To: All Florida Policy Issuing Agents of WFG National Title Insurance Company
From: WFG Underwriting Department
Date: February 27, 2026
Bulletin No.: FL 2026-12
Subject: FinCEN – Cost to File, FR Bar Contract, and FinCEN FAQs

---

FinCEN Reporting - Cost to Prepare and File
The new FinCEN reporting is effective for transactions closing on or after March 1, 2026. The cost to prepare and file the FinCEN Report is not a closing fee and can be charged separately on the Closing Disclosure. The FLTA issued a Member Update on February 26, 2026 stating the following:

"As Florida's title and settlement services industry prepares for FinCEN's Residential Real Estate Reporting rule going into effect March 1st, many agents have asked a number of questions to prepare. One that has been frequent across the industry has been, *are title agents or agency's able to charge?* So, we asked the Florida Department of Financial Services for clarification and here is what **Ray Wenger**, Chief, Division of Insurance Agent & Agency Services, Bureau of Investigation, within the Department of Financial Services shared with FLTA:

'The Residential Real Estate Rule, effective March 1, 2026, requires certain professionals involved in real estate closings and settlements to submit reports to FinCEN regarding certain non-financed transfers of residential real estate to legal entities or trusts.
The reports required by FinCEN are ancillary to the transfer of property ownership. While they must be completed for each qualifying transaction, they are not a requirement of the actual closing. Therefore, any fees or expenses associated with the research and preparation of these reports are separate from the title agent's or agency's closing services fee. These charges may appear separately on the settlement statement, provided they are accurately identified.'"

A copy of Mr. Wenger's letter dated February 25, 2026, can be found at this link:
FinCEN Letter from Ray Wenger

FinCEN FAQs
FinCEN recently issued revised Frequently Asked Questions updated as of February 13, 2026. These FAQs are very informative. The FAQs can be found at this link: Residential Real Estate Frequently Asked Questions | FinCEN.gov

Information Bulletins are designed to provide our agents with information we think will help in managing their business or just being better title professionals, but which does not rise to the level of being an underwriting mandate and are not within the scope of the agency agreement.

Florida Realtors – Florida Bar Contract (FR Bar Contract)
The FR Bar Contract has been updated to include a new FinCEN Clause effective February 27, 2026. The new clause advises the parties about the information that has to be provided and reported to FinCEN. By signing the contract the parties agree to provide the information and documentation to the closing agent needed to file the FinCEN Report, and consent to the closing agent filing the information with FinCEN. By signing the contract, the buyer also agrees to pay all costs and fees charged by the closing agent to prepare and file the FinCEN Report.

That Clause provides:

> **FinCEN REAL ESTATE REPORTING OBLIGATION**. Section 1010.821 of Chapter 31 of the Code of Federal Regulations ("CFR") requires that certain residential real estate transactions purchased without institutional lender financing, where at least one buyer/transferee is a legal entity, limited liability company, corporation, partnership, trust, trustee or other non-natural person, must be reported to the U.S. Treasury Department's Financial Crimes Enforcement Network ("FinCEN") beginning March 1, 2025 (a "FinCEN Report"). If this transaction requires completion of a FinCEN Report, then Seller and Buyer shall, no later than the day prior to Closing, provide Closing Agent with all information and documentation necessary to enable Closing Agent to complete the FinCEN report. Such information and documentation includes, without limitation, full legal names, dates of birth, residential street addresses, and the IRS taxpayer identification number of the beneficial owners of the parties, as further defined and described in the Code. Each party agrees to promptly provide and consents to Closing Agent's collection and report of said information to FinCEN. Buyer shall pay all costs and fees charged by Closing Agent to prepare and file the FinCEN Report**.**

Other FinCEN Information
WFG has partnered with a vendor (FinCEN Real Estate Report) to obtain discounted rates for our agents for assistance with FinCEN reporting. An agent can schedule a demo from this page:
https://fincenrealestatereport.com/wfg-partner-program/

The FinCEN Real Estate Report (vendor) also has a Support Team to help address direct questions:
support@fincenrealestatereport.com

Questions can be sent directly to FinCEN at this link: FinCEN - Contact Us

WHEN IN DOUBT REPORT!!!

Information Bulletins are designed to provide our agents with information we think will help in managing their business or just being better title professionals, but which does not rise to the level of being an underwriting mandate and are not within the scope of the agency agreement.