

# **PREFACE TO 2025–2026 UPDATE**

## **LOUISIANA REAL ESTATE TRANSACTIONS**

The 2025-2026 update of Louisiana Real Estate Transactions analyzes important new developments in Louisiana and federal law concerning real estate. These include:

- Act 27 of 2025, which re-enacts and revises the Louisiana law on legal servitudes;
- The amendment to Article VII, Section 25 of the Louisiana Constitution and the enacting legislation that revises Title 47 of the Louisiana Revised Statutes, which replaces tax sales as the method of collecting overdue property taxes with enforcement of tax lien certificates. The change comes into effect on January 1, 2026;
- The changes in the Louisiana Real Estate License Law brought about by the National Association of Realtors settlement, which include elimination of the requirement for sellers to offer compensation through the Multiple Listing Service and the introduction of mandatory agreements between buyers and their agents;
- The FinCEN Anti-Money Laundering Regulations for Residential Real Estate Transfers that are effective on December 1, 2025, which will introduce federal reporting requirements for non-financed real estate conveyances of residential real estate to legal entities such as limited liability companies and corporations, and to trusts;
- The decision of the Fifth Circuit Court of Appeal in *Renton Properties, LLC v. 213 Upland, LLC*, 410 So.3d 922 (La. Ct. App. 5th Cir. 2024), writ denied, 408 So.3d 754 (La. 1975), which interprets provisions in purchase agreements on the time period to deliver a deposit and enforces stipulated damages clauses;
- The decision of the Fourth Circuit Court of Appeal in *Stormfield Capital Funding I, LLC v. 1911 Mandeville, LLC*, 2025 WL 1603859 (La. Ct. App. 4th Cir. 2025), which invokes the Louisiana public records doctrine to deny reliance on an order allowing a succession representative to sell real estate;
- The decision of the Fourth Circuit Court of Appeal in *TBM Investment Properties, LLC v. Kasney*, 408 So.3d 996 (La. App. 4th Cir. 2024), holding that an action by a tax sale purchaser to bring a suit to quiet title against a person who acquired property in a sheriff's deed that was issued in a foreclosure in a code enforcement proceeding was subject to a one-year prescriptive period.