

633A.4107 Removal of trustee.

1. A trustee may be removed in accordance with the terms of the trust, or on petition of a settlor, cotrustee, or beneficiary under section 633A.6202.

2. The court may remove a trustee, or order other appropriate relief if any of the following occurs:

- a. If the trustee has committed a material breach of the trust.
- b. If the trustee is unfit to administer the trust.
- c. If hostility or lack of cooperation among cotrustees impairs the administration of the trust.
- d. If the trustee's investment performance is consistently and substantially substandard.
- e. If the trustee's compensation is excessive under the circumstances.
- f. If the trustee merges with another institution or the location or place of administration of the trust changes.
- g. For other good cause shown.

3. If it appears to the court that trust property or the interests of a beneficiary may suffer loss or injury pending a final decision on a petition for removal of a trustee, the court may suspend the powers of the trustee, compel the trustee to surrender trust property to a cotrustee, receiver, or temporary trustee, or order other appropriate relief.

99 Acts, ch 125, §42, 109; 2000 Acts, ch 1150, §23

C2001, §633.4107

2003 Acts, ch 95, §13; 2005 Acts, ch 38, §54, 55

CS2005, §633A.4107