



OFFICE OF PUBLIC AND INDIAN HOUSING

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

Date: August 8, 2025

Dear Lender Letter 2025-05

To: All Tribes
All Tribally Designated Housing Entities
All Section 184 Approved Lenders
All Section 184A Approved Lenders
Department of Hawaiian Home Lands

Subject Revisions to the Residency Requirements

Purpose The purpose of this Dear Lender Letter (DLL) is to update the Section 184 Indian Housing Loan Guarantee (Section 184) and Section 184A Native Hawaiian Housing Loan Guarantee (Section 184A) Programs Processing Guidelines related to the Borrower residency requirements.

Effective Date For the Section 184 Program, to the extent Direct Guarantee Lenders elect to continue applying the Section 184 Processing Guidelines during the Transition Period¹, this DLL may be implemented immediately but must be implemented for Section 184 Case Numbers assigned on or after [60 days from the DLL publication date].

For the Section 184A Program, this DLL may be implemented immediately but must be implemented for Section 184A Case Numbers assigned on or after [60 days from the DLL publication date].

Public Feedback HUD welcomes feedback from interested parties for a period of 30 calendar days from the date of issuance. To provide feedback on this policy document, please send feedback to Office of Loan Guarantee (OLG) at Section184Comments@HUD.gov. HUD will consider the feedback in determining the need for future updates.

¹ As explained in [DLL 2025-02](#) published on March 6, 2025, the Transition Period is the period between the Section 184 final rule effective date of December 31, 2024, and the Section 184 compliance date of December 31, 2025.

Affected Programs

This guidance applies to the Section 184 and 184A Programs.

Background

The Office of Native American Programs is updating its residency requirements found in the Section 184 and Section 184A Processing Guidelines. This update aligns ONAP requirements with recent executive actions that emphasize the prioritization of Federal resources to protect the financial interest of American citizens and ensure the integrity of government-guaranteed loan programs. This update also aligns with Federal Housing Administration's recent revisions to its residency requirements as announced in a Mortgagee Letter.

Summary of Changes

This DLL removes the Non-Permanent Resident Alien guidance found in Section 184 and 184A Processing Guidelines.

Revision of the Residency Requirements

To the extent that Section 184 Direct Guarantee Lenders are electing to continue applying the Processing Guidelines in lieu of applying the Section 184 final rule during the Transition Period between the Section 184 final rule effective date of December 31, 2024, and final rule compliance date of December 31, 2025, this DLL revises Section 2, Chapter 4 of the Processing Guidelines' reference to Non-Permanent Resident Alien guidance.

This DLL also revises Chapter 5 of the Section 184A Processing Guidelines, which has nearly identical Non-Permanent Resident Alien guidance to the Section 184 Processing Guidelines.

In both Section 184 and Section 184A Processing Guidelines, the following Non-Permanent Resident Alien guidance is stricken:

Non-Permanent Resident Aliens: [HUD/OLG] will also guarantee a mortgage made to a nonpermanent resident alien provided that the property will be the borrower's principal residence, the borrower has a valid Social Security Number, and the borrower is eligible to work in the U.S. as evidenced by an Employment Authorization Document (EAD) issued by [the Bureau of Citizenship and Immigration Services (BCIS)].

If the authorization for temporary residency status will expire within one year and a prior history of residency status renewal exists, the lender may assume continuation will be granted. If there are no prior renewals, the lender must determine the likelihood of renewal, based on information from BCIS.

Although Social Security cards may indicate work status, such as “not valid for work purposes,” an individual’s work status may change without the change being reflected on the actual Social Security card. Therefore, the Social Security card is not to be used as evidence of work status for non-permanent resident aliens; the BCIS employment authorization document is to be used.

Lastly, ONAP intends to remove the reference to Non-Permanent Resident Alien found in 24 CFR 1005.403(a)(3). An amendment to the Section 184 regulations will be announced in a Federal Register notice.

Questions

Any questions regarding this DLL may be directed to Section184Comments@hud.gov.

Signature

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