

BENEFICIAL OWNERSHIP INFORMATION REPORTING VIA FINCEN

Congress passed the Corporate Transparency Act in 2021 creating a new requirement to file information related to the owners of some business entities with the Financial Crimes Enforcement Network (FinCEN). FinCEN is a bureau of the US Department of the Treasury.

Corporations, Limited Liability Companies (LLCs), and any other entities created by filing documents with the secretary of state or similar office (Corporation Commission in Arizona for example) are impacted by this new requirement.

Entities required to report Beneficial Ownership Information that were in existence prior to 1/1/24 must submit the report by 1/1/25. Entities formed on or after 1/1/24 and before 1/1/25 must file their initial report within 90 days of formation. All others formed on or after 1/1/25 will have a 30 day window to file.

Each reporting entity will need to report the following information:

1. Legal name of the entity;
2. Any trade names, "doing business as"/"DBAs", or "trade" names;
3. Current street address of the principal place of business;
4. Jurisdiction of formation or registration (the state the entity was formed in);
5. Taxpayer Identification Number (TIN/EIN)

In addition to the entity information each reporting entity must identify its "beneficial owners". A beneficial owner is anyone who directly or indirectly meets one or more of the following:

- a) Exercises "substantial control" over the entity;
- b) Owns 25% or more of the equity interests of a corporation or limited liability company;

More information about beneficial owners can be found at: https://www.fincen.gov/boi-faqs#D_1

The entity must report the following information for each of its beneficial owners:

1. Full Legal name;
2. Date of birth;
3. Residential address;
4. An identifying number from an acceptable identification document such as a passport or US driver's license, and the name of the issuing state/jurisdiction.
5. An image of the acceptable identification document above.

If you would like assistance meeting your requirement to file Beneficial Ownership Information, please complete and submit the organizer section on the following page and contact our office to be added to our to-do list.