The FinCEN FLOW

IS A FINCEN REAL ESTATE REPORT REQUIRED?

START HERE

Is this a Residential Transaction?
(single or multi family home, condo, co-op, or vacant aand with the intent to build.)

NO → STOP REPORTING NOT REQUIRED

YES ↓

Is the purchase non-financed?
(you are not getting a mortgage or other loan from a traditional bank or credit union)

YES → **Is the Buyer an Indidividual?**

NO ↓

Does the Lender have an Anti-Money Laundering Program (AML)

NO → **Is the Buyer an Entity?** (LLC, Corporation, Partnership, Trust)

YES ↓

STOP REPORTING NOT REQUIRED

INDIVIDUAL → STOP REPORTING NOT REQUIRED

ENTITY ↓

Is There an Exemption?

- Easement
- Transfer due to death, divorce or dissolution
- Transfer to bankruptcy estate
- Court-supervised transfer
- Transfer for no consideration made by an individual, either alone or with the individual's spouse, to a trust of which that individual, that individuals spouse, or both of them, are the settlors or grantors
- 1031 Exchange
- No reporting person

YES → STOP REPORTING NOT REQUIRED

NO ↓

Is the Buyer's Entity Excluded?
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

NO → REPORTABLE TRANSFER

Is the Buyer's Trust Excluded?
Securities reporting issuer Trustee is a securities reporting issuer Statutory Trust Entity wholly owned by the above

YES → STOP REPORTING NOT REQUIRED

NO → REPORTABLE TRANSFER

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