

Anti-Money Laundering and SARs Inquiry for Lenders - Affidavit

Settlement agents will need to determine whether they want this in writing and/or certified. FinCEN’s discussion about reasonable reliance beginning at 89 F.R. 70263 can be reviewed so a settlement agent can determine their own risk.

Anti-Money Laundering and SARs Inquiry for Lenders

Name of Lender: _____

For the referenced transaction, does the lender have an obligation to maintain an anti-money laundering program and an obligation to report suspicious transactions under Title 31, Chapter X of the Code of Federal Regulations?

_____ YES

_____ NO

Signature: _____ Date: _____

Name: _____ Title: _____

Note: If you choose to use the ALTA language for certification, it is here:

I hereby certify, to the best of my knowledge, that the information provided in this document is complete and correct. I acknowledge that the settlement agent or other reporting person will rely upon the information provided on this form to (a) determine whether the transaction is reportable and (b) submit the required report to the U.S. Department of Treasury’s Financial Crimes Enforcement Network (FinCEN). I agree to indemnify, defend and hold harmless the settlement agent or other reporting person against any and all losses, liabilities, damages, claims, fines, causes of action related to the reporting of information contained in this form to FinCEN under this regulation.

Signature: _____ Date: _____

Name: _____ Title: _____

NOTE: This information is for your reference only and is not intended to represent the only approach to any particular issue. These guidelines should not be construed as legal, financial or business advice. We recommend you consult your legal counsel and subject-matter experts to determine appropriate policies, procedures and strategies applicable to your office or organization.