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OVERVIEW

Land Home Financial Services, Inc. (LHFS) funds mortgages to non-US Citizens who are lawful permanent or non-permanent residents of the United States.

LHFS requires that our Borrowers are here legally in the US to live and work.



DEFINITIONS

ITIN: Individual taxpayer identification number is a US tax processing number issued by the Internal Revenue Service.

Non-Permanent Resident Alien: Non-US citizens who are permitted to reside in the US on a temporary basis and may have been granted authorization to work in the US by the US Citizenship and Immigration Services (USCIS).

Permanent Resident Alien: An immigrant who, although not a US citizen, has been granted the right to live and work permanently in the US. The Borrower is required to provide a valid social security number for loan eligibility purposes.

USCIS: United States Citizenship and Immigration Services.

Visa: A Visa status allows a person to enter the US for various reasons for a certain period, as well as providing both legal non-permanent residency and legal purpose.

PROCEDURES AND RESPONSIBILITIES

TPO Partner needs to obtain further documentation to determine eligibility if a Borrower states the following:

- Not a US citizen (question J on 1003).
- And/or Not a Permanent Resident Alien (question K on 1003).

This applies to any Borrower on a transaction, regardless of income.

Borrower is required to provide:

- Proof of non-permanent resident alien status and;
- Proof of employment authorization

Note: A social security card cannot be used for evidence of work status.

PERMANENT RESIDENT ALIEN DOCUMENTS

Permanent Resident Aliens are eligible for financing under the same terms and conditions as US Citizens. Individuals granted the privileges of residing permanently in the US are granted this status. Documents must not expire prior to the first payment due date.

Form or Document	Details and Requirements
<p>Permanent Resident Alien Card, Form I-551 Note: Commonly referred to as a Green Card</p>	<p>Valid for 10 years and the expiration date is printed on the card. May also indicate if authorized for employment.</p> <p>Permanent Resident Alien cards (I-551) due to expire within 6 months of the note date must be accompanied by a copy of the USCIS Form I- 829 (Application to Replace Permanent Resident Alien Card) filing receipt.</p> <p>AR-3, AR-103 and I-151 cards are old versions of the Permanent Resident Alien card and are NOT acceptable, as they should have been exchanged for an I-551 card.</p> <p>NOTE: Cards issued between 1977 and 1989 were issued without expiration dates. These cards are still valid and permitted as evidence of lawful permanent residency.</p> <p>A Permanent Resident Alien Card (I-551) may be issued to a conditional permanent resident, which was granted based on marriage to a US citizen or permanent resident alien OR based on a financial investment in a US business:</p> <ul style="list-style-type: none"> o Front of card notates CR (conditional resident) o Valid for two years from the date of issuance, unless an extension was granted and notated on the card for an additional year. o Permanent Resident Alien Cards with a CR (Conditional Resident) status cannot be renewed. At the end of the two-year period, the individual must apply for an unconditional right to reside. o Permanent Resident Alien Cards with a CR (Conditional Resident) status expiring within 90 days of note date must be accompanied by a copy of the USCIS Form I-751 (Petition to Remove Conditions on Residence) OR USCIS Form I-829 (Petition by Entrepreneur to Remove Conditions) filing receipt.
<p>Unexpired Foreign Passport and/or Arrival/Departure Record – Form I- 94, I-94A, I-94W, I-95</p>	<p>Must contain an unexpired stamp stating: Processed for I-551 Temporary Evidence of Lawful Admission for Permanent Residence, Valid Until (date), and Employment Authorized</p> <p>Note: May not expire prior to first payment due date.</p>
<p>Application to Replace or Renew a Permanent Resident Alien Card – Form I-90</p>	<p>Used to renew or replace a Permanent Resident Alien card. Required if Permanent Resident Alien card is expired:</p> <ul style="list-style-type: none"> o Notice of Action Form I-797 indicating Form I-90 was filed if an expired Resident Alien/Permanent Resident card is presented or being replaced, or Alien Registration Receipt Cards AR-3, AR-103 or I151 are provided. o An unexpired foreign passport stamped: Processed for I-551 Temporary Evidence of Lawful Admission for Permanent Residence, Valid Until (date), and Employment Authorized



NON-PERMANENT RESIDENT ALIEN DOCUMENTATION

All non-permanent resident aliens must have a valid social security number and provide evidence of a valid passport with an acceptable visa classification.

The three following requirements are to be documented:

- Borrower is in the US legally with an acceptable visa
- Borrower is permitted to work in the US
- Documents must not expire prior to the first payment due date.

NON-PERMANENT RESIDENT ALIEN RESIDENCY DOCUMENTATION

Form or Document	Details and Requirements
<p>Unexpired Passport with Arrival/Departure Record – Form I- 94/I-94A, I-94W or I-95</p>	<p>The following items must be checked.</p> <ul style="list-style-type: none"> ○ Expiration Date ○ Date of Entry ○ US Immigration Classification <p>If the expiration date will expire within six months of the note date, evidence of a renewal request must be documented with one of the following:</p> <ul style="list-style-type: none"> ○ Petition for Nonimmigrant Worker – Form I-129 ○ Application to Extend or Change Nonimmigrant Status – Form I-539
<p>Adjustment of Status (AOS)</p>	<p>When a non-permanent resident alien has applied for permanent residency by filing, Application to Register Permanent Residence Status, Form I-485, the Borrower is in Adjustment of Status (AOS). While in the AOS, the Borrower is authorized to reside and work in the United States while their application is pending.</p> <p>All the following items must be obtained:</p> <ul style="list-style-type: none"> ○ Passport with the following: <ul style="list-style-type: none"> ○ Expiration Date ○ Date of Entry ○ US Immigration Classification ○ If the expiration date will expire within six months of the note date, evidence of a renewal request must be documented with one of the following: <i>Petition for Nonimmigrant Worker Form I-129; Application to Extend or Change Nonimmigrant Status Form I-539</i> ○ Notice of Action Form I-797 reflecting Application to Register Permanent Residence or Adjust Status Form I-485 has been filed and accepted. ○ Arrival/Departure Record – Form I-94/I-94A, I-94W or I-95. Must be current and stamped with the following: <ul style="list-style-type: none"> ○ Expiration Date ○ Date of Entry ○ US Immigration Classification



NON-PERMANENT RESIDENT ALIEN RESIDENCY EMPLOYMENT DOCUMENTATION

Form or Document	Details and Requirements
Employment Authorization Documentation	<p>Obtain a copy of an Employment Authorization Card – Form I- 766, reflecting the current US Immigration Visa classification. If the Employment Authorization Card – Form I-766 reflects that the Form I-766 has expired or will expire within 90 days from note date, the Borrower is not eligible to work in the US until a Renewed I-766 has been received, even if an application has been submitted for renewal.</p> <p>If the EAD will expire within one year of the note date, the following must be obtained:</p> <ul style="list-style-type: none"> ○ Proof of prior history of EAD renewal(s), such as a copy of the previously expired EAD to verify that continuation will be granted. ○ If there are no prior EAD renewals, the loan is not eligible
Notice of Action – Form I-797	<p>The Notice of Action – Form I-797 cannot merely reflect that the Borrower has applied for an Employment Authorization Document</p> <p>Must confirm that the Borrower is authorized to work for a specific employer, the employer that is reflected on the current application.</p>
Unexpired Passport and/or Arrival/Departure Record – Form I-94, I-94A, I-94W, I-95	<p>Must contain an unexpired stamp stating: Processed for I-551 Temporary Evidence of Lawful Admission for Permanent Residence, Valid Until (date), and Employment Authorized.</p>



NON-PERMANENT RESIDENT ALIEN VISA TYPES

Visa Type	Eligible	Classification
A-1 A-2 A-3	Yes	Officials of foreign governments, immediate family members and support staff.
E E-1 E-2 E-3	Yes	When classification is Treaty Trader or investor, this includes treaty traders and investors who come to the US under a treaty of commerce and navigation between the US and the country of which the treaty trader or investor is a citizen or national. This category also includes Australian specialty occupation workers.
G-1 G-2 G-3 G-4 G-5	Yes	These visas are given to employees of international organizations that are located in the US. Some examples include the United Nations, Red Cross, World Bank, UNICEF and the International Monetary Fund. Verification that the Borrower does not have diplomatic immunity must be obtained from the Borrower's employer and/or by viewing the Borrower's passport.
H-1 H-1B H-1C	Yes	Temporary worker: this is the most common visa given to foreign citizens who are temporarily working in the US or for an exchange visitor.
L-1	Yes	L-1, Intracompany Transferee: and L-1 visa is given to professional employees whose company's main office is in a foreign country.
NATO NATO 1- NATO 7	Yes	Classifications are granted to officials, representatives, and staff of NATO member countries, as well as their dependent family members. Obtain documentation from the US Department of State to verify that the Borrower does not have diplomatic immunity.
O-1	Yes	Individual of extraordinary ability in sciences, arts, education, business or athletics. Work authorized for sponsoring organization
TN NAFTA TC NAFTS	Yes	TN, NAFTA visa: used by Canadian or Mexican citizens for professional or business purposes. TC, NAFTA visa: used by Canadian citizens for professional or business purposes. Internationally recognized athlete or athletic team.
WB	Yes	Waiver of Business
B-1	No	Visitor for business. No work authorization.
B-2	No	Visitor for pleasure. No work authorization.
B-1/B-2	No	Status is determined by the I-94. No work authorization Mexican citizens are entitled to multiple entries.
BBCC Border crossing card equivalent to B-1/B-2	No	Status is determined by the I-94. No work authorization. Mexican citizens are entitled to multiple entries.
F-1	No	Student work authorized under limited circumstances.
J-1	No	Work authorized under certain circumstances. Individuals approved to participate in work-and study-based exchange visitor programs, such as a visiting scholar, teacher, or researcher
P-1A P-1B P-2 P-3	No	Internationally recognized entertainment group. Artists or entertainers under reciprocal exchange program. Culturally unique artists or entertainers.



D.A.C.A BORROWERS

D.A.C.A: Deferred Action for Childhood Arrival do not have a path to a permanent resident status; however, some recipients can obtain residency if they meet certain criteria. DACA (C33 - Status) is not a legal immigration status.

Example D.A.C.A



Please note the following:

- C33 Status, and
- Notation towards the bottom:
 - “NOT VALID FOR REENTRY TO U.S.”

DACA is not a legal immigration status, therefore it does not meet borrower eligibility criteria for most agencies and investors.

- FHA & Fannie Mae fixed loans are allowed provided all applicable Agency credit eligibility requirements, program guidelines, and LHFS overlays are met.

D.A.C.A Borrowers are eligible* under Fannie Mae & FHA fixed loans, provided the following:

- **Fannie Mae Requirements:**
 - Current, unexpired DACA status.
 - Non occupant Co-Borrowers are not allowed.
 - SSN required
 - Tax ID numbers will not be accepted.
 - Must be a salaried Borrower with acceptable employment history.
 - Has nontraditional credit acceptable per the [Fannie Mae Selling Guide \(B3-5.4\)](#).
 - Must have an AUS Approval – No manual underwrites allowed.
 - Standard Agency requirements for Credit, Employment and Income apply.
 - All funds for closing, down payment and reserve must be held in U.S. financial institution.
- **FHA Requirements:**
 - The Mortgage is secured by a 1-unit property and all Borrowers must occupy as their primary residence.
 - Purchase, rate and term, or streamline refinances of primary residences only.
 - Cash Out not allowed.
 - Borrower has a valid Social Security Number (SSN), except for those employed by the World Bank, a foreign embassy, or equivalent employer identified by HUD.
 - Tax ID numbers will not be accepted.
 - Must have a two-year U.S. credit history and valid FICO score.
 - If the Borrower does not have a two-year U.S. credit history and valid FICO score, the Borrower must be a Co-Borrower with a U.S. Citizen or permanent resident alien and all of the following apply (does not apply to products that require a minimum credit score for all Borrowers).
 - One Borrower on the transaction must have a usable credit score.
 - Borrowers with a usable credit score contribute more than 50% of the total monthly income used to qualify.
 - Borrowers without a useable credit score cannot be self-employed.
 - For all Borrowers without a usable credit score, all debt that is not reported to the credit repositories must be verified to have satisfactory payment history and the payment must be included in the monthly DTI.

- **FHA Requirements (continued):**

- Borrower is eligible to work in the U.S., as evidenced by the Employment Authorization Document issued by the USCIS; **and**
- Borrower satisfies the same requirements, terms, and conditions as those for U.S. citizens.
- Employment Authorization Document is required to substantiate work status. If the Employment Authorization Document will expire within one year and a prior history of residency status renewals exists, LHFS / TPO Partner may assume that continuation will be granted. If there are no prior renewals, LHFS / TPO Partner must determine the likelihood of renewal based on information from the USCIS.
- A Borrower residing in the U.S. by virtue of refugee or asylee status granted by the USCIS is automatically eligible to work in this country. The Employment Authorization Document is not required, but documentation substantiating the refugee or asylee status must be obtained.
- Must have an AUS Approval – No manual underwrites allowed.
- Standard FHA requirements for Credit, Employment and Income apply.
- All funds for closing, down payment and reserve must be held in U.S. financial institution.

- * **D.A.C.A. Borrowers are ineligible under the following:**

- Freddie Mac,
- VA,
- USDA,
- Community Lending (DAP / Grant),
- Jumbo,
- ARM's, and
- Expanded / NON-QM Programs

INELIGIBLE BORROWERS

Diplomatic Immunity/Embassy personnel: Due to the inability to compel payment or seek judgment, transaction with individuals who are not subject to the US jurisdiction are not eligible. Verification that a Borrower does not have diplomatic immunity can be determined by reviewing the visa, passport or the US Department of State's Diplomatic list at <http://www.state.gov/s/cpr/rls/>.

Foreign National: Non-US Citizens who have no lawful residency status in the US, such as foreign nationals are not eligible.

Invalid Social Security Number: A valid social security number is always required. An ITIN number does not evidence a Borrower has the right to earn income in the US.

T.P.S: Temporary Protected Status is a temporary status granted to eligible nationals of designated countries. This does not lead to permanent resident status. When the Secretary of State terminates a TPS designation, beneficiaries revert to the same immigration status they maintained before TPS (unless that status had since expired). A-12 or C-19 indicates TPS.



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ADDITIONAL

Further information and a complete list of visa classifications can be found on the USCIS website at www.uscis.gov/portal/site/uscis.

This Policy is applicable to Conforming, Non-Conforming/Jumbo, FHA, VA, and USDA mortgage loans. Please visit LHFSWholesale.com and view the following expanded products regarding Residency Status eligibility.

Confirm eligibility for specific programs as applicable.

The provided documentation is not an all – inclusive list. Should a Borrower provide documentation not listed, consult LHFS / Underwriting Management for guidance.

Sample Permanent Resident Card (Green card)

Latest green card introduced in 2010 is actually green color, again.



Sample Employment Authorization Card (EAD)

New EAD card effective Oct 25, 2011 with enhanced security features:



Please note that this sample card serves only as the EAD card. There are also EAD cards that serve as [EAD card and Advance Parole combined](#).

Previous Card



Form I-766 (January 1997)

