Effective 3/1/2026

IS FINCEN REAL ESTATE REPORT REQUIRED?

START

Is this a Residential Transaction?
(31 CFR 1031.320(b))

- 1-4 Families Structure ((b)(i))
- Intent to Build 1-4 Families Structure ((b)(ii))
- Condo or Town Home ((b)(iii))
- Co-Op ((b)(iv))

No → **STOP** Reporting *NOT* Required

Yes →

Is this a Non-Financed Transaction?
(31 CFR 1031.320(b))

Yes → **Is the Buyer (Transferee) an individual, Entity, or Trust?**

No →

Does the Lender Have an Anti-Money Laundering (AML) Program?
(31 CFR 1031.320(i))

Yes → **STOP** Reporting *NOT* Required → **File Documented?**

No Lender AML Program

Is the Buyer (Transferee) an individual, Entity, or Trust?

- **Individual** → **STOP** Reporting *NOT* Required
- **Entity or Trust** →

Is there an exemption?
(31 CFR 1031.320(b)(2))

- Easement
- Transfer due to: death, divorce or dissolution
- Transfer to a bankruptcy estate
- Court-supervised transfer
- Transfer for no consideration made by an individual, either alone or with the individuals spouse, to a trust of which that individual, that individual's spouse, or both of them, are the settlors or grantors
- 1031 exchange when a property is being transferred to the qualified intermediary (typically in a reverse exchange; the sale out of the exchange might be reportable)
- No reporting person

Yes → **STOP** Reporting *NOT* Required → File documented about applicable exemption?

File Documented? → **STOP** Reporting *NOT* Required

NO, but is the Buyer's Entity excluded →

Buyer (Transferee) Entity Exemptions
(31 CFR 1031.320(n)(10))

Securities reporting issuer; governmental authority; bank; credit union; depository institution; money service business; broker or dealer in securities; securities exchange or clearing agency; any other Exchange Act registered entity; an insurance company; a state-licensed insurance producer; a Commodity Exchange Act registered entity; a public utility; a financial market utility; an investment company; any legal entity controlled or wholly owned, directly or indirectly, by an entity described in this list.

Yes → **STOP** Reporting *NOT* Required → File documented about applicable exemption?

NO, but is the Buyer's Entity excluded →

Buyer (Transferee) Trust Exemptions
(31 CFR 1031.320(n)(11))

Securities reporting issuer
Trustee is a securities reporting Statutory Trust Entity wholly owned by the above

Yes → **STOP** Reporting *NOT* Required

No → **Reportable Transfer**

No → **Reportable Transfer**

Information only; not legal advice.

ABSTRACTS, INCORPORATED™

100 Garden City Plaza, Suite 201, Garden City, NY 11530
(516)683-1000 | Fax: (516) 683-0089
737 Roanoke Avenue, Riverhead, NY 11901
(631)369-0200 | Fax: (631) 369-0199
www.abstractsinc.com