

## RMD for Inherited IRA

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### Richard asks:

My father passed away earlier this year. He was 86 when he died. I am the sole beneficiary of his Traditional IRA. He was taking distribution for some time. I think I understand correctly that I may set up a beneficiary distribution IRA from which I must continue to make withdrawals (starting by Dec 31 of next year) based on my lifetime, and this is what I intend to do. My question pertains to the RMD for this year. IRS Publication 590 indicates that a distribution must be taken, but is silent about who actually receives the distribution, his estate or his IRA beneficiary. Hence, the difficulty. Thanks for your help.

Regards,  
Richard

### My response:

Hello Richard, thanks for writing. My condolences on your father's passing.

It's impressive that you tried to research this issue by reading IRS Publication 590. As you have now come to realize, IRS Publications can be very helpful, but they do not contain everything that is written in the code (or they'd be just as long and complicated!) or that you may need to know. The actual authority which states who is to receive the distribution is located in regulation 26 CFR § 1.401(a)(9)-5, A-4(a).

You are correct in how you will be setting up your inherited IRA. Since your father died after he turned 70 1/2, which is when he started taking his required minimum distributions (RMD) from his IRA and assuming he did not take his RMD already this year, then you, as his sole beneficiary is required to take what would have been his distribution this year (the year of his death).

This is one of the times that the IRS rules actually make sense. If the distribution were to be made to his estate it would no longer be in the IRA and would be subject to the provisions of your father's will. If your father's will said his estate would be split between 5 people, then all 5 people would get part of this IRA distribution, when you were named as the IRA's sole beneficiary. So it's actually fair and logical that you, as the sole beneficiary, would receive your father's RMD in the year of his death.

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**Gina L. Gwozdz** is a CPA who has chosen to specialize in taxes. Visit her website at <http://GLGcpa.com> to view more Tax Tip Articles.