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BOIRR UPDATE
[H – 2025-0207]

Filings remain on hold for the moment.

Treasury continues its appeals to reinstate the BOIRR filing requirement. According to its most recent Alert, it continues to honor the injunction issued in *Smith v. U.S. Department of the Treasury*. It has, though, filed its notice of appeal, and, no doubt, will be asking the court system to stay the injunction.

In its most recent Alert, Treasury says it may start enforcing the reporting requirements 30 days after any stay is issued in the *Smith* case, but may also re-evaluate its reporting requirements:

If the district court's order is stayed, thereby allowing FinCEN's Reporting Rule to come back into effect, FinCEN intends to extend the reporting deadline for all reporting companies 30 days from the date the stay is granted. Further, in keeping with Treasury's commitment to reducing regulatory burden on businesses, FinCEN, during that 30-day period, will assess its options to modify further deadlines or reporting requirements for lower-risk entities, including many U.S. small businesses, while prioritizing reporting for those entities that pose the most significant national security risks.

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Reporting companies are, therefore, not currently required to file beneficial ownership information with FinCEN...

What does this mean for you?

AS OF NOW, this means reporting companies still do not need to file any BOIRR reports. Because this issue continues to fly back and forth, the need-to-file / no-need-to-file status can change quickly. Be sure to check back regularly for any new updates.

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A copy of the Treasury's undated Alert, as viewed on February 6, 2025, be found on our website at <https://ezkovichlaw.com/boi> under update [H. BOIRR Update, February 7, 2025 - Treasury States BOIRR Filings Are Still Not Required \(for now\)](#), at document H.1, entitled **H-1 - Treasury Alert (as viewed 020625)**.

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