

FinCEN Real Estate Reporting

What Agents Need to Know – Effective March 1, 2026

This report is filed with FinCEN & is not recorded in land records or publicly searchable.

Privacy concerns will be the first objection agents hear.

Address it before it's asked.

A Brief HISTORY



1970

Congress passed the Bank Secrecy Act requiring anti-money laundering programs for financial institutions.

1988

Real estate closings were identified in federal law as potential money-laundering risk areas, but rulemaking was deferred.



2024

FinCEN finalized the Residential Real Estate Reporting Rule, requiring certain residential transactions to be reported to the U.S. Treasury.



What are FinCEN Real Estate Reports?

- The real estate report is a new federal anti-money laundering report filed with the U.S. Treasury (FinCEN) for certain residential real estate transfers starting in 2026.
- It is NOT a public record.
- Simple structures often take 5 minutes. Complex entities or trusts can take longer.

Process & Timing

- Settlement typically emails a secure link to a short online form. Completing it promptly reduces closing friction.
- Settlement needs the information before closing per federal requirements.

When is it Required?

Expect a report when ALL are true:

- Residential property
- Buyer is an entity (LLC, corporation, partnership) or a trust
- No traditional bank mortgage (cash, private, hard money, seller financing often triggers)

See the flowchart on the other side of this handout

Documentation Requirements

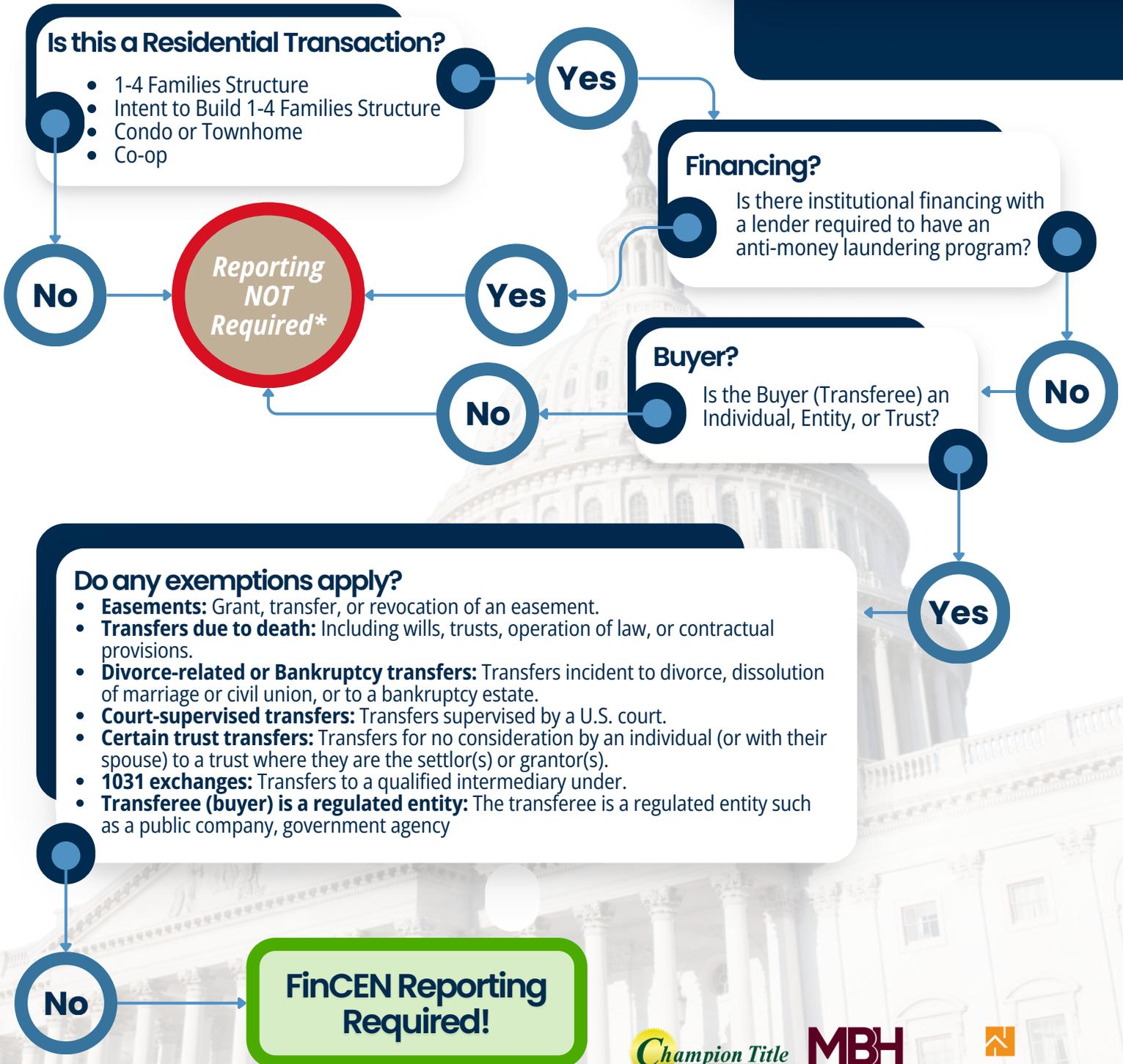
- Certain information will be required from buyers, and limited information may be required from sellers.
- The title company will securely collect all required documentation in accordance with federal regulations.



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FinCEN Flow Chart

Residential Real Estate Decision Framework
Effective March 1, 2026



This information is for educational purposes only and is not legal advice. Consult qualified legal counsel regarding your specific circumstances.



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