

633A.4502 Breach of trust — actions.

1. Except as provided in [section 633A.4213](#), to remedy a breach of trust which has occurred or may occur, a beneficiary or cotrustee of the trust may request the court to do any of the following:

- a. Compel the trustee to perform the trustee's duties.
- b. Enjoin the trustee from committing a breach of trust.
- c. Compel the trustee to redress a breach of trust by payment of money or otherwise.
- d. Appoint a receiver or temporary trustee to take possession of the trust property and administer the trust.
- e. Remove the trustee.
- f. Reduce or deny compensation to the trustee.
- g. Subject to [section 633A.4603](#), nullify an act of the trustee, impose an equitable lien or a constructive trust on trust property, or trace trust property wrongfully disposed of and recover the property or its proceeds.
- h. Order any other appropriate relief.

2. [This section](#) does not apply to any trust created prior to July 1, 2002, and applies to trusts created on or after July 1, 2002, unless the settlor has specifically waived the requirements of [this section](#) in the trust instrument. Waiver of [this section](#) shall not bar any beneficiary's common law right to an accounting, and shall not provide any immunity to a trustee, acting under the terms of the trust, for liability to any beneficiary who discovers facts giving rise to a cause of action against the trustee.

99 Acts, ch 125, §74, 109

C2001, §633.4502

2002 Acts, ch 1107, §16; 2005 Acts, ch 38, §54, 55

CS2005, §633A.4502

2009 Acts, ch 52, §10