

FinCEN's Anti-Money Laundering Regulations



What You Need to Know



MARCH 2026

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4

The U.S. Department of the Treasury's Financial Crimes Enforcement Network (FinCEN) has implemented Anti-Money Laundering (AML) regulations under the Bank Secrecy Act (BSA) for residential real estate transfers. They require, on a nationwide basis, certain person involved in real estate closings and settlements to report information to FinCEN about specified transfers of residential real estate. This will go into effect on all transactions that will closings **ON** or **AFTER** MARCH 1, 2026.

What You Need to Know

Residential real estate transactions are reportable when they meet the following criteria:

1. The property is residential real property, vacant land to be used for residential purposes, mixed use properties and all multi family properties
2. The transfer is non-financed, all cash, or without institutional lender financing
3. At least one buyer/transferee is a legal entity, LLC, corporation, partnership, all trusts, trustee or other non-natural person



Properties Covered/Included



Reportable real estate property includes:

1-4 family dwellings, townhouses, condominiums, and cooperatives

Improved acreage with 1-4 family dwellings

Improved commercial tracts, **which contain** 1-4 family dwellings, such as apartment buildings, Cooperatives with residential units, Time Share Condos, High-Rise buildings with residential units, shopping centers with residential units.

Unimproved lands upon which the transferee intends to build any of the above listed residential type structures.

ALL Transfers of Ownership of property types described above, which are located in the 50 United States, D.C., and Puerto Rico, including Indian Lands.

What is Reported?

- Property Information
- Reporting Person Information

- Buyer (Transferee) Details
- Entity & Entity Beneficial Owner details
- Trust & Trust Beneficial Owner details
- All payment bank and draft details
- Copies of Identification for all names provided

- Seller (Transferor) Details
- Individual(s)
- Entity details
- Trust & Trustees details
- Copies of Identification



AML Information Collection & Certification Forms

Buyer/Transferee Form

COMPLETING THIS COLLECTION FORM

This collection form has 5 parts:

- *Part 1* - information about the person completing this collection form.
- *Part 2* - information about possible exemptions to reporting.
- *Part 3* - information about the buyer/transferee in a covered real estate transaction – *Part 3 is broken into 2 parts: (a) for transferee entities and (b) for transferee trusts.*
- *Part 4* - information about the origin of the funds used to acquire the subject real estate.
- *Part 5* - certification of the accuracy of the information provided on behalf of the buyer/transferee. Note that the terms "buyer" and "transferee" are interchangeably used in this collection form.

Part 2: Reporting Exemptions

If an exemption applies, complete this page and sign the certification in part 5. If none, skip to part 3.

1	Does an EXEMPTION from FinCEN reporting apply?	<input type="checkbox"/> No <input type="checkbox"/> Yes a transactional exemption (must complete box 2 below) <input type="checkbox"/> Yes an entity exemption (must complete box 3 below) <input type="checkbox"/> Yes a trust exemption (must complete box 4 below)
2	The reason for the transfer is one of the following TRANSACTIONAL exemptions? (see 31 CFR 1031.320(b)(2))	<input type="checkbox"/> Death of an individual including transfer pursuant to the terms of a will or trust <input type="checkbox"/> Divorce or dissolution of a marriage or civil union <input type="checkbox"/> Transfer to a bankruptcy estate <input type="checkbox"/> Court order or supervised by a court

Part 1: INFORMATION ABOUT THE PERSON COMPLETING THIS FORM

1	Full Legal Name (First, M.I., Last)	
2	Physical Mailing Address - Street Address, City, State ZIP (do not list a P.O. Box)	
3	Phone Number	
4	Email	
5	Relationship to the Transferee Entity (if you complete box 5 you don't need to complete box 6)	<input type="checkbox"/> Owner/LLC Member <input type="checkbox"/> Corporate officer/LLC Manager <input type="checkbox"/> Accountant <input type="checkbox"/> Attorney <input type="checkbox"/> Real Estate Agent <input type="checkbox"/> Other _____
6	Relationship to the Transferee Trust (if you complete box 6 you don't need to complete box 5)	<input type="checkbox"/> Trustee <input type="checkbox"/> Beneficiary <input type="checkbox"/> Accountant <input type="checkbox"/> Attorney <input type="checkbox"/> Real Estate Agent <input type="checkbox"/> Other _____

Buyer/Transferee Reporting Exemptions - Entities

3	The Transferee ENTITY is one of the following exempt entities? (including a wholly owned subsidiary)	<ul style="list-style-type: none"><input type="checkbox"/> Securities reporting issuer defined in 31 CFR 1010.380(c)(2)(i)<input type="checkbox"/> Governmental authority defined in 31 CFR 1010.380(c)(2)(ii)<input type="checkbox"/> Bank defined in 31 CFR 1010.380(c)(2)(iii)<input type="checkbox"/> Credit union defined in 31 CFR 1010.380(c)(2)(iv)<input type="checkbox"/> Depository institution holding company defined in 31 CFR 1010.380(c)(2)(v)<input type="checkbox"/> Money service business defined in 31 CFR 1010.380(c)(2)(vi)<input type="checkbox"/> Broker or dealer in securities defined in 31 CFR 1010.380(c)(2)(vii)<input type="checkbox"/> Securities exchange or clearing agency defined in 31 CFR 1010.380(c)(2)(viii)<input type="checkbox"/> Exchange Act registered entity defined in 31 CFR 1010.380(c)(2)(ix)<input type="checkbox"/> Insurance company defined in 31 CFR 1010.380(c)(2)(xii)<input type="checkbox"/> State-licensed insurance producer defined in 31 CFR 1010.380(c)(2)(xiii)<input type="checkbox"/> Commodity Exchange Act registered entity defined in 31 CFR 1010.380(c)(2)(xiv)<input type="checkbox"/> Public utility defined in 31 CFR 1010.380(c)(2)(xvi)<input type="checkbox"/> Financial market utility defined in 31 CFR 1010.380(c)(2)(xvii)<input type="checkbox"/> Investment company as defined 15 U.S.C. 80a-3(a)
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Buyer/Transferee Reporting Exemptions - Trusts

4	The Transferee TRUST is one of the following exempt trusts?	<ul style="list-style-type: none"><input type="checkbox"/> A trust that is a securities reporting issuer defined in 31 CFR 1010.380(c)(2)(i)<input type="checkbox"/> A trust in which the trustee is a securities reporting issuer defined in 31 CFR 1010.380(c)(2)(i)<input type="checkbox"/> A statutory trust - defined as any trust created or authorized under the Uniform Statutory Trust Entity Act or as enacted by a State<input type="checkbox"/> Estate planning trust where (1) the transfer is for no consideration and (2) the transferor/seller (and/or their spouse) is the also the settlor or grantor of the trust
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Certification – By Buyer/Transferee



I acknowledge on behalf of the buyer/transferee that:

- No funds have been, or will be, transferred or paid outside of the control of the Settlement Agent/Reporting Person who is facilitating the acquisition of the Property.
- Any funds that have been or will be transferred between the parties outside of the control of the Settlement Agent/Reporting Person who is facilitating the acquisition of the Property have been reported in Part 4.

I hereby certify, to the best of my knowledge, that the information provided in this document is complete and correct. I acknowledge that the settlement agent or other reporting person will rely upon the information provided on this form to (a) determine whether the transaction is reportable and (b) submit the required report to the U.S. Department of Treasury's Financial Crimes Enforcement Network (FinCEN). I agree to indemnify, defend and hold harmless the settlement agent or other reporting person against any and all losses, liabilities, damages, claims, fines, causes of action related to the reporting of information contained in this form to FinCEN under this regulation.

Signature: _____

Type Name: _____

Date: _____

Legal Entity Identifier _____ (Optional)

AML Information Collection & Certification Forms

Seller/Transferor Form

COMPLETING THIS COLLECTION FORM

This collection form has 4 parts:

- *Part 1* - information about the person completing this collection form.
- *Part 2* - information about potential exempt transactions
- *Part 3* – information about the seller in a covered real estate transaction – *Part 3 is broken into three sections. (a) for individual transferors (b) for transferor entities and (c) for transferor trusts.*
- *Part 4* - certification of the accuracy of the information provided on behalf of the seller/transferor. Note that the terms “seller” and “transferor” are interchangeably used in this collection form.

WHY DID I RECEIVE THIS FORM?

If a transaction is subject to the rule described above, then the settlement agent is required to report some limited information about the seller.

Part 2: Reporting Exemptions

If an exemption applies, complete this page and sign the certification in part 4. If none, skip to part 3.

1	Does an EXEMPTION from FinGEN reporting apply?	<input type="checkbox"/> No <input type="checkbox"/> Yes a transactional exemption (must complete box 2 below)
2	Which of the following TRANSACTIONAL exemptions is the reason you are selling the property? (see 31 CFR 1031.320(b)(2))	<input type="checkbox"/> Death of an individual including transfer pursuant to the terms of a will or trust <input type="checkbox"/> Divorce or dissolution of a marriage or civil union <input type="checkbox"/> Transfer to a bankruptcy estate <input type="checkbox"/> Court order or supervised by a court

Part 1: INFORMATION ABOUT THE PERSON COMPLETING THIS FORM

1	Full Legal Name (First, M.I., Last)			
2	Physical Mailing Address - Street Address, City, State ZIP (do not list a P.O. Box)			
3	Phone Number			
4	Email			
5	Relationship to the Seller/Transferor	<input type="checkbox"/> Individual Seller <input type="checkbox"/> Accountant <input type="checkbox"/> Attorney <input type="checkbox"/> Real Estate Agent <input type="checkbox"/> Other _____		
6	If Seller is a Trust or Entity- Relationship to the Transferor Entity or Trust	<table border="0"> <tr> <td> Transferor Entity <input type="checkbox"/> Owner/LLC Member <input type="checkbox"/> Corporate Officer/LLC Manager <input type="checkbox"/> Accountant <input type="checkbox"/> Attorney <input type="checkbox"/> Real Estate Agent <input type="checkbox"/> Other _____ </td> <td> Transferor Trust <input type="checkbox"/> Trustee <input type="checkbox"/> Beneficiary <input type="checkbox"/> Accountant <input type="checkbox"/> Attorney <input type="checkbox"/> Real Estate Agent <input type="checkbox"/> Other _____ </td> </tr> </table>	Transferor Entity <input type="checkbox"/> Owner/LLC Member <input type="checkbox"/> Corporate Officer/LLC Manager <input type="checkbox"/> Accountant <input type="checkbox"/> Attorney <input type="checkbox"/> Real Estate Agent <input type="checkbox"/> Other _____	Transferor Trust <input type="checkbox"/> Trustee <input type="checkbox"/> Beneficiary <input type="checkbox"/> Accountant <input type="checkbox"/> Attorney <input type="checkbox"/> Real Estate Agent <input type="checkbox"/> Other _____
Transferor Entity <input type="checkbox"/> Owner/LLC Member <input type="checkbox"/> Corporate Officer/LLC Manager <input type="checkbox"/> Accountant <input type="checkbox"/> Attorney <input type="checkbox"/> Real Estate Agent <input type="checkbox"/> Other _____	Transferor Trust <input type="checkbox"/> Trustee <input type="checkbox"/> Beneficiary <input type="checkbox"/> Accountant <input type="checkbox"/> Attorney <input type="checkbox"/> Real Estate Agent <input type="checkbox"/> Other _____			

Transferor – Individual(s) / Entity Information

Part 3(a) –TRANSFEROR - Individual Information

(Skip to Part 3(b) if the transferor is an entity or Part 3(c) if transferor is a trust)

1	Full Legal Name (First, MI, Last)	
2	Date of Birth	
3	Residential Street Address after settlement (do not list a P.O. Box)	
4	Unique ID: For U.S. Persons: Taxpayer ID Number (commonly Social Security Number) For Non-U.S. Persons: Unique ID, Passport Number and Country of Issuance ^a	

Part 3(b) –TRANSFEROR ENTITY INFORMATION

1	Full Legal Name of Entity	
2	Trade name or “doing business as” name (if none, write N/A)	
3	Street Address for Principal Place of Business (do not list a P.O. Box)	
4	Unique ID: For U.S. entities: Taxpayer ID Number For Non-U.S. Entities: Foreign Tax ID number or entity registration and name of the jurisdiction	

Transferor – Trust Information



Part 3(c) –TRANSFEROR TRUST INFORMATION		
1	Full Legal Name of Trust (as listed on trust instrument)	
2	Date Trust instrument was executed (this is commonly the date on the trust document)	
3	Unique ID: <i>For US trusts, IRS TIN</i> <i>For foreign trusts, a tax identification number issued by a foreign jurisdiction and the name of such jurisdiction</i>	

TRANSFEROR TRUST – Trustee Information		
List <u>each</u> individual or entity who is a trustee of the transferor trust		
Full Legal Name (for trustees who are legal entities, include Trade/Doing Business Name)	Address – residential street address for individuals; Principal place of business for legal entities (must be a US address)	<i>For U.S. Persons: IRS TIN (usually Social Security Number)</i> <i>For Non-U.S. Persons: Unique ID, Passport Number and Country of Issuance^b</i>

Transferor – Certification



Part 4 – CERTIFICATION

I hereby certify, to the best of my knowledge, that the information provided in this document is complete and correct. I acknowledge that the settlement agent or other reporting person will rely upon the information provided on this form to (a) determine whether the transaction is reportable and (b) submit the required report to the U.S. Department of Treasury's Financial Crimes Enforcement Network (FinCEN). I agree to indemnify, defend and hold harmless the settlement agent or other reporting person against any and all losses, liabilities, damages, claims, fines, causes of action related to the reporting of information contained in this form to FinCEN under this regulation.

Signature: _____

Type Name: _____

Date: _____

Legal Entity Identifier _____ (Optional)

Who Must Report



The reporting cascade is designed to capture both sale and non-sale transfers. If no person is involved in the transfer as described in the first tier of potential reporting persons, the reporting obligation would fall to the person involved in the transfer as described in the second tier of potential reporting persons, if any, and so on.

1. Settlement or Closing Agent
2. Preparer of the settlement statement
3. Person who records the deed
4. Title insurance policy issuer (may not be the underwriter)
5. Disburser of greatest amount of funds
6. Title examiner
7. Deed preparer

How and When to Report



A reporting deadline of the final day of the following month after which a closing took place, or 30 days after the date of the closing, whichever is later.

BSA e filing system – Real Estate Professionals will create a unique account for reporting online

FinCEN notes that there is no exception from reporting under the final rule should a transferee fail to cooperate in providing information about a reportable transfer. The final rule does not authorize the filing of incomplete reports, and a reporting person who fails to report the required information about a reportable transfer could be subject to penalties.

Why This Matters

FinCEN uses this data to

- Detect and prevent money laundering
- Support law enforcement
- Protect national security



THANK YOU



METRO
UNITED TITLE & ESCROW

