

## Requirements for Business Involving a Trust

At MassMutual Ascend Life Insurance Company, we value your business and strive to make doing business with us easy. To help ensure your paperwork is complete and to avoid processing delays, please follow the below requirements when submitting new business where a trust is named as the owner of the annuity, or when requesting a change of ownership into or out of a trust.

### Trust Certification

Complete the appropriate Trust Certification form(s). All questions and information must be completed.

- **Trust Certification** (X6017907NW Rev. 1/16/2025 or later): To be completed for all trusts.
- **Trust Certification – Inherited Contract Addendum** (X6057518NW): This additional form should be completed for an application for a new Inherited IRA or Inherited NQ contract to be issued to a trust.



**Do not send us the trust document.** If we receive the trust document, we are not allowed to rely on a Trust Certification that is inconsistent with the terms of the trust. Whenever we receive a trust document, it will need to go to our Legal Department for review, and processing delays may result.

### Owner

The trust that is to own an annuity should be named as the sole owner. The date of the trust should always be specified. If the trust has been divided into multiple sub-trusts or shares, please identify the sub-trust, or share as part of the owner's name. For example, "John & Jane Doe Tr 05/18/08 – Surv Tr" or "Smith Family Tr 12-01-97 FBO Samantha Smith."

The trustee(s) of the trust might sign as the owner on the application and all related documents, or as the new owner on the Ownership Change form. A trustee should write "Trustee" or "TTEE" after his or her signature. Generally, all trustees should sign the Trust Certificate form(s). Some trusts require all trustees to sign all paperwork (*see* Section 5 of the Trust Certification).

### Annuitant

Be sure to name the proper annuitant(s). Generally, you would want to name as annuitant any person (such as grantor) whose death will trigger a division or distribution of the trust. If that person is named as an annuitant, then the death proceeds will be available to facilitate that division or distribution. If that person is not named as an annuitant, then the trust may incur early withdrawal charges to make a division or distribution, which calls into question the suitability of the sale. You may address these suitability concerns by:

- Adding as an annuitant the grantor or the other person whose death will trigger a division or distribution of the trust. (Please note, however, you cannot add an annuitant who is over the product issue age limit, or when the contract is being issued as part of a tax-free 1035 exchange.)
- When a living grantor is not named as an annuitant, providing a representation from the trustee that the trust will not need to be divided or distributed on the death of that grantor. For irrevocable trusts, this representation may be made on the Client Financial Disclosure for Irrevocable Trusts (U2671623NW).
- When a living grantor is not being named as an annuitant, providing a representation from the

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trustee that on trust termination the trustee intends to allocate or distribution the annuity contract in kind to a single trust beneficiary. For irrevocable trusts, this representation may be made on the Client Financial Disclosure for Irrevocable Trusts (U2671623NW).

- Making application for multiple annuity contracts matching the number of expected trust beneficiaries who will be entitled to a separate share or distribution from the trust.

## Important note about annuitants of trust-owned non-qualified contracts in section 1035 exchanges

The annuitant(s) on our contract must be the same as the annuitant(s) for the non-qualified contract at the prior carrier. We will need verification of the annuitant(s) named for the contract at the prior carrier. If an annuitant for the contract at the prior carrier is deceased, we can accept the business only as an inherited non-qualified contract.

If a grantor or other person whose death will trigger a division or distribution of the trust is not named as annuitant at the prior carrier, then our suitability concerns must be addressed by one of the other options listed above.

## Beneficiary

The trust itself must be named the sole primary beneficiary. This avoids a possible conflict between the terms of the trust and the beneficiary rules of the contract.

## New Purchase Payments

If the funds to be applied to a contract are not coming from the trust itself, our Third Party Check form (N2654911NW) must be completed by the owner of the funds.

## Client Financial Disclosure/Suitability Review

For new business:

- If the trust is a **revocable trust**, then the trustee should complete Client Financial Disclosure (U2671023NW) based on the grantor's income, assets and health (whether or not the trustee is the grantor).
- If the trust is an **irrevocable trust**, then the trustee should complete the Client Financial Disclosure for Irrevocable Trusts (U2671623NW) based on the trust's income, assets and obligations.

## Transfers of Ownership Out of Trust

The Ownership Change form must be signed by the trustee(s). Additionally:

- If the trust is **revocable**, no additional documentation beyond the basic Trust Certification is required, but the transfer must be from the trust to a grantor of the trust.
- If the trust is **irrevocable**, complete Trust Certification – Change of Ownership to Trust Beneficiaries (X6057118NW).

## Qualified Contracts

We will not issue an IRA or other qualified contract to a trust unless the contract is an inherited IRA, or the trust is part of an employer retirement plan.

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## Agent Conflicts of Interest

Except in limited family situations, we will not accept a new business where the insurance professional or a close family member of the insurance professional is a trustee or beneficiary of the trust.

We will not accept new business where the insurance professional is also performing legal services for the client as a lawyer.

Please refer to our Market Conduct & Compliance Guide for more information.

Thank you for choosing MassMutual Ascend!



**Affiliates:**  
 Annuity Investors Life Insurance Company®  
 Manhattan National Life Insurance Company

**Administration for Life Insurance and Annuities**  
 Continental General Insurance Company®  
 Loyal American Life Insurance Company®

**Fixed and Fixed Indexed Annuities:** PO Box 5420, Cincinnati OH 45201 / 800-854-3649 / 800-482-8126 Fax  
**Registered Index-Linked Annuities:** PO Box 5423, Cincinnati OH 45201 / 800-789-6771 / 800-807-9777 Fax  
**Variable Annuities:** PO Box 5423, Cincinnati OH 45201 / 800-789-6771 / 513-768-5115 Fax  
**Life Insurance:** PO Box 5416, Cincinnati OH 45201 / 888-863-5891 / 800-859-0021 Fax  
**Overnight Address:** 191 Rosa Parks St, Cincinnati OH 45202

## TRUST CERTIFICATION AND AGREEMENT

*Complete entire form –all numbered paragraphs require a response*

Name of Trust *(include subtrust information, if applicable)*

Contract/Policy Number(s) *(if known)*



**Certification.** Each trustee certifies under penalties of perjury:

### 1. Date of Trust

The trust (or subtrust) exists under a written document signed on:

  
*(month/day/year)*

*For a testamentary trust, insert the date of Last Will and Testament*

### 2. State Law

The trust (or subtrust) was created and is valid under the law of the state of:

*For testamentary trust, insert state where Will probated*

### 3. Grantor Information

The name, SSN, and status of each person who signed the trust document as a grantor (also known as a “settlor,” “trustor,” or “trustmaker”) is

| <i>Grantor Name(s)</i> | <i>Grantor SSN(s)</i> |                                 |  |
|------------------------|-----------------------|---------------------------------|--|
|                        |                       | <input type="checkbox"/> Living | <input type="checkbox"/> Died on _____ |
|                        |                       | <input type="checkbox"/> Living | <input type="checkbox"/> Died on _____ |

*For testamentary trust, the grantor is the testator (the person whose Last Will and Testament creates the trust)*

### 4. Current Trustee Information

The name and address of each current trustee of the trust (or subtrust) is:

| <i>Trustee Name(s)</i> | <i>Trustee Address(es)</i> |
|------------------------|----------------------------|
|                        |                            |
|                        |                            |
|                        |                            |

### 5. Authority of Co-Trustees *check one*

- (a)  **Single Trustee** – there is *only one* current trustee named above, and there are no co-trustees.
- (b)  **Independent Trustees** – actions require the signature of only one of the co-trustees named above.
- (c)  **Majority Trustees** – actions require the signature of a majority of the co-trustees named above.
- (d)  **Joint Trustees** – actions require the signature of all of the co-trustees named above.

### 6. Revocability *check one*

- (a)  Every grantor is living: the entire trust can be revoked by the grantor(s).
- (b)  A grantor is deceased, but there is still a living grantor: the entire trust can be revoked by the surviving grantor.
- (c)  A grantor is deceased, but there is still a living grantor: the trust has divided into subtrusts, and the annuity contract or life insurance policy is held by a subtrust that can be revoked by the surviving grantor.
- (d)  A grantor is deceased, but there is still a living grantor: the trust has divided into subtrusts, and the annuity contract or life insurance policy is held by a subtrust that is irrevocable.
- (e)  The entire trust is irrevocable.

*If you choose check box (c) or (d), then the name of the trust on our forms should always include the subtrust name (separate share name)*

**7. Trust Tax Identification Number**

The tax identification number for the trust (or subtrust) is:

- (a)  This is an employer identification number (EIN) assigned by the IRS to the trust (or subtrust)
- (b)  This is a SSN of a grantor or trust owner *A trust (or subtrust) may use the SSN of a living grantor or trust owner only if the grantor can revoke the trust or if the trust is an irrevocable grantor-type trust. A trust can never use a deceased person's SSN.*

**8. Tax Status of Annuity Contract** *check one*

(a)  **Revocable Trust / annuity contract eligible for tax deferral.**

(b)  **Irrevocable Trust / annuity contract eligible for tax deferral:**

The trust (or subtrust) qualifies as a mere agent for one or more human beings within the meaning of Section 72(u) of the Internal Revenue Code because:

- All current and future beneficiaries of the trust (or subtrust) are human beings; or
- The trust (or subtrust) is a grantor-type trust under Sections 671-678 of the Internal Revenue Code and is treated for income tax purposes as owned by the grantor(s) because of rights retained by the grantor, or is treated as owned by a trust beneficiary because of the beneficiary's unrestricted right to withdraw trust assets for his or her own benefit.

(c)  **Irrevocable Trust / annuity contract is not eligible for tax deferral:** The trust (or subtrust) is an irrevocable non-grantor-type trust, and the trust provides for current or future distributions to charities or business entities. Each trustee acknowledges that the annuity contract does NOT qualify for tax-deferred treatment, and that the annual increase in the surrender value of the contract over its cost basis will be currently reported as taxable income to the trust.

**9. Conflict of Interest – Insurance or Investment Professional as Trust Beneficiary**

Is an insurance or investment professional selling or servicing this annuity contract or life insurance policy (or a close family member of that insurance or investment professional) also a current or future trust beneficiary? *(check one)*

- Yes – insurance or investment professional is also a trust beneficiary
- No – insurance or investment professional is NOT a trust beneficiary

**10. Conflict of Interest – Insurance or Investment Professional as Attorney**

Is an insurance or investment professional selling or servicing this annuity contract or life insurance policy **also the attorney who prepared the trust document?** *(check one)*

- Yes – insurance or investment professional is also the attorney who prepared the trust document
- No – insurance or investment professional is NOT the attorney who prepared the trust document

**Authority of Trustee(s) Related to Insurance**

The trust authorizes the trustee(s) to purchase, receive, hold, assign, annuitize, take withdrawals from, surrender, and otherwise deal with annuity contracts or life insurance policies, and to cause the proceeds from any such transaction to be paid directly to trust beneficiaries and others as the trustee(s) may direct.

**Advisability of Naming Grantor(s) as Annuitant(s)**

Each trustee acknowledges that a deferred annuity contracts cannot be divided, and that in many cases it may be advisable for an annuity contract to name the grantor as the annuitant so a death benefit is available to make any distribution or division due on the death of a grantor without paying an early withdrawal charge and/or market value adjustment.

**Designation of Beneficiary**

Each trustee hereby designates the trust itself as the beneficiary of each annuity contract or life insurance policy referenced above. This designation revokes and supersedes all prior or contemporaneous designations. This designation is irrevocable during any period that such annuity contract or life insurance policy is owned by the trust.

**Agreement to Provide Copies on Request**

On request, each trustee agrees to furnish a copy of excerpts from the trust document that designate the trustee(s), confer the power to act with respect to an annuity contract or life insurance policy, and confirm information in this certification.

**Indemnification**

Each trustee agrees, both on behalf of the trust and individually, both jointly and severally, to indemnify and hold harmless MassMutual Ascend and its affiliates against any claims, liabilities, and expenses, including reasonable attorney fees, that arise from reliance on this certification or from following the instructions of the trustee(s). This indemnification shall survive the termination of the trust, the annuity contract or life insurance policy, or this certification and agreement.

**Current Information; Agreement to Update**

The trust has not been revoked, modified, or amended in any manner that would cause these representations to be incorrect. This certification supersedes any prior certifications, documents, or information regarding this trust. Each trustee agrees to update this certificate at any time that there is a change that makes any statement in this certificate incorrect.

**Reliance**

On behalf of the trust, each trustee agrees that MassMutual Ascend and its Affiliates may rely on this trust certification until the MassMutual Ascend receives a new certification, on its form or in a manner satisfactory to it, advising it of any changes related to the trust or the trustee(s).

**Acknowledgment**

Signed and acknowledged by each trustee on the date indicated.

NOTE: We generally require that all co-Trustees sign this form and provide verification of identification (as required by Section 326 of USA Patriot Act). *We may require you to submit a photocopy of the identification.*

\_\_\_\_\_  
Signature of Trustee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Co-Trustee (if required)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Co-Trustee (if required)

\_\_\_\_\_  
Date

|  |
|--|
| <p><b>Trustee Verification of Identification</b></p> <p><input type="checkbox"/> Driver's License   <input type="checkbox"/> Passport   <input type="checkbox"/> State or Military Photo ID</p> <p>ID Number _____</p> <p>State/Country of Issue _____</p> <p>Expiration Date _____</p>    |
| <p><b>Co-Trustee Verification of Identification</b></p> <p><input type="checkbox"/> Driver's License   <input type="checkbox"/> Passport   <input type="checkbox"/> State or Military Photo ID</p> <p>ID Number _____</p> <p>State/Country of Issue _____</p> <p>Expiration Date _____</p> |
| <p><b>Co-Trustee Verification of Identification</b></p> <p><input type="checkbox"/> Driver's License   <input type="checkbox"/> Passport   <input type="checkbox"/> State or Military Photo ID</p> <p>ID Number _____</p> <p>State/Country of Issue _____</p> <p>Expiration Date _____</p> |