REAL ESTATE AGENT GUIDE TO FINCEN REAL ESTATE REPORTS

(for closings after 3/1/26)

What is the FinCEN real estate report

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. Clients can be done in as little as 5 minutes with this new closing task.

When it is required (simple trigger test)

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)

Can include no cost transfers (gifts). Applies in all states. Some transfers are exempt. **Closing agent confirms if this is needed.**

The closing agent files (or a designated party). Real estate agents do not file but should have knowledge of this new requirement.

Process and timing

- Closing agent typically emails a secure link to a short online form. Completing it promptly reduces closing friction.
- Simple structures often take 5 minutes. Complex entities or trusts can take longer.
- Closing agent needs the information before closing per federal requirements.

What clients must provide to closing agent

Entity Buyer:

- Entity legal name, address, jurisdiction, EIN
- Individuals with 25%+ ownership
- Individuals with substantial control (major decision authority)
- If another company owns any part, identify the real people behind it

Trust Buyer:

- Trust name, date executed, revocable or not
- All trustees
- Grantors who can revoke or withdraw assets
- Beneficiaries who can demand money or withdraw substantially all assets
- If a trustee is a company, identify the real people behind it

For each listed individual:

- Legal name, date of birth, home address
- Taxpayer ID (SSN or ITIN)
- Government ID image
- (Buyers Only) How funds are paid (wire, check, etc.) and source account information for funds used (number and bank name)

Seller side:

- Sellers may be asked for basic identifying info, including taxpayer ID

Closing Agent talking points:

"LLC or trust buyer plus no bank mortgage usually means a FinCEN report."

"It is routine compliance. Fast responses prevent delays."

"If privacy is a goal, do not promise anonymity. Tell clients to speak with their attorney."

"Personal name, entity, or trust? Bank mortgage, or cash/private financing?" If entity or trust plus no bank mortgage, tell the client to expect a secure compliance form and to prepare ownership, ID, and payment source details."

LIVE EXPLAINER PAGES:

Buyers

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Sellers

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