

Permanent and Non-Permanent Residents

- FNMA/FHLMC Guidelines state: A non-US citizen who is lawfully residing in the U.S. as a permanent or non-permanent resident is **eligible for a mortgage on the same terms as a U.S. Citizen (Ref. FNMA B2-2-02/FHLMC 5103.2)**
- FNMA/FHLMC considers permanent and non-permanent resident borrower legally present in the U.S. if:

Permanent Resident

- SS# or ITIN **AND**
 - Green Card*

Non-Permanent Resident

- SS# or ITIN **AND** any of the following:
 - EAD*
 - Work Visa*
 - Passport with Entry Stamps*
 - Passport with I-551 Stamps*

*valid unexpired

Note: The lender must make a determination of the non-U.S. citizens' status based on the circumstances of the individual case, using documentation it deems appropriate. By delivering the mortgage to Fannie Mae, the lender represents and warrants that the non-U.S. citizen borrower is legally present in this country. Ref. B2-2-02

Documents that Establish Identity and Employment Authorization

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| <ul style="list-style-type: none"> • United States Passport • United States Passport Card • Form I-551, Permanent Resident Card (Green Card) • Form I-766, Employment Authorization Document • Foreign Passport with I-551 Stamp or MRIV (Machine Readable Immigrant Visa) | <ul style="list-style-type: none"> • Form I-20 accompanied by Form I-94 • Form DS-2019 accompanied by Form I-94 • Form I-94, Arrival/Departure Record • Federated States of Micronesia Passport • Republic of the Marshall Islands Passport |
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Acceptable Visas for Non-Permanent Residents

| Visa Class | Description | Required Documentation |
|---------------|---|--|
| Asylum | People in the United States (U.S.) or seeking entry who are unable or unwilling to return to his/her country because of persecution or well-founded fear of persecution due to race, religion, nationality, membership in particular social group or political opinion. | Approval of I-589 or approval of I-730 and completed I-94 (arrival/departure record) |
| E-1 | International trader, his/her spouse and children. Employer sponsored. | Class E-1 Visa |
| E-2 | International investor, his/her spouse and children. Employer sponsored. | Class E-2 Visa |
| E-3 | Australian specialty occupation workers. Employer sponsored. | Class E-3 Visa. |
| E-3D | Spouse or child of Australian specialty occupation professional. | Class E-3D Visa. |

| Visa Class | Description | Required Documentation |
|--------------|---|---|
| G-1 | Principal resident representative of recognized foreign government to international organization, staff and immediate family. | Class G-1 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity. |
| G-2 | Other accredited representatives of recognized foreign government to international organization, staff and immediate family. | Class G-2 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity. |
| G-3 | Those who would qualify for a G-1 or G-2 Visa except that the government of which the person is an accredited representative is not recognized de jure by the United States, or that the government of which he/she is an accredited representative is not a member of such international organization. | Class G-3 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity. |
| G-4 | International organization staff, and immediate family. | Class G-4 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity. |
| G-5 | Attendant, servant, or personal employee of G-1, through G-4 and immediate family. | Class G-5 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity. |
| H-1B | Temporary workers in a specialty occupation, services of exceptional merit and ability relating to a Department of Defense (DOD) cooperative research and development project (H-1B2), or services as a fashion model of distinguished merit or ability (H-1B3). Employer sponsored. | Class H-1B, H-1B2, or H-1B3 Visa. |
| H-1B1 | Free trade agreement nonimmigrant professional from Chile or Singapore. Employer sponsored. | Class H-1B1 Visa. |
| H-2A | Temporary Agricultural Worker. Employer sponsored. | Class H-2A Visa. |
| H-2B | Temporary worker; skilled and unskilled. Employer sponsored. | Class H-2B Visa. |
| H-4 | Spouse or child of a person classified H-1B/B1/C, H-2A/B, or H-3. | Class H-4 Visa. |
| I | Foreign media representatives and his/her spouse and children. | <ul style="list-style-type: none"> • Class I Visa. Stamped Form I-94m Arrival/Departure record with valid expiration date. • Spouse/children - Class I Visa but cannot work under the I Visa. |
| K-1 | Fiance/fiancee of a U.S. citizen. | Class K-1 Visa and evidence of Form I-485 (Application to register Permanent Resident Status) filed. |
| K-3 | Spouse of a U.S. Citizen. | Class K-3 Visa and evidence of Form I-485 (Application to register Permanent Resident Status) filed. |
| J-1 | Exchange Visitor Visa. Sponsored. | Class J-1 Visa. |
| J-2 | Spouse or child (under the age of 21) of J-1 | Class J-2 Visa. |

| Visa Class | Description | Required Documentation |
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| L-1A | Enables a U.S. employer (or foreign company) to transfer an executive or manager from one of its affiliated foreign offices to one of its offices in the United States (or for a foreign company to establish one). Employer sponsored. | Class L-1A Visa. |
| L-1B | Enables a U.S. employer (or foreign company) to transfer an employee with specialized knowledge from one of its affiliated foreign offices to one of its offices in the United States (or for a foreign country to establish one). Employer sponsored. | Class L-1B Visa. |
| L-2 | Spouse or child of L-1. | Class L-2 Visa. |
| NATO-1 | Principal Permanent Representative of Member State to NATO and resident members of official staff or immediate family. | <ul style="list-style-type: none"> • Class NATO-1 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity. • Spouse/Child - Class NATO-1 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify. |
| NATO-2 | Other representatives of member State, dependents of members of a force entering in accordance with the provisions of the NATO Status-of-Forces agreement, and members of such a Force if issued visas. | <ul style="list-style-type: none"> • Class NATO-2 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity. • Spouse/Child - Class NATO-2 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify. |
| NATO-3 | Official clerical staff accompanying a representative of member state NATO and immediate family. | <ul style="list-style-type: none"> • Class NATO-3 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity. • Spouse/Child - Class NATO-3 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify. |
| NATO-4 | Official of NATO other than those qualified as NATO-1 and immediate family. | <ul style="list-style-type: none"> • Class NATO-4 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity. • Spouse/Child - Class NATO-4 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify. |
| NATO-5 | Expert other than NATO officials qualified under NATO-4, employed on behalf of NATO and immediate family. | <ul style="list-style-type: none"> • Class NATO-5 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity. • I Spouse/Child - Class NATO-5 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify. |

| Visa Class | Descriptions | Required Documentation |
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| NATO-6 | Member of a civilian component who is either accompanying a Force entering in accordance with the provisions of the NATO Status-of-Forces agreement, attached to an Allied headquarters under the protocol on the Status of International Military headquarters set up pursuant to the North Atlantic Treaty, and their dependents. | <ul style="list-style-type: none"> Class NATO-5 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity. Spouse/Child – Class NATO-6 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify. |
| NATO-7 | Servant, or other personal employee of NATO-1 through NATO-6 classes or immediate family. | <ul style="list-style-type: none"> Class NATO-7 Visa and written proof from the U.S. Department of State that there is no diplomatic immunity. Spouse/Child - Class NATO-7 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify. |
| O-1 | An individual who possesses extraordinary ability in the sciences, arts, education, business, or athletics, or who has a demonstrated record of extraordinary achievement in the motion picture or television industry and has been recognized nationally or internationally for those achievements. Sponsored. | Class O-1 Visa. |
| O-2 | Individuals who will accompany an O-1, artist or athlete, to assist in a specific event or performance. Sponsored. | Class O-2 Visa. |
| O-3 | Spouse/child of O-1 or)-2. | Class O-3 Visa but cannot apply for EAD. No income can be used to qualify. Not permitted to be employed in the United States. |
| P-1A | Team athlete and essential support personnel. Sponsored. | Class P-1A Visa. |
| P-1B | Member of entertainment group and essential support personnel. Sponsored. | Class P-1B Visa. |
| P-2 | Artist and entertainers in reciprocal exchange programs and essential support personnel. Sponsored. | Class P-2 Visa. |
| P-3 | Artist and entertainers in culturally unique programs and essential support personnel. Sponsored. | Class P-3 Visa. |
| P-4 | Spouse or child of P-1, 2, or 3. | Class P-4 Visa. The spouse and children of a P-1, P-2, or P-3 principal may not accept employment unless they qualify independently for a classification in which employment is, or can be, authorized or unless that employment is authorized by DHS. |
| R-1 | Religious workers. Employer sponsored. | Class R-1 Visa. |
| R-2 | Spouse or child of religious workers. Employer sponsored. | Class R-1 Visa but cannot apply for a EAD. No income can be used to qualify. Not permitted to be employed in the United States. |

| Visa Class | Description | Required Documentation |
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| Refugee | Person outside of the U.S. who is of special humanitarian concern to the U.S. and has demonstrated they were persecuted or feared persecution due to race, religion, nationality, political opinion, or membership in a particular social group. | <ul style="list-style-type: none"> Approved I-590 with proper endorsement or approved I-730, and Completed I-94 (arrival/departure record), and An unexpired EAD or acceptable documentation for I-9 (Employment Eligibility Verification approval). <i>Note: Specific to Refugees only. Form I-94A containing an unexpired refugee admission stamp or a computer-generated printout of Form I-94 with an admission class of "RE" can be shown to an employer as proof of permission to work while waiting for EAD and is valid for 90 days from the date of hire.</i> |
| T-1 | Victim of a severe form of human trafficking. | Class T-1 Visa. |
| TN | Nonimmigrant and NAFTA Professional visa (only issued to citizens of Canada and Mexico) - Canada. Employer sponsored. | Class TN Visa or approval of TN Non-immigrant status from a U.S. port-of-entry. |
| TN | Nonimmigrant and NAFTA Professional visa (only issued to citizens of Canada and Mexico) - Mexico. Employer sponsored. | Class TN Visa. |
| TD | Spouse or child accompanying TN - non-Canadian or Mexican citizens. | Visa requirements vary but cannot apply for an EAD. No income can be used to qualify. Not permitted to be employed in the United States. |
| TD | Spouse or child accompanying TN - Canadian citizens. | <ul style="list-style-type: none"> Visa not required but cannot apply for an EAD so no income can be used to qualify. Not permitted to be employed in the United States. Proof of Canadian citizenship. Proof of relationship to the TN nonimmigrant. |
| TD | Spouse or child accompanying TN - Mexican citizens. | Class TD Visa but cannot apply for an EAD. No income can be used to qualify. Not permitted to be employed in the United States. |
| V-1 | Spouse of a Legal Permanent Resident (LPR) who is the principal beneficiary of a family-based petition (Form I-130) which was filed prior to December 21, 2000, and has been pending for at least three years. | Class V-1 Visa. |
| V-2 | Child of a Legal Permanent Resident (LPR) who is the principal beneficiary of a family-based visa petition (Form I-130) that was filed prior to December 21, 2000, and has been pending for at least three years. | Class V-2 Visa. |
| V-3 | The derivative child of a V-1 or V-2. | Class V-3 Visa. |

- Fannie Mae: DACA recipients are eligible.
 - Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN) and
 - Current, verified status, which may be documented by a valid employment authorization document (EAD) with C33 category.
- Freddie Mac: DACA recipients are ineligible.

Sources

FNMA B2-2.-2

FNMA FAQ - Non-Citizen Borrower Eligibility

FHLMC 5103.2

<https://www.uscis.gov/>

13.1 List A Documents That Establish Identity and Employment Authorization