

EB-5 VISA PROGRAM

How to Immigrate to the US With an Investor Visa

The EB-5 Visa allows an investor and his/her immediate family members (which includes spouses and children under the age of 21) to become permanent residents of the United States. The program requires an investment of \$1,000,000 into the U.S. economy.

HOW DOES THE EB-5 PROGRAM WORK?

A potential investor needs to invest, a minimum of \$1,000,000 into the US Economy or \$500,000 if it is being invested in an area with high unemployment rate, also known as the Target Employment area or TEA and for each such investment 10 full-time jobs for US Worker must be created. There are 2 different investment options:

DIRECT INVESTMENT:

where the Investor can choose to invest in a new enterprise or purchase an existing business. In this case, a minimum of \$1million must be invested or, \$500,000 if the new or existing enterprise is in the Targeted Employment Area.

INVESTMENT THROUGH A REGIONAL CENTER:

this option includes hundreds of different project opportunities, which range from real estate, casinos, ski resorts, manufacturing, agricultural developments, restaurants, sport stadiums, and many more. By investing in a regional center and financing a particular project of that regional center a person would be eligible to apply for the Eb-5 Visa.

EB-5 3 BASIC REQUIREMENTS

1. Immigrant investor must create a business, or invest in an existing business that was created or restructured after 1990;
2. Investment must total \$1 million, or \$500,000 when investing in a Targeted Employment Area and/or regional center; and
3. Business must create at least ten full-time jobs for U.S. workers.

WHAT IS THE PROCESS?

The process will differ initially depending on whether the investment is done through a regional center or as a direct investment. But what is important for both is to show the source of funds. An investor needs to show that the funds being invested are his own funds that he has accumulated by lawful means.

After investing the required amount, whether directly in your own enterprise or through a regional center, Form I-526 needs to be completed. This petition, together with all supporting documents, gets filed with USCIS and as of today, these forms take approximately 15-20 months to be adjudicated. Once approved, the investor who is overseas will apply for an immigrant visa abroad and will receive a 2-year conditional green card.

Application for the EB-5 visa is very document specific and it is imperative to have your interests represented by a competent, experienced immigration attorney. Many applications are denied for lack of sufficient supporting evidence. Choosing to obtain permanent residence in the United States through the Immigrant Investor Program (EB-5) involves the investment of large sums of money, and therefore you want to make sure you have the right immigration attorney guiding you through this process.

EB-5 FREQUENTLY ASKED QUESTIONS

1. If I invest in a Regional Center, when will I get my money back?

Generally, investing into a project through a Regional center will yield in annual dividends of around 1%-7%, however, the investor can expect to get the full investment back within a 5-6 year period. This is just an average number across the country. Recently, there have been reports from investors, who were able to recover their total investment in as little as 6 months to a year. However, it is very important to understand that an investment in a Regional Center, just like an investment into any business, carries a risk. An investor must

understand that he or she could lose all or part of this investment. No Regional Centers can guarantee an investment will be returned.

2. Do I have to reside in the State where the Regional Center is located?

One of the most appealing aspects of investing in a Regional Center is that the investor will not be required to be involved with hands-on, day-to-day operations of the project. The investor will be free to live in any state in the US with very little if any, operational duties.

3. How many Regional Centers are there?

There are literally hundreds of Regional Centers to choose from.

4. What kind of projects can I invest in through a Regional Center?

Regional Centers offer hundreds of different project opportunities, which range from real estate, casinos, ski resorts, manufacturing, agricultural developments, restaurants, sports stadiums, and many others.

**FOLLOW THE AMERICAN DREAM:
BECOME A U.S. INVESTOR**

At The Law Offices of Alice Antonovsky, we can help you throughout the entire application process. We know how important and confusing this process may be and we are here to help you every step of the way. Our office staff speaks English, Russian and Spanish and we will be delighted to help you.

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