



Spencer Fane Team Addresses FinCEN's New Rule in Colorado Real Estate Journal

Spencer Fane attorneys [Mariah Brandyburg](#) and [Robin L. Nolan](#) recently wrote an article published by *Colorado Real Estate Journal*, [FinCEN Issues New Residential Real Estate Reporting Rule](#).

In the article, the team examines the new FinCEN rule requiring reporting of certain non-financed residential real estate transactions involving legal entities or trusts, effective March 1, 2026. They discuss the responsibilities of professionals involved, including information collection, submission, and recordkeeping requirements, along with the practical implications.

"Although FinCEN has not yet begun enforcing penalties under the new rule, it retains authority to impose civil and criminal penalties for failure to file a required report or for submitting incomplete or inaccurate information. Early preparation and implementation of robust compliance practices will be essential to mitigating risk," the team wrote.

Mariah helps clients – predominantly those in the banking industry – with credit facility enforcement, by helping to facilitate and draft documentation on the complex loan formation process and collections. Additionally, she helps banks, other financial institutions, and real estate entities in an array of transactional matters. Mariah's duties consist of contract drafting and contract negotiations.

Robin assists her commercial real estate clients with negotiating and drafting documents for real estate projects from the ground up, including purchase and sale contracts, easements, title review, restrictive covenants, declarations and maintenance agreements, leases, financing documents, and construction contracts. Robin represents multifamily housing operators; shopping center, office, warehouse,

multifamily, and single-family housing developers; purchasers and sellers of real estate; borrowers; and commercial landlords and tenants.

Read the team's full article [here](#).