

## Eligible Category Codes as a Non-Permanent Resident

Code	Code Definition
A03	Refugee
A04	Paroled as refugee
A05	Asylee (granted asylum)
A06	K-1 non-immigrant fiancé(e) of U.S. Citizen (USC); K-2 child of K-1
A07	N-8 Parent of international organization employee granted permanent residence; N-9 Dependent Child of international organization employee granted permanent residence
A08	Citizen of Micronesia, the Marshall Islands or Palau admitted as a non-immigrant
A12	Temporary Protected Status (TPS) granted under 8 CFR 244.12 – Only eligible for FHA
A13**	IMMACT Family Unity beneficiary (Section 301 of the Immigration Act of 1990)
A14	LIFE Act Family Unity beneficiary (Section 1504 of the Legal Immigrant Family Equity (LIFE) Act Amendments)
A15	V-1 Spouse of Lawful Permanent Resident (V-2 and V-3 visas not eligible)
A16**	T-1 non-immigrant (victims of severe form of trafficking)
A17	Spouse of E-1/E-2 Treaty Trader/Investor; Spouse of E-3 specialty occupation professional from Australia
A18	L-2 spouse of an L-1 intracompany transfer (L-1: Individuals in the U.S. who have been transferred from a subsidiary, affiliate, or branch office overseas to the U.S. to work in an executive, managerial or specialized knowledge capacity)
A19**	U-1 non-immigrant (victims of certain criminal activity)
A20	U-2 spouse of U-1 aliens; U-3 children of U-1 aliens; U-4 parents of minor U-1 aliens (16 or under); U-5 unmarried sibling under age 18 of U-1 alien under age 21
C02	Dependent of TECRO (Taipei Economic and Cultural Representative Office) E-1 nonimmigrant
C04	Spouse or unmarried dependent child of G-1, G-3 or G-4 non-immigrant (Representative of International Organization and their dependents)
C06	M-1 student seeking practical training after completing studies
C07	Dependent of NATO-1 through NATO-7 non-immigrant
C08	Asylum applicant (w/ pending asylum application) who filed for asylum on or after January 4, 1995
C09**	Adjustment of status applicant
C12	Spouse of an E-2 Commonwealth of the Northern Mariana Islands (CNMI) investor; eligible for employment in the CNMI only
C16	Registry applicant based on continuous residence since January 1, 1972
C20**	Alien who has filed a completed legalization application for special agricultural workers
C22**	Alien who has filed a completed legalization application under INA 245A
C24**	LIFE legalization application
C33	An alien who has been granted Deferred Action for Childhood Arrivals (DACA) – Only eligible for Fannie Mae, FHA, and Portfolio Programs

\* All eligible categories require minimum of 2 years employment history with income in U.S.

\*\* This category code may be eligible on a case-by-case situation with Management's Approval.

## Ineligible Category Codes as a Non-Permanent Resident

Code	Code Definition
A02	A lawful temporary resident pursuant to Sections 245A or 210 of the INA
A09	K-3 non-immigrant spouse of USC; K-4 child of K-3
A10	Granted Withholding of Deportation or Removal
A11	Deferred Enforced Departure (DED)
A15	V-2 Minor unmarried child of Lawful Permanent Resident; V-3 Minor unmarried child of V-1 or V-2
C01	Dependent of A-1 or A-2 foreign government official
C03A	Pre-completion OPT F-1 students
C03B	Post-completion OPT F-1 students
C03C	17 month extension for Science, Technology, Engineering, or Mathematics (STEM) OPT students
C03 (ii)	F-1 student offered off-campus employment under the Sponsorship of Qualifying International Organization
C03 (iii)	F-1 student seeking off-campus employment due to severe economic hardship
C05	J-2 spouse or minor child of a J-1 exchange visitor
C10	Nicaraguan Adjustment and Central American Relief Act (NACARA) Section 203 applicants; Applicant for suspension of deportation; Applicant for cancellation of removal
C11	An alien paroled into the United States in the public interest or temporarily for emergency reasons
C14	Alien granted deferred action
C17 (i)	B-1 non-immigrant who is the personal or domestic servant of a non-immigrant employer
C17 (ii)	B-1 non-immigrant domestic servant of a U.S. Citizen
C17 (iii)	B-1 non-immigrant employed by foreign airline
C18	Alien with a final order of deportation/order of supervision
C19	Temporary Protected Status application under 8 CFR 244.5
C25	T-2 spouse of T-1, victim of trafficking; T-3 child of T-1; T-4 parent of T-1 (if T-1 is under age 21)
C31	Principal beneficiary of an approved VAWA self-petition; Qualified child of a beneficiary of an approved VAWA self-petition
C33	An alien who has been granted Deferred Action for Childhood Arrivals (DACA) – Ineligible for Freddie Mac, VA, USDA, and Jumbo Programs

## Non-Citizen Borrowers

Borrowers who are not U.S. Citizens fall into one of two classifications, Permanent or Non-Permanent Resident Aliens. Borrowers who are not U.S. Citizens must reside in the United States to be eligible. Non-citizens who do not reside in the U.S. are classified as Foreign Nationals and are eligible for financing on specific loan programs. Please refer to our website for our program guidelines.

## Permanent Resident Aliens

A Permanent Resident Alien is a non-U.S. Citizen admitted to the United States as a lawful permanent resident. Permanent Resident Alien status must be documented with a copy of the borrower's Green Card (I-551 Resident Alien card). A front and back copy of the Green Card must be in the loan file.

## Non-Permanent Resident Aliens

Someone who has legally entered the United States but does not have a Green Card would be considered a Non-Permanent Resident Alien. A Non-Permanent Resident Alien must have a valid social security number and one of the following must be provided:

- A valid and current Employment Authorization Document (EAD) card (Form I-766). Borrowers with an EAD Category Code C-33 Deferred Action for Childhood Arrivals (DACA) are now eligible for financing under Fannie Mae, FHA, and Portfolio Loan Programs. Borrowers are considered to be legally present in the United States if:
  - They have a Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN); AND
  - They have current verified status, which may be documented by a valid employment authorization document (EAD), or other documentation showing immigration status is current.

If the EAD expires within 90 days of the funding date, the borrower must show evidence of prior renewal and/or evidence of application for extension. If there are no prior renewals, proof of a three-year continuance must be determined based on information from USCIS (<https://uscis.gov>).

- An acceptable unexpired Visa.

If a borrower(s) visa expires within 90 days of funding date, documentation must be provided that application for extension or permanent residency has been filled.

The H-1B visa is a non-permanent resident alien's work authorization. The employer listed on the visa must match the employer stated on the mortgage application. A separate EAD is not required for this type of visa. A copy of the I-797 (Notice of Action) is allowed as it serves as the three year extension for the H-1B visa.

NAFTA professionals from Canada and Mexico are required to provide an unexpired passport with TN visa.

## Acceptable Visa includes:

Type	Definition
E Series (E-1, E-2, E-3)	Treaty Trader: This visa is essentially the same as an H-1; the title refers to the foreign country's status with the U.S.
G Series (G-1, G-2, G-3, or G-4 only)	Representative of International Organization: Must document that the borrower does not have 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.
H Series (H1-B, H1-C, H-2, H-3, H-4)	Temporary Worker: This is the most common visa given to foreign citizens who are temporarily working in the U.S.
L Series (L-1A, L-1B, L-2)	Intra-Company Transferee: L-1 Visa is given to professional employees whose company's main office is in a foreign country.
O Series (O-1A, O-1B)	Extraordinary Ability: In the sciences, education, business, or athletics (O-1A) and extraordinary ability in the arts or achievements in motion pictures or television industry (O-1B).
NAFTA (TN-1, TN-2)	For NAFTA professionals from Canada and Mexico, need unexpired passport with TN visa.

## Diplomatic Immunity

Transactions with individuals who are not subject to U.S. jurisdiction are not eligible. This includes embassy personnel with diplomatic immunity. Verification 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 (<https://state.gov/s/cpr/rls>).

## Non-Resident Aliens (Foreign Nationals)

Foreign National borrower is any person who is not a national of the country in which they are residing or temporarily sojourning. Non-Resident Aliens (Foreign National) borrowers with valid Visa or through the Visa Waiver Program (VWP) are eligible under WMB's programs (refer to guidelines). The eligible countries under VWP are found under U.S. Department of State's website (<https://travel.state.gov/content/travel/en/us-visas/tourism-visit/visa-waiver-program.html>).

The following includes (but is not limited to) visa types eligible under the Foreign National program:

- B Series (B-1, B-2)
- C Series (C-1, C-2, C-3, C-4)
- Q Series (Q-1, Q-2)
- R Series (R-2)
- TD
- U Series (U-3)