



Non-U.S. Citizen Documentation Requirements

The following sections outline Ameritrust’s documentation requirements for Non-U.S. Citizen borrowers, organized by product and applicable investor/agency guidance. Eligibility and required documentation should be confirmed based on the loan type (Conventional/Prime Jumbo AUS, VA, FHA, USDA, or Non-QM) and the borrower’s residency status. All documentation must be valid and unexpired at the time of closing, unless otherwise noted.

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Conventional and Prime Jumbo AUS

Conventional and Prime Jumbo AUS: Follow the documentation requirements (below) based on the AUS used for underwriting. If DU, follow Fannie Mae or if LPA, follow Freddie Mac requirements.

Non-Permanent Residents

Fannie Mae only: Fannie Mae considers a non-permanent resident borrower legally present in the U.S. if:

- They have a Social Security Number and
- have current, verified status, which may be documented by a valid and unexpired:
 - Employment Authorization Document (EAD); or
 - Green Card;
 - Work Visa;
 - Passport with entry stamps; or
 - Passport with I-551 stamps

Freddie Mac only: Non-Permanent Residents must provide what is stated under, “Required Documentation” in the **Acceptable Visas for Non-Permanent Residents list below** and it must be unexpired at time of close. On a case-by-case basis, alternative documentation approved by the U.S. Citizenship & Immigration Service (USCIS) may be acceptable.

- In addition, any borrowers with non-work visas require any unexpired EAD.
- When a borrower is not income-contributing, only proof of legal residency/presence is required (EAD card may not be needed)

Permanent Residents

- Permanent Residents must provide either an unexpired Permanent Resident Card or, an expired Permanent Resident Card and current passport with an I-551 stamp showing an unexpired date.
 - Outdated versions that are no longer valid to prove immigration status are not eligible (e.g., but not limited to, USCIS Forms AR-3, Form AR-103 or Form I-151).
 - If the borrower received their card before age 14 and is now over 14 (unless the registration card expires before age 16), a current card is required. Any card that has expired (e.g., a card issued many years ago) must be replaced with a valid, unexpired version in all cases.
- Conditional Permanent Residents (e.g., spouse of US Citizen) must provide:
 - evidence of unexpired conditional Permanent Resident card
 - if the conditional Permanent Residence status has expired and the borrower did not file to remove the conditional status during the 90-day period, obtain evidence from USCIS that the borrower had a good cause for failing to petition on time in addition to evidence for petition to remove conditional status.

DACA

- On a **Fannie Mae, DU-approved loan ONLY**, a borrower with Deferred Action for Childhood Arrivals (DACA) or other temporary status might be acceptable if:
 - they have a valid Social Security Number (SSN)
 - they have a valid, unexpired Employment Authorization Document (EAD), and
 - they meet the same employment/income history and continuity guidelines that apply to all borrowers.
- **Freddie Mac** – DACA recipients are ineligible (Selling Guide 5103.2)

Other

In general, the documentation provided for residency must be recent when used to verify the borrower is still legally present within the United States. If the borrower has a pending application for the extension of residency or legal presence, it should be dated within six months of the loan application.

Acceptable Visas for Non-Permanent Residents

Note : Non-U.S. Citizen documentation that is set to expire within 30 days of closing must have proof of renewal or proof of filing for renewal.

VA Non-U.S. Citizen Documentation Requirements

Non-Permanent Residents

VA : A Veteran borrower with eligibility documented with a Certificate of Eligibility (COE) is eligible. There are no additional residency requirements.

VA (Non-Veteran Borrower):

- Non-Permanent Residents must provide what is stated under, “Required Documentation” in the **Acceptable Visas for Non-Permanent Resident list below** and it must be unexpired at time of close. On a case-by-case basis, alternative documentation approved by the U.S. Citizenship & Immigration Service (USCIS) may be acceptable.
 - In addition, any borrowers with non-work visas require an unexpired EAD.
 - When a borrower is not income-contributing, proof of legal residency/presence is not required.

Permanent Residents

VA : A Veteran borrower with eligibility documented with a Certificate of Eligibility (COE) is eligible. There are no additional residency requirements.

VA (Non-Veteran Borrower):

- Permanent Residents must provide either an unexpired Permanent Resident Card or, an expired Permanent Resident Card and current passport with an I-551 stamp showing an unexpired date.
 - Outdated versions that are no longer valid to prove immigration status are not eligible (e.g., but not limited to, USCIS Forms AR-3, Form AR-103 or Form I-151).
 - If the borrower received their card before age 14 and is now over 14 (unless the registration card expires before age 16), a current card is required. Any card that has expired (e.g., a card issued many years ago) must be replaced with a valid, unexpired version in all cases.
- Conditional Permanent Residents (e.g. spouse of US Citizen) must provide:
 - evidence of unexpired conditional Permanent Resident card
 - if the conditional Permanent Residence status has expired and the borrower did not file to remove the conditional status during the 90-day period, obtain evidence from USCIS that the borrower had a good cause for failing to petition on time in addition to evidence for petition to remove conditional status.

DACA

VA : Veterans with Deferred Action for Childhood Arrivals (DACA) status are eligible.

Other

In general, the documentation provided for residency must be recent when used to verify the borrower is still legally present within the United States. If the borrower has a pending application for the extension of residency or legal presence, it should be dated within six months of the loan application.

Acceptable Visas for Non-Permanent Residents

Note : Non-U.S. Citizen documentation that is set to expire within 30 days of closing must have proof of renewal or proof of filing for renewal.

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 a 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 children of Australian specialty occupation professional.	Class E-3D Visa
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 governments to international organizations, 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 for 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
I	Foreign media representatives and his/her spouse and children.	<ul style="list-style-type: none"> • Class I Visa. Stamped Form I-94, Arrival/Departure Record with valid expiration date • Spouse/children – Class I Visa but cannot work under the I Visa
K-1	Fiancé/fiancée 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
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 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 - 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	Experts 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 • Spouse/Child - Class NATO-5 Visa and approval of I-566 (Interagency Record of Request), needed if income is used to qualify
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-6 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 • Can only reapply outside of the United States
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 O-2.	Class O-3 Visa but cannot apply for EAD, no income can be used to qualify
P-1A	Individual athlete and essential support personnel. Sponsored.	Class P-1A Visa
P-1A	Team athlete and essential support personnel. Sponsored.	Class P-1A Visa

P-1B	Member of an 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	Artists 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-1, P-2, or P-3 Visa but cannot apply for EAD, no income can be used to qualify
R-1	Religious workers. Employer sponsored.	Class R-1 Visa
R-2	Spouse or child of religious workers. Employer sponsored.	Class R-2 Visa but cannot apply for an EAD so no income can be used to qualify
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 <p>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.</p>
T-1	Victim of a severe form of human trafficking.	Class T-1 Visa
TN	Nonimmigrant 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 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 so no income can be used to qualify
TD	Spouse or child accompanying TN – Canadian citizens.	<ul style="list-style-type: none"> • Visa not required but cannot apply for an EAD so not income can be used to qualify • 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 so no income can be used to qualify

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 Lawful 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

FHA Non-U.S. Citizen Documentation Requirements

Non-Permanent Residents

- Non-Permanent Resident Aliens are ineligible.

Permanent Residents

- Permanent Residents must provide either an unexpired Permanent Resident Card or, an expired Permanent Resident Card and current passport with an I-551 stamp showing an unexpired date.
 - Outdated versions that are no longer valid to prove immigration status are not eligible (e.g., but not limited to, USCIS Forms AR-3, Form AR-103 or Form I-151).
 - If the borrower received their card before age 14 and is now over 14 (unless the registration card expires before age 16), a current card is required. Any card that has expired (e.g., a card issued many years ago) must be replaced with a valid, unexpired version in all cases.
- Conditional Permanent Residents (e.g., spouse of US Citizen) must provide:
 - evidence of unexpired conditional Permanent Resident card
 - if the conditional Permanent Residence status has expired and the borrower did not file to remove the conditional status during the 90-day period, obtain evidence from USCIS that the borrower had a good cause for failing to petition on time in addition to evidence for petition to remove conditional status.

Rural Housing (USDA) Non-U.S. Citizen Documentation Requirements

The Rural Housing Agency requires that a determination is made on whether the applicant(s) for a guaranteed loan is a U.S. citizen, a U.S. non-citizen national, or a qualified alien. Refer to Section 3555 for definitions of the specific terms.

The client is required to collect documentation confirming the legal residency status of all applicants. Clients are required to obtain evidence of the applicant's valid government-issued photo identification and retain it in the permanent loan file.

The non-citizen's alien identification number with copies of any supporting documents must be obtained and maintained with the permanent case file. In all cases, non-citizens legally admitted into the U.S. will have an alien identification number. In the rare instance where a number is not available or known, the applicant should contact the USCIS.

U.S. Non-Citizen National

Generally, a U.S. non-citizen national is a person born in American Samoa or Swains Island on or after the date the U.S. acquired American Samoa or Swains Island, or a person whose parents are U.S. non-citizen nationals.

Typical evidence of the relatively uncommon status as a non-citizen national includes a birth certificate or unexpired passport. Persons who are non-citizen nationals are eligible for consideration.

Qualified Alien

Aliens must provide acceptable evidence that they are qualified aliens. The following documentation options serve as evidence of qualified alien status:

1. CIS Form I-551, "Alien Registration Receipt Card" (for permanent or conditional resident aliens).
 - A valid, unexpired alien registration card is required.
 - Outdated versions that are no longer valid to prove immigration status are not eligible (e.g., but not limited to, USCIS Forms AR-3, Form AR-103 or Form I-151).
 - If the borrower received their card before age 14 and is now over 14 (unless the registration card expires before age 16), a current card is required. Any card that has expired (e.g., a card issued many years ago) must be replaced with a valid, unexpired version in all cases.
2. CIS Form I-688B, "Employment Authorization Card" annotated "Provision of Law" followed by one of the following provisions:
 - 274a.12(a)(1);
 - 274a.12(c)(11);
 - 274a.12(a)(3);
 - 274a.12(a)(4);
 - 274a.12(a)(5); or
 - 274a.12(a)(10).
3. CIS Form I-766, "Employment Authorization Document" annotated as:
 - A3;
 - A5; or
 - A10
4. CIS Form I-571, "Refugee Travel Document."
5. CIS Form I-94, "Arrival-Departure Record" with one of the following annotations:
 - Admitted as Refugee Pursuant to Section 207;
 - Section 208 or Asylum;
 - Section 243(h) or Deportation stayed by Attorney General
 - Paroled Pursuant to Section 212(d)(5) of the INA; or
 - Admitted under Section 203(a)(7) of the INA.
6. If Form I-94 lacks annotations, it can still serve as sufficient evidence if accompanied by:
 - A final court decision granting asylum (if no appeal is taken);
 - A letter from a CIS asylum officer granting asylum (if application was filed on or after October 1, 1990) or from a CIS district director granting asylum (if application was filed before October 1, 1990);
 - A court decision granting withholding of deportation; or
 - A letter from an asylum officer granting withholding or deportation (if application was filed on or after October 1, 1990).
7. Receipt from CIS which indicates that an application for a replacement document of one of the specified categories has been submitted and the supporting documentation has been verified to confirm the applicant's eligibility.
8. Other Acceptable Evidence, as designated by CIS and announced in the Federal Register.

9. Native Americans born in Canada may also be eligible as lawfully admitted for permanent residence. The documentation described above may be unavailable. To establish the applicants are qualified aliens, the Native American should provide all the following documentation:

- A letter from their Native American tribe stating that the alien has at least 50 percent Native American or Aboriginal blood (also referred to as the blood quantum);
- Their Canadian “Certificate of Indian Status Card” with a red stripe along the top;
- Their birth certificate;
- If a Haudenosaunee, their Red I.D. Card;
- If an Inuit, an Inuit enrollment card from one of the regional Inuit lands claim agreements;
- Their social security card issued by the U.S. Social Security Administration; and
- Their Canadian or United States driver’s license.

It is the client's responsibility to determine whether the applicant qualifies as a qualified alien based on the specific circumstances of each case, using documentation they deem appropriate.

Other

In general, the documentation provided for residency must be recent when used to verify the borrower is still legally present within the United States. If the borrower has a pending application for the extension of residency or legal presence, it should be dated within six months of the loan application.

Non-QM Loans Documentation Requirements

For all Non-QM loans, refer to the product specific guidelines for documentation requirements.