



## **Resident Immigration Status**

*Applies to: Applies to Conventional, FHA, VA and USDA LOANS UNLESS OTHERWISE EXCLUDED.*

Onity Mortgage Corporation, f/k/a PHH Mortgage Corporation

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### ***Permanent Resident Aliens (PRA)***

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A Permanent Resident Alien (PRA) is not a United States (U.S.) citizens; however, they are lawful permanent residents and do not require an Employment Authorization document (EAD, I-766) to work in the U.S. PRAs are underwritten with the same terms as U.S. Citizens.

#### **REQUIRED DOCUMENTATION TO EVIDENCE PRA RESIDENCY**

ALL

- Copy of Green Card (Form I-551) is required.
- For borrowers who have just recently been approved for their Green Card, but have not yet received their physical card, refer to C09 Adjustment of Status below.

#### **UNDERWRITING REQUIREMENTS**

ALL

- PRAs are underwritten with the same terms as U.S. Citizens. There are no additional requirements.

#### **ADJUSTMENT OF STATUS (C09)**

ALL

Borrowers who have applied for Adjustment of Status and have been approved but have not yet received their GREEN Card, are considered Permanent Resident Aliens. The following documentation must be provided.

- Copy of valid unexpired C09 EAD; and either
- Copy of approved Form I-485 Application to register as a Permanent Resident, **or**
- Copy of Passport, stamped to indicate "Processed for I-551. Temporary evidence of lawful admission for permanent residence, Valid until (x)," and the expiration date must not have lapsed.

Note: Borrowers who have applied for Adjustment of Status and have not yet been approved must be treated as a Non-Permanent Resident Alien as they are not yet Permanent Resident Aliens; and eligibility to be based on their verified previous NPRA VISA or EAD category. Previous NPRA VISA or EAD may be expired which is acceptable with a current non-expired C09.

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### ***Non-Permanent Resident Aliens (NPRA)***

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A Non-Permanent Resident Alien (NPRA) is not a U.S. citizen but are granted the right to live in the U.S. on a temporary basis and may have also been granted the ability to work in the U.S. during their stay.



Eligible Non-Permanent Resident Aliens are also to be underwritten with the same terms as U.S. citizens unless otherwise noted.

NPRA VISA holders are aliens who are able to enter the US for a specific purpose and their family members. Only Eligible NPRA VISA and EAD types identified on the matrices at the end of the policy are eligible for financing.

## UNDERWRITING REQUIREMENTS

### USDA

- Non-permanent Resident Aliens are ineligible for USDA financing.

### FHA

- Case numbers assigned on/before 5/24/25 – NPRA's are permitted as detailed below.
- Case numbers assigned on/after 5/25/25 – All NPRA's are ineligible for FHA Financing. Only US Citizens and Permanent Resident Aliens are permitted.

### ALL

- Documentation: All requested supporting documents must be in English or translated by an Underwriting approved translator or a disinterested third party and if applicable be in U.S. dollars.
- Assets: Standards requirement apply.
- Credit: Standard requirements apply.
- Employment/Income: Self-employed income from outside the United States cannot be considered.

## OCCUPANCY

### CONVENTIONAL

- All occupancy and transaction types.

### FHA AND VA

- Only Primary residences are permitted.

## ELIGIBLE VISA AND OR EADS CATEGORIES

### ALL

Only those VISA types and/or Employment Authorization Document (EAD, I-766) Categories listed in the matrices below are eligible for financing.

Required documentation to verify status, also refer to matrices and additional status details in the matrices below for any additional requirements based on status and category:

- VISA: Current unexpired VISA is required for all applicants residing in the U.S on a VISA.

However, a borrower with an expired, but otherwise acceptable VISA type, is permitted with any of the following additional documentation:

- Form I-797 which is issued when an application or petition is approved; or
- Form I-797C or I-797E which must not state that the application has been declined; or
- Application for extension of current VISA I-539 (or equivalent) or copy of application for green card I-485 (or equivalent) and electronic verification of receipt from the USCIS web site; and
- Verification of at least one previous extension approval (e.g., Previous expired VISA(s) to evidence history of renewal).



The sponsored employee is not required to evidence work via an EAD, unless specified in the Eligible VISA matrix; however, an eligible spouse may be required to provide an EAD to evidence employment if they are using their income to qualify. Refer to Spouses of Sponsored VISA Holders for more details.

➤ **EAD: A current EAD with at least one (1) year remain until expiration.**

However, a borrower with less than 12 months until expiration, but otherwise acceptable EAD category, is permitted with any of the following additional documentation:

- If the EAD expires within one (1) year from the date of verification and a prior history of residency renewal exists, it may be assumed that continuation will be granted. If there are no prior renewals, the lender must determine the likelihood of renewal based on information from the USCIS.

ELIGIBLE VISAS

VISA	VISA Description	Additional Information	FNMA	FHLMC	FHA+	VA
E-1	Treaty Traders		X	X	X	X
E-2	Treaty Investors		X	X	X	X
E-3	Australian Citizen		X	X	X	X
G-1	Permanent members of a recognized government's mission to an international organization, and their immediate family members.	Verification borrower(s) does not have Diplomatic Immunity is required. Refer to Diplomatic Immunity for additional information.	X	X	X	X
G-3	Diplomats, government officials, and employees who will work for international organizations in the US		X	X	X	X
G-5	Personal employees or domestic workers of certain VISA holders		X	X	X	X
H-1B	For temporary workers		X	X	X	X
H-1C	For temporary workers		X	X	X	X
K-3	For spouses of U.S. citizens	EAD A9 required	X	X	X	X
L-1A	Intracompany Transferee Executive or Manager		X	X	X	X
L-1B	Intracompany Transferee Specialized Knowledge		X	X	X	X
O-1	For individuals with extraordinary ability or achievement (athletes, artists, scientists, entrepreneurs, etc.)		X	X	X	X
P-1	Professional Athletes		X	X	X	X
P-2	For reciprocal exchanges		X	X	X	X
P-3	For culturally unique performers		X	X	X	X
S-5	Witness, Informants, and Victims		X	X	X	X
S-6	Witness, Informants, and Victims		X	X	X	X



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S-7	Spouse of a S-VISA		X	X	X	X
TN	USMCA Professionals (FKA NAFTA)	Qualified Canadian and Mexican Citizens engaged in business activities at a professional level.	X	X	X	X
V-1	Spouse of a Green card		X	X	X	X
V-2	Adult children of Green Card		X	X	X	X
* Case numbers assigned on/after 5/25/25 – All NPRAs are ineligible for FHA Financing. Only US Citizens and Permanent Resident Aliens are permitted.						

**SPOUSES OF SPONSORED VISA HOLDERS** may be eligible to be a co-borrower on financing sponsored employee providing they are able to verify corresponding VISA type. To use the spouse's income towards qualification, depending on the VISA type, the spouse may also need to provide copy of current EAD evidencing their ability to work. The matrix below, provides allowed spousal VISA eligibility and if the EAD is required based on VISA classification.

Eligible Spousal VISA*	Can income be used to qualify...	Required EAD and misc.
E1	Yes, with acceptable EAD	A17 or C12, spouse is given the same VISA type as sponsored spouse but may have S following category. (E1S)
E2	Yes, EAD is not required	NA, spouse is given the same VISA type as sponsored spouse but may have S following category. (E2S)
E3	Yes, EAD is not required	NA, spouse is given the same VISA type as sponsored spouse but may have S following category. (E3S)
G4	Yes, with acceptable EAD	C4
H4	Yes, with acceptable EAD	C26
L2	Yes, with acceptable EAD	A18, EAD required only if VISA was issued before 1/31/22
L25	Yes, EAD is not required	NA
O3	No, Spouses are not given employment benefits	NA
P4	No, Spouses are not given employment benefits	NA
TN	No, Spouses are not given employment benefits	NA
* Case numbers assigned on/after 5/25/25 – All NPRAs are ineligible for FHA Financing. Only US Citizens and Permanent Resident Aliens are permitted.		

**ELIGIBLE EADS**

EAD	DESCRIPTION	ADDITIONAL INFORMATION	FNMA	FHLMC	FHA*	VA
A3	Refugee	Refer to Refugee/Asylum for additional requirements	X	X	X	X
A5	Asylee	Refer to Refugee/Asylum for additional requirements	X	X	X	X



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A4	Paroled refugee	Refer to Refugee/Asylum for additional requirements	X	X	X	X
A8	Citizen of Micronesia, Marshall Islands, or Palau		X	X	X	X
C9	Pending adjustment of status under Section 245 of the Act	Refer to the Adjustment of Status requirements	X	X	X	X
C8	Asylum application pending filed	Refer to Refugee/Asylum for additional requirements	X	X	X	X
C33	Consideration of Deferred Action for Childhood Arrivals (DACA)	Refer to DACA for additional requirements	X	N	X	N
C31	VAWA self-petitioners with an approved Form I-360		X	N	X	X
* Case numbers assigned on/after 5/25/25 – All NPRAs are ineligible for FHA Financing. Only US Citizens and Permanent Resident Aliens are permitted.						

**REFUGEE/ASYLUM** is a status granted to residents of a foreign country who have been or fear there will be persecuted on account of race, religion, nationality, and/or membership in a particular social group or political opinion. Borrowers who have been granted Asylum or Refugee status are eligible for financing proving the following documentation:

- Unexpired Employment Authorization Document (EAD) with either of the following Categories:
  - A03: Refugee
  - A04: Paroled Refugee (A Refugee who has been granted power to travel internationally)
  - A05: Asylum
  - C08: Asylum Applicant, Status Pending: In addition to the EAD borrower must provide copy of I-94 to verify Asylum status has been granted or evidence of previous renewal.

**DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA, DREAMERS)** are aliens who entered the United States as children (under 16 years) and who have been granted temporary protection from deportation. DACA recipients are granted 2-year periods of protection that can be renewed and the ability to enroll in school and work in the United States.

- DACA borrowers are underwritten with the same terms as U.S. citizens unless otherwise noted.
  - Copy of Employment Authorization Document (EAD) with required Category C33.
- Financing options available:
  - Conventional: FNMA financing only maximum LTV/CLTV 80%
  - FHA with the same LTV restrictions as U.S. Citizens must have a valid Social Security Number
  - Ineligible for Freddie Mac, VA and USDA

**TEMPORARY PROTECTED STATUS (TPS)** is an ineligible status for financing as it is a temporary legal status to certain immigrants in the US who cannot return to their country of origin due to temporary extraordinary reasons such as armed conflict or a natural disaster. TPS status can be identified via EAD Category A12 or C19.

**FOREIGN NATIONALS** are not eligible for financing as they are non-resident aliens who periodically visit and/or reside in the United States. While they may have been issued a VISA, they do not hold a classification that allows them to remain and hold employment in the US long-term.



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**DIPLOMATIC IMMUNITY** is a status granted to a diplomat that exempts them from the laws of a foreign jurisdiction and anyone holding diplomatic immunity is ineligible for financing. It must be noted that immunity is a privilege of the state that a diplomatic agent represents. G VISA class borrowers will require evidence from their employer and or sponsor that they do not have Diplomatic Immunity.

### **SOCIAL SECURITY NUMBER/INDIVIDUAL TAX IDENTIFICATION NUMBER**

FHLMC, VA, USDA

A Social Security number is required for all borrowers.

#### **FHA\***

A social security number is required for all borrowers except for those employed by the World Bank, a foreign embassy, or equivalent employer as identified by HUD.

\* Case numbers assigned on/after 5/25/25 – All NPRA's are ineligible for FHA Financing. Only US Citizens and Permanent Resident Aliens are permitted.

#### **FNMA**

A Non-Permanent Resident Alien may have an Individual Tax Identification Number (ITIN) in lieu of a Social Security Number. An ITIN is a tax processing number issued by the Internal Revenue Service. It is a nine-digit number that always begins with the number 9 and has a 7 or 8 in the fourth digit, example 9XX-7X-XXXX. IRS issues ITINs to individuals who are required to have a U.S. taxpayer identification number but who do not have and are not eligible to obtain a Social Security Number. An ITIN itself is not evidence of legal residence.

An ITIN, in lieu of a Social Security Number, is permitted under the following circumstances:

- Conventional loans must follow Fannie Mae guidelines, maximum LTV 80% and be coded for sale to Fannie Mae.
- Borrower must be a legal resident. ITIN does not prove legal residency, which would need to be verified separately. Verification of residency includes a VISA or green card with acceptable VISA or EAD classification.
- Borrowers without Social Security Numbers typically do not have a traditional credit history; therefore, an established non-traditional credit history is required. Refer to the Non-Traditional Credit History section of the Credit chapter for acceptable credit alternatives.