



To: All Agents and Offices of WFG National Title Insurance Company
From: WFG Underwriting Department
Date: March 23, 2026
Bulletin No. NB-2026-03
Subject: FINCEN Real Estate Reporting Rule Vacated

On Thursday, March 19, 2026, the U.S. District Court in [Flowers Title Companies, LLC v. Bessent](#) (E.D. Texas, Case No. 6:25-cv-127-JDK) entered its order (the “Order”) vacating the FINCEN Real Estate Reporting Rule (the “Rule”). However, the Order created confusion as to whether reporting and filing would still be required under the Rule, especially in light of two other federal district court decisions upholding the Rule.¹

On Saturday, March 21, FINCEN added a banner to their [website](#) reading

“In light of a federal court decision, reporting persons are not currently required to file real estate reports with FinCEN and are not subject to liability if they fail to do so while the order remains in force.”

Based on this official guidance, when WFG is the Reporting Person, it will NOT collect personal data nor submit reports under the Rule while the Order remains in effect, until FinCEN provides further guidance.

A title agent’s duty as a Reporting Person under the Rule is outside the scope of your WFG agency agreement. Therefore, each agent must determine for itself how to proceed as to data collection and reporting under the Rule in light of the Order and FinCEN’s recent statement.

We will continue to update you as the situation develops.

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.

¹ *Corley v. U.S. Treasury* (N.D. Texas, Case No. 5:25-CV-086-H) and *Fidelity National Financial, Inc. v. Bessent*, (M.D. Fla. Case No.: 3:25-cv-554-WWB-SJH)