

Net Unrealized Appreciation

WHAT IS NET UNREALIZED APPRECIATION?

Net Unrealized Appreciation (NUA) is the difference in value between the amount that was paid for employer stock within your employer's qualified retirement plan (the cost basis) and the value of that stock when it is being distributed to you as part of a lump-sum distribution. This NUA may be important to you because there is a special income tax treatment available for in-kind distributions of employee stock as part of a lump-sum distribution from your employer's qualified retirement plan.

WHAT IS THE SPECIAL TAX TREATMENT?

If you take the employer stock portion of your plan distribution in-kind, meaning you receive the stock and do not roll it into an IRA, you pay ordinary income taxes on your cost basis (price originally paid for the shares) in the shares when you take the distribution. If you eventually sell the shares, you pay long-term capital gains taxes on the NUA.

HOW IS THIS AN ADVANTAGE?

Although you pay taxes now on the cost basis, you defer income taxes on the NUA until you sell the shares. At that time, you pay capital gains taxes, which are currently lower than taxes on ordinary income. For example, your federal ordinary income tax rate might be as high as 35 percent while the highest federal capital gains rate is currently 15 percent. This can be a better option than rolling the stock into an IRA where all of its value will eventually be taxed as ordinary income.

WHAT QUALIFIES AS A LUMP SUM DISTRIBUTION?

In order to be considered a lump-sum distribution for purposes of the special tax treatment described above, the following must be true:

- The entire balance from the plan (and all liketypes of plans offered by the employer) must be distributed to the participant within one tax year.
- The reason for the distribution must be separation from service, attainment of age 59½, or the disability or death of the participant.

WHAT IF SOME OF THE DISTRIBUTION IS NOT EMPLOYER STOCK?

Portions that are not employer stock may be rolled to an IRA or another employer's qualified retirement plan. They may also be taken as a taxable distribution.

Here is an example of how this might work:

Lynn left ABC Company with a 401(k) balance of \$700,000 with \$500,000 of ABC Company stock and \$200,000 in cash. The cost basis in the ABC stock was \$100,000.

1. Lynn takes the stock as an in-kind distribution transferred to a brokerage account and rolls the \$200,000 in cash into her IRA.
 - Ordinary income tax is due on the \$100,000 cost basis.
2. Five years later Lynn sells all of the stock for \$1,000,000.
 - Long term capital gains tax is due on:
 - The NUA of \$400,000 (\$500,000 value less \$100,000 of basis); and
 - The increase in value since the day of the distribution of \$500,000 (since it has been held for more than one year).



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WHAT ARE SOME ADDITIONAL BENEFITS OF TAKING A LUMP SUM DISTRIBUTION OF EMPLOYER STOCK?

- If you die without selling the stock, your heirs get a step-up in basis that eliminates the capital gains on any appreciation between the day of the original distribution and the day of your death (\$500,000 in the example). They still have to pay long-term capital gains tax on the original NUA amount (\$400,000 in the example).
- Since the employer stock is not rolled into your IRA, the value is not subject to required minimum distributions when you turn 70½ years old. You can control when to pay income taxes on the NUA portion.
- If you have charitable interests, you can avoid capital gains taxes on the NUA by gifting shares directly to a charity or to a charitable remainder trust. This may also provide you with a tax deduction and lower the value of your estate.

IS THERE A MANDATORY 20 PERCENT TAX WITHHOLDING WHEN I RECEIVE EMPLOYER STOCK FROM MY QUALIFIED EMPLOYER-SPONSORED RETIREMENT PLAN?

Employer stock distributed from a qualified employer-sponsored retirement plan is not subject to the mandatory 20 percent tax withholding. This exception to the 20 percent tax withholding only applies to employer stock and not to cash or other assets distributed.

DOES THE 10 PERCENT EARLY DISTRIBUTION PENALTY APPLY IF I TAKE A LUMP-SUM DISTRIBUTION INCLUDING EMPLOYER STOCK?

Unless you are over 59½ or you are 55 or older and separating service from the company, you will have to pay a 10 percent penalty on the currently taxable amount of your distribution. In the example earlier where the employer stock taken in-kind had a cost basis of \$100,000 and the cash received was rolled to an IRA, the penalty would be 10 percent of the \$100,000.

AM I REQUIRED TO TAKE ALL OF THE COMPANY STOCK AS AN IN-KIND DISTRIBUTION?

The stock you receive does not have to be entirely taken as an in-kind distribution. You can select which stock to be taken as an in-kind distribution, so you can use your lowest cost basis stock. Your employer would have the cost basis information necessary as you make these decisions with your tax advisor.

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ROLLOVER VS. LUMP SUM CONSIDERATIONS

Factor	Lump-Sum Distribution (NUA)	Rollover to an IRA
Diversification Intention	Later Generally better because appreciation on stock is subject to income tax at capital gain rates.	Now Generally better because there is no immediate income tax if asset is in an IRA.
Cash Needs	Now Generally better because some of proceeds are taxed at capital gain rates.	Later Generally better because income tax is deferred until withdraw from IRA.
Estate Considerations	Asset to be Passed to Beneficiaries Generally better because appreciation from date of distribution to date of death receives a basis step-up (or step-down) at death.	Asset to be Used for Retirement Cash Flow
Flexibility needed	High	Medium
Cost Basis	Low (less than 25%) If the basis is low, there is less income tax at ordinary income tax rates at time of distribution.	High (more than 25%) If basis is high, it is generally better to defer income tax until distribution from the IRA.
Avoid 10% Penalty Income Tax	55 and over (if separated from service)	Under 55
Tax Rates	Will Increase Generally better if you believe income tax and capital gain tax rates will increase in the future.	Will Stay the Same or Decrease
Charity Intention	Yes Charitable gift offsets some or all ordinary income tax	No
Age	Over 60	Under 60

HOW RBC WEALTH MANAGEMENT CAN HELP YOU:

Your qualified employer-sponsored retirement plan may be the largest piece of your retirement income. How you handle this money at retirement can have a serious and long-term impact on your future. Your RBC Wealth Management® Financial Advisor can work closely with you and your tax advisor to help you determine if a lump sum distribution from your qualified retirement plan is right for your specific situation.

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