMENT OPTIONS—PLEASE SELECT A or B

#### **A** DIRECT ROLLOVER TO IRA

Choose one of the following options:

- Rollover to a Traditional IRA  
 Rollover to a ROTH IRA (subject to current taxes—complete withholding elections in Sections 3 and 4)  
 Rollover to a Qualified Employer Plan

#### **IRA OR QUALIFIED PLAN INFORMATION**

Any part of my account in the Plan which is eligible for rollover should be directly rolled over to my IRA or qualified employer plan, as I have indicated in this section. (Portion to be rolled over must be more than \$500 if transferring less than 100% of amount eligible for rollover.)

NAME AND ACCOUNT # OF IRA OR NEW EMPLOYER PLAN: \_\_\_\_\_

MAILING ADDRESS OF PAYEE - ADDRESS WHERE CHECK SHOULD BE MAILED \_\_\_\_\_

CAPACITY OF PAYEE:  Trustee  Custodian (Check one)

Special Instructions: \_\_\_\_\_

#### **B** ISSUE CHECK DIRECTLY TO ME (Subject to tax withholding-complete Sections 3 and 4)

## SECTION 3—FEDERAL TAX WITHHOLDING

- A. Roth IRA Rollover.** If you elected to roll over your balance to a Roth IRA in Section 2 above, federal withholding is not mandatory.

I want \_\_\_\_\_% or \$\_\_\_\_\_ withheld for federal income tax.

I do NOT want to have federal income tax withheld from my benefit payment.

Note that if you elect federal income tax withholding on a rollover to a Roth IRA, you will receive a second 1099-R for the withholding amount. If you are under age 59 ½ and you elect withholding on a rollover to a Roth IRA the withheld amount may be subject to a 10% federal early distribution penalty and a state tax penalty where applicable. Consult with your tax advisor to understand the tax implications for you.

- B. Direct Payment to You.** If you elected to have a check made payable to you in Section 2 above, any part of your distribution that is eligible for rollover is subject to mandatory 20% federal withholding. Please note: If the gross distribution amount being issued to you is \$200 or less, federal tax will not be withheld.

In addition to the mandatory 20% federal withholding I want \_\_\_\_\_% or \$\_\_\_\_\_ withheld for federal income tax.

## SECTION 4—STATE TAX WITHHOLDING

STATE TAX WITHHOLDING: CA State tax will be withheld according to the rules and rates in effect at the time of your distribution. Please note: If federal tax is not withheld in Section 3 above, state tax will not be withheld either, regardless of your election below.

CHECK ONLY ONE:

I do  I do NOT want to have CA state income tax withheld from my benefit payments.

## SECTION 5—WAIVER OF THIRTY-DAY NOTIFICATION AND WAITING PERIOD

The IRS currently requires a thirty-day waiting period following receipt of the enclosed “Your Rollover Options” Notice. The purpose of this waiting period is to allow Plan Participants sufficient time to review tax options before taking a distribution. You have the opportunity to waive this period.

I received the Notice “Your Rollover Options” on (mm/dd/yy) \_\_\_\_\_, and

CHECK ONLY ONE:  I understand that the distribution will not be processed before thirty days have elapsed.

I understand the explanation of options and choose to waive the thirty-day waiting period.

Signing in Section 6 and marking neither box will constitute your waiver of the thirty-day waiting period.

## SECTION 6—PARTICIPANT DISTRIBUTION CONSENT

I hereby Acknowledge that I have been informed by the Plan Administrator as to the only form of payment under the plan which is a lump sum distribution.

**I have read and understand the attached document titled “Your Rollover Options”.**

In addition, I understand that it is my responsibility to obtain all necessary information from the IRA institution or new employer’s qualified plan for a direct rollover. I certify that (i) this information is correct and (ii) the IRA or employer’s qualified plan will accept a direct rollover whether in cash or in kind (e.g. mutual fund or stock shares). I acknowledge that I have been advised to consult a tax advisor regarding any tax consequences this distribution may have.

I have read and understand all the notices presented and if I had any questions, I have asked them of the Plan Administrator and have received acceptable answers. Upon payment in full of my benefit (account) in the plan, I release the Plan Administrator, the Trustees and my Employer(s) from and against any and all claims I may have or hereafter claim to have against said Administrator, Trustee or Employer(s), but only with respect to my interest in said Plan. Nothing contained in this release is intended to relieve any fiduciary of an obligation or duty under ERISA, or to violate the provisions of Section 410 of ERISA.

I understand that if the vested value of my benefit is less than \$1,000 and I do not return this Distribution Election Form within 30 days, I may automatically be paid a lump sum payment in cash and all required (federal and state) income taxes will be withheld. I understand that if my balance is \$1,000 or more I may be able to leave my balance in the plan until a later date. I understand that tax withholding elections, including any default elections, are irrevocable and that no correction can be made once the distribution payment has been issued.

**I hereby apply to the Landscape, Irrigation and Lawn Sprinkler Industry Defined Contribution Pension Plan for distribution of my Individual Account. I declare under penalty of perjury that (1) as of the date shown in Section 1 above as my Last Day Worked, I have not been, or will not be, working in the geographical jurisdiction of United Association District Council #16, and (2) if I am requested a withdrawal before age 55, I understand that I may not work in said industry in any capacity within the territorial jurisdiction of the United Association of Journeymen and Apprentices of the Plumbing, Pipefitting, Sprinkler Fitting Industry of the United States and Canada during a one-year**

**SECTION 6—PARTICIPANT DISTRIBUTION CONSENT (Continued)**

waiting period, and (3) the information regarding my marital status is true and correct. I understand that any false information may disqualify me for benefits, and that the Trustees have the right to recover any payment made to me because of such false information.

I hereby authorize payment of my vested account balance as indicated above.

**X** \_\_\_\_\_  
Signature of Participant Date

Complete all applicable sections and return pages 1-3 to:

Southern California Pipe Trades Administrative Corporation  
501 Shatto Place, 5<sup>th</sup> Floor  
Los Angeles, CA 90020

**SECTION 7—CERTIFICATION OF SIGNATURE**

The signature of the Participant must be witnessed by the Southern California Pipe Trades Administrative Corporation, a DC#16 Local Union Business Manager OR notarized by a certified Notary Public.

**EITHER**

Witness by a representative of the Southern California Pipe Trades Administrative Corporation or a DC#16 Local Union Business Manager:

\_\_\_\_\_ ID Provided by Participant

**X** \_\_\_\_\_  
(Signature of SCPTAC Representative or Local Union Business Manager) Date

**OR**

**NOTARY CERTIFICATION**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of \_\_\_\_\_

County of \_\_\_\_\_

On \_\_\_\_\_ before me \_\_\_\_\_, personally  
(Date) (Here Insert Name and Title of Officer)

appeared \_\_\_\_\_, who proved to me the basis of satisfactory evidence  
(Name(s) of Signer(s))

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the state of \_\_\_\_\_ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal: \_\_\_\_\_  
(Signature of Notary Public)

[Notary's Seal Below]

# YOUR ROLLOVER OPTIONS

(For Payments Not From a Designated Roth Account)

You are receiving this notice because all or a portion of a payment you are receiving from the Southern California Pipe Trades Defined Contribution Fund (the "Plan") is eligible to be rolled over to an IRA or an employer plan. This notice is intended to help you decide whether to do such a rollover.

This notice describes the rollover rules that apply to payments from the Plan that are not from a designated Roth account (a type of account with special tax rules in some employer plans). If you also receive a payment from a designated Roth account in the Plan, you will be provided a different notice for that payment, and the Plan administrator or the payor will tell you the amount that is being paid from each account.

Rules that apply to most payments from a plan are described in the "General Information About Rollovers" section. Special rules that only apply in certain circumstances are described in the "Special Rules and Options" section.

## GENERAL INFORMATION ABOUT ROLLOVERS

### How can a rollover affect my taxes?

You will be taxed on a payment from the Plan if you do not roll it over. If you are under age 59½ and do not do a rollover, you will also have to pay a 10% additional income tax on early distributions (unless an exception applies). However, if you do a rollover, you will not have to pay tax until you receive payments later and the 10% additional income tax will not apply if those payments are made after you are age 59½ (or if an exception applies).

### Where may I roll over the payment?

You may roll over the payment to either an IRA (an individual retirement account or individual retirement annuity) or an employer plan (a tax-qualified plan, section 403(b) plan, or governmental section 457(b) plan) that will accept the rollover. The rules of the IRA or employer plan that holds the rollover will determine your investment options, fees, and rights to payment from the IRA or employer plan (for example, no spousal consent rules apply to IRAs and IRAs may not provide loans). Further, the amount rolled over will become subject to the tax rules that apply to the IRA or employer plan.

### How do I do a rollover?

There are two ways to do a rollover. You can do either a direct rollover or a 60-day rollover.

If you do a direct rollover, the Plan will issue a check payable to the financial institution indicated on your distribution form, however the check will be mailed to your address of record, and it will be your responsibility to forward the check to your IRA or your employer plan. You should contact the IRA sponsor or the administrator of the employer plan for information on how to do a direct rollover.

If you do not do a direct rollover, you may still do a rollover by making a deposit into an IRA or eligible employer plan that will accept it. You will have 60 days after you receive the payment to make the deposit. If you do not do a direct rollover, the Plan is required to withhold 20% of the payment for federal income taxes. This means that, in order to roll over the entire payment in a 60-day rollover, you must use other funds to make up for the 20% withheld. If you do not roll over the entire amount of the payment, the portion not rolled over will be taxed and will be subject to the 10% additional income tax on early distributions if you are under age 59½ (unless an exception applies).

### How much may I roll over?

If you wish to do a rollover, you may roll over all or part of the amount eligible for rollover. Any payment from the Plan is eligible for rollover, except:

- Certain payments spread over a period of at least 10 years or over your life or life expectancy (or the lives or joint life expectancy of you and your beneficiary)
- Required minimum distributions after age 72 (or after death)
- Hardship distributions
- Corrective distributions of contributions that exceed tax law limitations
- The Plan administrator or the payor can tell you what portion of a payment is eligible for rollover.

### If I don't do a rollover, will I have to pay the 10% additional income tax on early distributions?

If you are under age 59½, you will have to pay the 10% additional income tax on early distributions for any payment from the Plan (including amounts withheld for income tax) that you do not roll over, unless one of the exceptions listed below applies. This tax is in addition to the regular income tax on the payment not rolled over.

The 10% additional income tax does not apply to the following payments from the Plan:

- Payments made after you separate from service if you will be at least age 55 in the year of the separation
- Payments that start after you separate from service if paid at least annually in equal or close to equal amounts over your life or life expectancy (or the lives or joint life expectancy of you and your beneficiary)
- Payments made due to disability
- Payments after your death
- Corrective distributions of contributions that exceed tax law limitations
- Payments made directly to the government to satisfy a federal tax levy
- Payments made under a qualified domestic relations order (QDRO)
- Payments up to the amount of your deductible medical expenses
- Certain payments made while you are on active duty if you were a member of a reserve component called to duty after September 11, 2001 for more than 179 days

### If I do a rollover to an IRA, will the 10% additional income tax apply to early distributions from the IRA?

If you receive a payment from an IRA when you are under age 59½, you will have to pay the 10% additional income tax on early distributions from the IRA, unless an exception applies. In general, the exceptions to the 10% additional income tax for early distributions from an IRA are the same as the exceptions listed above for early distributions from a plan. However, there are a few differences for payments from an IRA, including:

- There is no exception for payments after separation from service that are made after age 55.
- The exception for qualified domestic relations orders (QDROs) does not apply (although a special rule applies under which, as part of a divorce or separation agreement, a tax-free transfer may be made directly to an IRA of a spouse or former spouse).
- The exception for payments made at least annually in equal or close to equal amounts over a specified period applies without regard to whether you have had a separation from service.
- There are additional exceptions for (1) payments for qualified higher education expenses, (2) payments up to \$10,000 used in a qualified first-time home purchase, and (3) payments for health insurance premiums after you have received unemployment compensation for 12 consecutive weeks (or would have been eligible to receive unemployment compensation but for self-employed status).

## RETAIN FOR YOUR RECORDS

## Will I owe State income taxes?

This notice does not in general describe State or local income tax rules (including withholding rules). However, California imposes a 2% state tax penalty for withdrawals if you are under age 59 ½. Withholding of California State tax is optional.

## SPECIAL RULES AND OPTIONS

### If you miss the 60-day rollover deadline

Generally, the 60-day rollover deadline cannot be extended. However, the IRS has the limited authority to waive the deadline under certain extraordinary circumstances, such as when external events prevented you from completing the rollover by the 60-day rollover deadline. To apply for a waiver, you must file a private letter ruling request with the IRS. Private letter ruling requests require the payment of a nonrefundable user fee.

For more information, see IRS Publication 590-A, Contributions to Individual Retirement Arrangements (IRAs).

### If you were born on or before January 1, 1936

If you were born on or before January 1, 1936 and receive a lump sum distribution that you do not roll over, special rules for calculating the amount of the tax on the payment might apply to you. For more information, see IRS Publication 575, Pension and Annuity Income.

### If you roll over your payment to a Roth IRA

If you roll over a payment from the Plan to a Roth IRA, a special rule applies under which the amount of the payment rolled over (reduced by any after-tax amounts) will be taxed. However, the 10% additional income tax on early distributions will not apply (unless you take the amount rolled over out of the Roth IRA within 5 years, counting from January 1 of the year of the rollover).

If you roll over the payment to a Roth IRA, later payments from the Roth IRA that are qualified distributions will not be taxed (including earnings after the rollover). A qualified distribution from a Roth IRA is a payment made after you are age 59½ (or after your death or disability, or as a qualified first-time homebuyer distribution of up to \$10,000) and after you have had a Roth IRA for at least 5 years. In applying this 5-year rule, you count from January 1 of the year for which your first contribution was made to a Roth IRA. Payments from the Roth IRA that are not qualified distributions will be taxed to the extent of earnings after the rollover, including the 10% additional income tax on early distributions (unless an exception applies). You do not have to take required minimum distributions from a Roth IRA during your lifetime. For more information, see IRS Publication 590-A, Contributions to Individual Retirement Arrangements (IRAs), and IRS Publication 590-B, Distributions from Individual Retirement Arrangements (IRAs).

### If you are not a plan participant

Payments after death of the participant. If you receive a distribution after the participant's death that you do not roll over, the distribution will generally be taxed in the same manner described elsewhere in this notice. However, the 10% additional income tax on early distributions does not apply, and the special rule described under the section "If you were born on or before January 1, 1936" applies only if the participant was born on or before January 1, 1936.

If you are a surviving spouse. If you receive a payment from the Plan as the surviving spouse of a deceased participant, you have the same rollover options that the participant would have had, as described elsewhere in this notice. In addition, if you choose to do a rollover to an IRA, you may treat the IRA as your own or as an inherited IRA.

An IRA you treat as your own is treated like any other IRA of yours, so that payments made to you before you are age 59½ will be subject to the 10% additional income tax on early distributions (unless an exception applies) and required minimum distributions from your IRA do not have to start until after you are age 72.

If you treat the IRA as an inherited IRA, payments from the IRA will not be subject to the 10% additional income tax on early distributions. However, if the participant had started taking required minimum distributions, you will have to receive required minimum distributions from the inherited IRA. If the participant had not started taking required minimum distributions from the Plan, you will not have to start receiving required minimum distributions from the inherited IRA until the year the participant would have been age 72.

If you are a surviving beneficiary other than a spouse. If you receive a payment from the Plan because of the participant's death and you are a designated beneficiary other than a surviving spouse, the only rollover option you have is to do a direct rollover to an inherited IRA. Payments from the inherited IRA will not be subject to the 10% additional income tax on early distributions. You will have to receive required minimum distributions from the inherited IRA.

Payments under a qualified domestic relations order. If you are the spouse or former spouse of the participant who receives a payment from the Plan under a qualified domestic relations order (QDRO), you generally have the same options the participant would have (for example, you may roll over the payment to your own IRA or an eligible employer plan that will accept it). Payments under the QDRO will not be subject to the 10% additional income tax on early distributions.

### If you are a nonresident alien

If you are a nonresident alien and you do not do a direct rollover to a U.S. IRA or U.S. employer plan, instead of withholding 20%, the Plan is generally required to withhold 30% of the payment for federal income taxes. If the amount withheld exceeds the amount of tax you owe (as may happen if you do a 60-day rollover), you may request an income tax refund by filing Form 1040NR and attaching your Form 1042-S. See Form W-8BEN for claiming that you are entitled to a reduced rate of withholding under an income tax treaty. For more information, see also IRS Publication 519, U.S. Tax Guide for Aliens, and IRS Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities.

### Other special rules

If your payments for the year are less than \$200 (not including payments from a designated Roth account in the Plan), the Plan is not required to allow you to do a direct rollover and is not required to withhold for federal income taxes. However, you may do a 60-day rollover.

Unless you elect otherwise, a mandatory cashout of more than \$1,000 (not including payments from a designated Roth account in the Plan) will be directly rolled over to an IRA chosen by the Plan administrator or the payor. A mandatory cashout is a payment from a plan to a participant made before age 62 (or normal retirement age, if later) and without consent, where the participant's benefit does not exceed \$5,000 (not including any amounts held under the plan as a result of a prior rollover made to the plan).

You may have special rollover rights if you recently served in the U.S. Armed Forces. For more information, see IRS Publication 3, Armed Forces' Tax Guide.

## FOR MORE INFORMATION

You may wish to contact the Fund Office, or consult with a professional tax advisor, before taking a payment from the Plan. Also, you can find more detailed information on the federal tax treatment of payments from employer plans in: IRS Publication 575, Pension and Annuity Income; IRS Publication 590-A, Contributions to Individual Retirement Arrangements (IRAs); IRS Publication 590-B, Distributions from Individual Retirement Arrangements (IRAs); and IRS Publication 571, Tax-Sheltered Annuity Plans (403(b) Plans). These publications are available from a local IRS office, on the web at [www.irs.gov](http://www.irs.gov), or by calling 1-800-TAX-FORM.

## RETAIN FOR YOUR RECORDS