

# New FinCEN Rule for Real Estate Transactions

## What Real Estate Agents and Customers Need to Know

The **Financial Crimes Enforcement Network (FinCEN)** has issued a new rule, effective March 1, 2026, requiring **title companies and closing attorneys** to collect and report information about certain **non-financed residential real estate transactions**.

## What Is the Rule?

This rule applies when residential **real estate is bought by a legal entity or trust** in an all-cash purchase or without a loan from a regulated financial institution. FinCEN aims to increase transparency and prevent the use of real estate for **money laundering**.

## Why Is This Information Being Collected?

- To **comply with the Bank Secrecy Act**
- To help law enforcement **identify suspicious activity**
- To ensure **transparency in high-risk transactions**

## What Information Will Be Collected?

Title companies or closing attorneys may ask for:

- **Beneficial ownership information**
- **Identification documents**
- **Details about the purchasing entity or trust**

This information is **securely reported to FinCEN** and is not used for marketing or sales purposes.

### All-Virginia Title & Escrow

530 Main Street, Suite 292

Danville, VA 24541

O: 434.791.4060

F: 434.791.2133

[www.allvirginiatitle.net](http://www.allvirginiatitle.net)

## Helpful Tips

### for Real Estate Agents & Customers



#### Start Educating Early

Talk to your clients about these new requirements before they enter into a transaction.



#### Plan Ahead

Encourage buyers to have their documentation ready early in the process.



#### Support Your Title Company

Understand that title companies are following federal law, not adding red tape.



#### Understand Reasonable Reliance

Title companies and closing attorneys can **reasonably rely** on the information provided by buyers or their representatives. This means they don't have to verify every detail, as long as the information appears accurate and complete.

Resources:

**Stay informed:** For more details, visit [www.fincen.gov](http://www.fincen.gov).



**ALL-VIRGINIA**  
Title & Escrow, Inc.