



WHEN ARE FINCEN REPORTS REQUIRED?

Under a new federal requirement, all settlement and title offices nationwide are required to collect information and file a mandatory FinCEN Real Estate Report whenever a **residential property is transferred without financing and any buyer is an entity or trust.**

This is a common new report with nearly one million estimated filings per year across the U.S. for transactions that close after 3/1/2026. There is no minimum price threshold for this rule. It applies to gifts and most no-consideration transfers.



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If you can answer **YES** to these:



Residential Property Criteria

Is the property residential (1-4 family units, condos, dual-use properties, shares in cooperative housing), or vacant land intended for home construction, located anywhere in the US (50 states), DC, Puerto Rico, US territories, or Native American lands?



Legal Entity or Trust Criteria

Is ANY buyer (or transferee) a legal entity or trust?
Note: This includes any type of entity such as LLCs, corporations, partnerships, estates, associations, statutory trusts, or trusts managed by trustees.



Cash Transaction Criteria

Is the property being purchased **WITHOUT FINANCING** from a bank, mortgage broker, or other regulated lender with AML obligations or an NMLS number?
Note: Hard money loans or seller financing are NOT typically regulated lenders.

And these exemptions **DO NOT** apply:

Transfer is due to a death (will, trust, inheritance)

Divorce/dissolution settlement

No-cost transfer to seller's or spouse's own trust

Transfer to bankruptcy estate

Court-ordered or supervised transfer

Easement (no property transfer)

1031 exchange to Qualified Intermediary

Buyer is exempt regulated entity or its subsidiary (see website for list)

Buyer is government authority

Trust is a securities reporting issuer or has a public company trustee

No reporting person involved in transfer (see website for list)

For more details on any of these exemptions, visit FincenRealEstateReport.com/rer-quiz-tool/

Then you **must file** a FinCEN report.



Speak with us

1 (877) 602-2237

fincenrealestatereport.com

contact@fincenrealestatereport.com