

Permanent and Non-Permanent Resident Alien Guide

Introduction

The following document is to be used when determining legal citizenship status of potential borrowers at Chicago Mortgage Solutions, LLC. dba Interfirst Mortgage Company (IMC). Interfirst provides mortgage loans to non-citizens who are lawful permanent or nonpermanent residents of the United States under the same terms available to U.S. Citizens. IMC reserves the right to approve or deny a visa classification.

Social Security Number – U.S. Citizens And Non-U.S. Citizens

All borrowers on the loan must have a valid Social Security number. In addition, any borrower who is not a U.S. citizen must meet the requirements below for permanent/non-permanent resident aliens.

Permanent Resident Aliens

Green Cards

A legible copy of the front and back of the green card is required for all permanent resident aliens. Expiration dates must be good through the date of funding.

Non-Permanent Resident Aliens

All non-permanent resident aliens must provide a copy of a valid, acceptable Visa OR a copy of their Employment Authorization Document (EAD).

Acceptable Visa Classifications:

- **A Series** (A-1, A-2, A-3)

These Visas are given to officials of foreign governments, immediate family members and support staff. Only those without diplomatic immunity, as verified on the Visa, are allowed.

- **E-1 Treaty Trader and E-2 Treaty Investor**

This Visa is essentially the same as an H-1 or L-1; the title refers to the foreign country's status with the U.S.

Permanent and Non-Permanent Resident Alien Guide (Cont.)

- **E-3**

Given to Australian nationals employed in a specialty occupation.

- **G series** (G-1, G-2, G-3, G-4, and G-5)

These Visas are given to employees of international organizations that are located in the U.S. Some examples include the United Nations, *Red Cross*®, World Bank, UNICEF, and the International Monetary Fund. Verification that the applicant does not have diplomatic immunity must be obtained from the applicant's employer and/or by viewing the applicant's passport.

- **H-1 (includes H-1B and H-1C), Temporary Worker**

This is the most common Visa given to foreign citizens who are temporarily working in the U.S.

- **L-1, Intra-Company Transferee**

An L-1 Visa is given to professional employees whose company's main office is in a foreign country.

- **O-1A**

Individuals with an extraordinary ability in the sciences, education, business, or athletics (not including the arts, motion pictures, or television industry).

- **O-1B**

Individuals with an extraordinary ability in the arts or achievement in the motion picture/television industry.

- **O-2**

Individuals who will accompany an O-1, artist or athlete, to assist in a specific event or performance.

- **TN, NAFTA Visa**

Used by Canadian or Mexican citizens for professional or business purposes.

Permanent and Non-Permanent Resident Alien Guide (Cont.)

- **TC, NAFTA Visa**

Used by Canadian citizens for professional or business purposes.

Expired Visa Requirements

Visa expiration date must be good through the date of funding, unless ALL of the below documentation is provided:

- Visa classification is one of the above acceptable Visas
- Confirmation that the borrower submitted an application for extension of the Visa OR an application for a green card. Examples of this documentation includes, but is not limited to:
 - Form I-797 (issued when an application or petition is approved).
 - Form I-797C or I-797E (must not state that the application has been declined).
 - Application for extension of current Visa (Form I-539 or equivalent) or copy of application for green card (Form I-485 or equivalent) and electronic verification of receipt from the USCIS website.
 - If the borrower is sponsored by the employer, the employer may verify that they are sponsoring the Visa renewal.

Employment Authorization Document (EAD)

A current (unexpired) Employment Authorization Document (EAD) may be used in lieu of a copy of the Visa. If the EAD will expire within one year from funding, one the following must be provided:

- Prior EAD renewal must be documented, OR
- If there are no prior EAD renewals, the likelihood of renewal must be determined based on the information from the USCIS.

All qualifications for qualifying stable monthly income, adequate credit history, and sufficient liquid assets must be applied in the same manner to each borrower including borrowers who are non-permanent resident aliens.

DACA borrowers are not permitted.

Permanent and Non-Permanent Resident Alien Guide (Cont.)

Foreign Nationals

Foreign nationals who have no lawful residency status in the U.S. are not considered to be non-permanent resident aliens and are not eligible for financing.

Diplomatic Immunity

Due to the inability to compel payment or seek judgment, transactions with individuals who are not subject to U.S. jurisdiction are not eligible. This includes embassy personnel with diplomatic immunity. Verification that the borrower does not have diplomatic immunity can be determined by reviewing the Visa, passport or the U.S. Department of State's Diplomatic List at: <https://www.state.gov/resources-for-foreign-embassies/>.

Additional Information

Form I-797: Types and Functions

USCIS uses numerous types of Form I-797 to communicate with customers or convey an immigration benefit. Form I-797 is NOT a form you can fill out. The chart below gives a brief description of each:

FORM NUMBER	DESCRIPTION
I-797, Notice of Action	Issued when an application or petition is approved.
I-797A, Notice of Action	Issued to an applicant as a replacement Form I-94.
I-797B, Notice of Action	Issued for approval of an alien worker petition.
I-797C, Notice of Action	Issued to communicate receipt of payments, rejection of applications, transfer of files, fingerprint biometrics, interview and rescheduled appointments, and reopening cases.
I-797D	Accompanies benefit cards.
I-797E, Notice of Action	Issued to request evidence.
I-797F, Transportation Letter	Issued overseas to allow applicants to travel.