

**IMPORTANT-PLEASE READ**

**REQUIRED Corporate Transparency Act (CTA) / Beneficial Ownership Information Reporting (BOIR)**

*In 2021 Congress passed a law, called the Corporate Transparency Act, which requires businesses to report ownership information to the U.S. Treasury's Financial Crime Enforcement Network (FinCEN). This is the U.S. Government's effort to reduce the number of people attempting to operate and gain from fraudulent shell companies.*

*This Beneficial Ownership Interest Report is a one time/initial filing with additional reports required only if information has been updated or needs corrected.*

**General Information about the Corporate Transparency Act**

- Who has to file?

*Corporations including S-Corporations, HOAs, LLCs, business trusts, and sole proprietors (if created by filing a document with a secretary of state).*

- What has to be reported?

*Company Data-Identification information.*

*Beneficial Owners of the Entity-An individual who owns or controls at least 2% of the ownership interest or an individual who exercises substantial control over a reporting company.*

*Company Applicants of the Entity-An individual who directly filed the document to create the entity (this only applies to companies created on or after January 1, 2024).*

- When to be filed?

*A company that was created prior to January 1, 2024 must file the Beneficial Ownership Information Report by **January 1, 2025**.*

*A company that was created on or after January 1, 2024 must file within **90 days**.*

*A change report must be filed within **30 days** of any change(s) to the company information or beneficial owner's information after the initial report is filed.*



- Who has access to this information once reported?

*U.S. federal agencies engaged in national security, intelligence, and law enforcement, state and local law enforcement agencies, U.S. Department of Treasury, financial Institutions, and federal and state regulators assessing financial institutions.*

- How will it be reported?

*FinCEN requires the report to be completed electronically through their secure filing system (<https://boiefiling.fincen.gov>).*

- What happens if I don't report the required information?

**PLEASE BE ADVISED THE REPORTING OF BENEFICIAL INTEREST OWNERSHIP IS A LEGAL REQUIREMENT. A \$500 PER DAY CIVIL PENALTY WILL BE ENFORCED FOR VIOLATION FOR NON-REPORTING. CRIMINAL PENALTIES OF UP TO TWO YEARS IMPRISONMENT AND A FINE OF UP TO \$10,000 MAY ALSO BE IMPOSED. BOTH INDIVIDUAL AND CORPORATE ENTITIES CAN BE HELD LIABLE. THIS IS VERY SERIOUS.**

- What are your options for filing?

- File the report on your own at <https://www.fincen.gov/boi> **OR**

- Have David C. Bryant, CPA file the report for you under a separate business engagement.

**No, I will be filing the report myself.**

*Assisting you with your compliance with the Corporate Transparency Act (CTA), including beneficial ownership information reporting (BOIR), is not within the scope of our current engagement on file. You have sole responsibility for your compliance with the CTA, including its BOI reporting requirements and the collection of relevant ownership information. We shall have no liability resulting from your failure to comply with the CTA. If you choose to engage us for such services, you will be asked to sign a separate letter. Information regarding the BOI reporting requirements can be found at [fincen.gov/boi](https://www.fincen.gov/boi). Consider consulting with legal counsel if you have questions regarding the applicability of the CTA's reporting requirements and issues surrounding the collection of relevant ownership information.*

**Yes, I would like David C. Bryant, CPA to file the initial report.**

**\*\*\*Please email [fincen@davidcbryantcpa.com](mailto:fincen@davidcbryantcpa.com) for us to prepare a separate engagement letter. If you do not receive the engagement letter for such services within a week, please call the office to confirm receipt of your email.\*\*\***

Due to time constraints during tax season and ensuring that FinCen's glitches have been corrected, we will be filing these AFTER May 1<sup>st</sup>, UNLESS you are a new entity and have the 90-day requirement. Additionally, due to the sensitive material of this legal obligation, we will be charging \$400 for an initial filing.

