

Understanding FinCEN

New Rules effective
March 1st, 2026



What's Changing?

Beginning March 1, federal regulations require title and settlement professionals to file a detailed report for certain residential transactions involving:

- Residential properties
- Buyers using LLCs, corporations, partnerships, estates, or trusts
- All-cash or privately financed purchases

How Does This Affect Timing?

- Our secure portal enables the required information to be submitted in as little as five minutes. More complex entities or trusts may require additional time.
- Please be aware that when these regulations are triggered, a transaction cannot close until all required information is received, verified and cleared through the FinCEN reporting process.

Set Expectations With An Addendum

Our attorney-written FinCEN addendum proactively addresses the need for buyer and seller cooperation. Download it at - [theclosingagent.com/addendums](https://www.theclosingagent.com/addendums)

What information is required?

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

How can you help?

Ask Early: Determine if the buyer will use an LLC, trust, or other entity.

Set Expectations: Let clients know that extra documentation is required.

Prepare Early: Encourage buyers to gather entity/trust documents right away.

Communicate Quickly: Notify our team as soon as the buyer's structure is known.

Reassure Clients: Emphasize that this is federal law, not a title company policy.

Be Proactive - Utilize our FinCEN addendum - www.theclosingagent.com/addendums

Questions? We're here to help!

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[theclosingagent.com](https://www.theclosingagent.com)

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