

Is My Transaction a Reportable Transaction Under the New FinCEN Guidelines?

Beginning March 1, 2026, transactions must meet all three (3) of the following criteria in order to be reportable.



1. Do I have a “non-financed” transaction?

Is it a cash transaction?

Yes = Reportable transaction, **IF** items 2 and 3 are met

No = Does the transaction involve a lender or mortgage that has an anti-money laundering obligation?

Yes = Not a reportable transaction

No = Reportable transaction, **IF** items 2 and 3 are met

2. Is the transferee/purchaser an entity (corporation, partnership, limited liability company, etc.) or trust?

Yes = Reportable transaction, **IF** item 3 is met

No = Not a reportable transaction



3. Is the real property 1-4 family residential?

Yes = Reportable transaction

No = Not a reportable transaction



If all three items are met above, and you have a reportable transaction, does an exemption apply?

Yes if:

- The transferee entity is not a reportable entity.
- The transfer is the result of a divorce or dissolution.
- The transfer is pursuant to a court order issued in the United States.

- The transfer is the result of a probate transfer involving a third-party financed transaction.
- The transfer is subsequent to a reportable transfer that transferred property from an individual into their trust for estate planning purposes.
- The transfer is a bankruptcy estate.

