



## Quick Reference Guide Residential Real Estate Reporting



Beginning March 1, 2026, certain real estate professionals involved in real estate closings and settlements nationwide are required to report information to FinCEN about **non-financed transfers of residential real estate**.



### A transfer is reportable when all four conditions are met:

1. The real property is residential;
2. The transfer is non-financed;
3. The property is transferred to a certain type of entity or trust; and
4. An exception does not apply.



### What is residential real property?

A property meets the definition of **residential real property** if it is located in the United States *and* the property is:

- Real property containing a structure designed principally for occupancy by one to four families;
- Land on which the transferee intends to build a structure designed principally for occupancy by one to four families;
- A unit designed principally for occupancy by one to four families within a structure on land; or
- Shares in a cooperative housing corporation.



### What is a non-financed transfer?

A **non-financed transfer** of residential real property is a transfer that does not involve an extension of credit to all transferees (the entity or entities buying or receiving the property) that is both:

- Secured by the transferred property; and
- Extended by a financial institution subject to anti-money laundering (AML) program requirements and Suspicious Activity Report (SAR) obligations.

Transfers that are financed by a lender without an obligation to maintain an AML program and a requirement to file SARs are treated under the rule as non-financed transfers that must be reported if other criteria making a transfer reportable are met.



### What is a transferee entity and a transferee trust?

A **transferee entity** is defined as any person other than a transferee trust or an individual. For example, a transferee entity may be a corporation, partnership, estate, association, or limited liability company.

Statutory trusts, which are trusts created or authorized under the Uniform Statutory Trust Entity Act or as enacted by a state, are also considered transferee entities, rather than transferee trusts, for the purposes of this reporting requirement. There are 16 kinds of entities that are exempt from the definition of a transferee entity.

A **transferee entity** is any legal arrangement created when a grantor or settlor places assets under the control of a trustee for the benefit of one or more beneficiaries or for a specified purpose, whether formed under the United States or a foreign jurisdiction. A transferee trust also includes legal arrangements that are similar to such legal arrangements in either structure or function. However, certain types of trusts are exempted from the definition of a transferee trust.



### Filing Deadline

A Real Estate Report must be filed by the later date of:

- The last day of the month following the month that closing occurred; or
- 30 calendar days after the date of closing.

### Have questions?

- Visit [fincen.gov/rre](https://fincen.gov/rre).
- Subscribe to FinCEN Updates for key announcements
- Contact us at [fincen.gov/contact](https://fincen.gov/contact).



## Quick Reference Guide – Exceptions



For the purposes of the Real Estate Report, there are exceptions that apply to certain types of transfers, entities, and trusts. Reporting persons should evaluate the specific facts of each individual transfer to determine whether it constitutes a reportable transfer.



A transfer is reportable when all four conditions are met:

1. The real property is residential;
2. The transfer is non-financed;
3. The property is transferred to a certain type of entity or trust; **and**
4. An exception does not apply.



Which types of transfers do not meet the criteria for a reportable transfer?

The following transfers are excepted from the definition of a reportable transfer.

A transfer does not need to be reported if it meets any of the following criteria.

- It is a transfer that is a grant, transfer, or revocation of an easement.
- It results from the death of an individual, whether pursuant to the terms of a will, the terms of a trust, the operation of law, or by contractual provision.
- It is incidental to divorce or dissolution of a marriage or civil union.
- It is made to a bankruptcy estate.
- It is supervised by a court in the United States.
- It is for no consideration made by an individual, either alone or with their spouse, to a trust of which that individual, that individual's spouse, or both, are the settlors or grantors.
- It is made to a qualified intermediary for the purposes of a like-kind exchange (see Section 1031 of the Internal Revenue Code).
- It does not have a reporting person.



Which types of entities do not meet the criteria of a transferee entity?

The following regulated entities are excepted from the definition of a transferee entity.

Transfers to these types of entities do not need to be reported.

1. Securities reporting issuer
2. Governmental authority
3. Bank
4. Credit union
5. Depository institution holding company
6. Money services business
7. Broker or dealer in securities
8. Securities exchange or clearing agency
9. Other Exchange Act registered entity
10. Insurance company
11. State-licensed insurance producer
12. Commodity Exchange Act registered entity
13. Public utility
14. Financial market utility
15. Registered investment company
16. Subsidiary of an excepted entity



Which types of trusts do not meet the criteria of a transferee trust?

These following trusts are excepted from the definition of a transferee trust. With the exception of transfers to a statutory trust, transfers to these types of trusts do not need to be reported.

1. Securities reporting issuer
2. Trusts that have a trustee that is a securities reporting issuer
3. Statutory trust\*
4. Subsidiary of an exempted trust

\*Note: A statutory trust is treated as a transferee entity and, thus, may need to be reported.



## Quick Reference Guide for Reporting Persons

### Are You a Reporting Person?



The person responsible for filing a Real Estate Report is known as the “reporting person,” one of a limited number of persons who play specified roles in the reportable transfer. Only one person in a given transaction is deemed to be the reporting person, and that person is required to report. The reporting person can be identified in one of two ways:

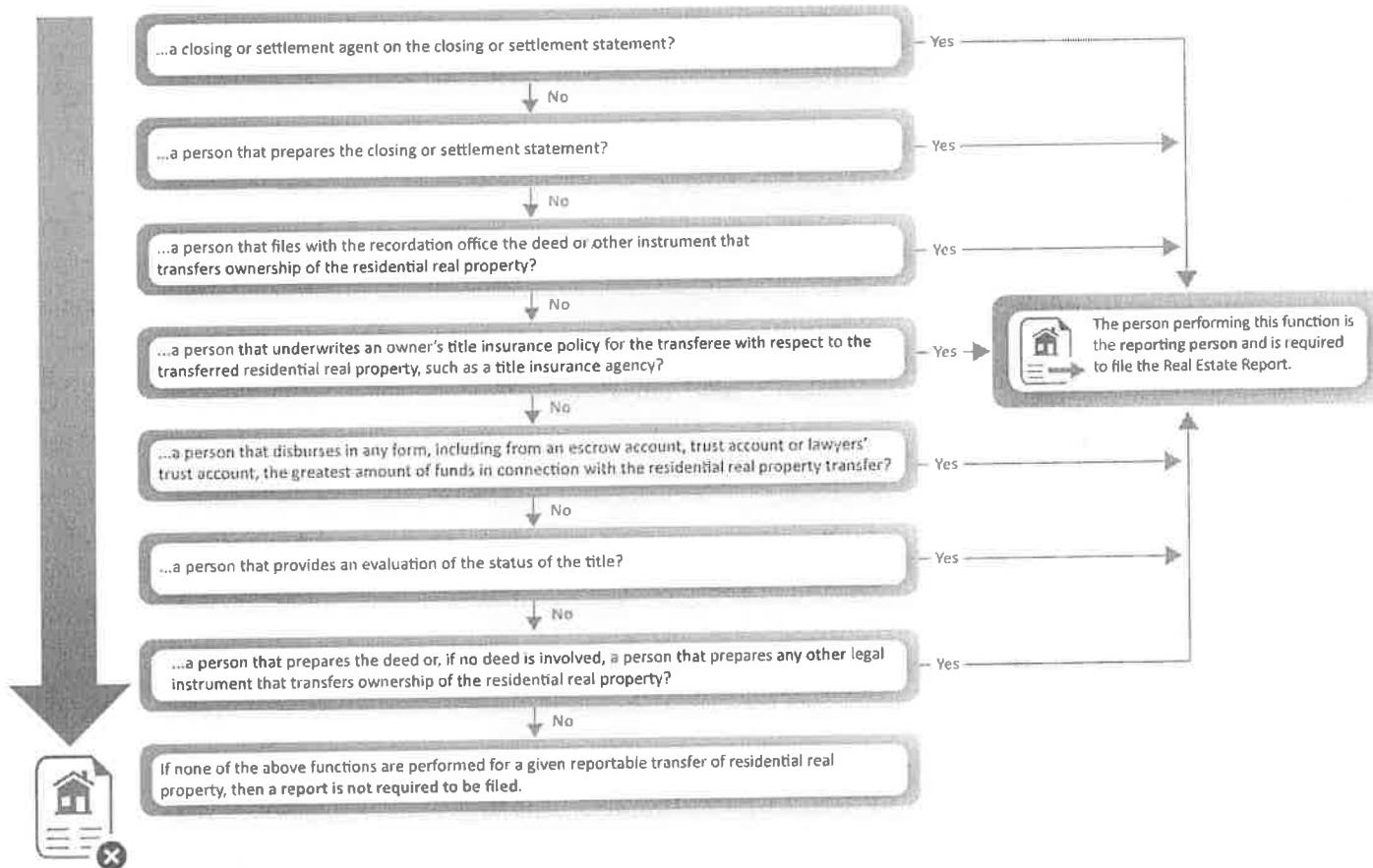
#### Reporting Cascade:

- A list of seven different functions that a real estate business or professional may perform in a reportable transfer of residential real property (see below).
- If a person is performing the first function described in the cascade, then that person would be the reporting person. If no person performing the first function described in the cascade is involved in the transfer, then the reporting person would be the person that performs the second described function, if any, and so on down the cascade.
- If none of the functions set out in the cascade are performed for a given reportable transfer of residential real property, a Real Estate Report is not required to be filed.

#### Designation Agreement:

- A person that performs a function described in the reporting cascade may choose to enter into a written agreement that designates another person that performs a function described in the reporting cascade as the reporting person.

#### Does the reportable transfer involve...





## Residential Real Estate Reporting: Common Questions & Answers



### What is the residential Real Estate Report?

Certain professionals involved in real estate closing and settlements are required to submit reports to FinCEN regarding non-financed transfers of residential real estate to certain types of legal entities or trusts. This requirement applies only to certain kinds of transfers of real property known as “reportable transfers.”

- **What is FinCEN?** The Financial Crimes Enforcement Network is a bureau of the Treasury Department tasked with safeguarding the United States financial system from illicit activity, such as money laundering and terrorist financing.
- **What information is included in the report?** The report must identify: (1) the property being transferred; (2) each legal entity or trust receiving the property; (3) each beneficial owner of the legal entity or trust; (4) each signing individual; (5) each individual, entity, or trust transferring the property; and (6) any payments made for the property.



### Why am I being asked to provide this information?

While there are many legitimate reasons to buy real estate in cash using a company or a trust, the use of legal entities and trusts to purchase residential property can be used for money laundering.

- Cartels, foreign dictators, and fraudsters use opaque legal and trust structures to anonymously buy American homes with dirty money.
- This can distort markets and disadvantage legitimate buyers and sellers. Hiding behind legal entities and trusts to purchase residential property obscures ownership, shielding criminals from investigation, and also allows criminals to exploit the real estate market, which can increase home prices, making it harder for legitimate buyers to purchase real estate.



### How will my information be protected?

- Real Estate Reports will be securely filed with FinCEN.
- Real Estate Reports will be maintained by FinCEN in a secure database with strict limits on authorized access and use.
- **Real Estate Reports are not accessible to the general public.**



### Who is required to file a report?

In most cases, reports will be filed by the closing or settlement agent, or another real estate professional involved in the settlement of the transfer of property.



### When does reporting begin?

A Real Estate Report must be filed for any reportable transfer occurring on or after March 1, 2026. Beginning on March 1, 2026, Real Estate Reports generally must be filed 30 to 60 days after the date of closing.



### Where can I find more information?

More information is available at [fincen.gov/rre](https://fincen.gov/rre). This webpage includes frequently asked questions as well as a contact center that can assist with your reporting questions.