

## WFG Informational Bulletin

To: All Policy-Issuing Agents and Offices of WFG National Title Insurance Company  
From: WFG Underwriting Department  
Date: May 27, 2026  
Bulletin No. NB-2026-04  
Subject: FINCEN Real Estate Reporting Rule Vacation Appealed, Additional FINCEN Guidance

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As previously reported, on 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 vacating the FINCEN Real Estate Reporting Rule.

FINCEN has now formally appealed that ruling to the 5<sup>th</sup> Circuit Court of Appeal, and on May 18th issued some comforting [guidance](#).

- They reconfirmed that 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 court's order remains in force; and
- That if the court's order is overturned, they will not be requiring the filing of reports for transactions that closed while the court's order was in effect.
- If the order is overturned, FinCEN will provide further guidance on when reporting will be required.

*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.*