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Dear Investor:

Romy Jurado is a lawyer and partner at the law firm of Jurado & Farshchian, PL. She focuses primarily on business, and immigration law.

If you are an investor who is looking to invest in the United States, you may qualify for a particular non-immigrant or immigrant visa depending on such factors as the amount of capital that you are willing to invest.

L-1 Transfer of Executives

This classification of non-immigrant visa allows employers and entrepreneurs to expand their business by opening a company, a branch, a subsidiary or another company affiliated with the foreign company in the United States. As an employer, you could transfer an executive or manager from the affiliated foreign office to your offices in the United States. This visa also allows foreign companies which do not have yet have an affiliated office in the United States to send an executive or manager to the United States for the purpose of establishing an office.

Information to consider:

- This classification does not require a minimum investment amount.
- The investment depends on the type of business to open in the United States, and does not require that the business provide the same service that the foreign company provide.
- With this visa you can eventually apply for permanent residence a Green Card.
- You can bring your spouse and children (L-2 Visa).
- It allows you travel outside the US and re-enter.

Requirements for the employee / employer to qualify for this visa:

- The employer must have a qualifying relationship with a foreign company (parent company, branch, subsidiary or affiliate, collectively referred to as *qualifying organizations*).
- The employer must be, currently or in the future, doing business as an employer in the United States and at least one other country, directly or through a qualifying organization that meets the requirements for the duration of the employee's stay in the United States.
- The employee must have worked full time in the foreign company for at least one year within the preceding three years prior to the application.

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- The employee must enter the United States with the intent to serve in an executive or managerial capacity (with the possibility of decision-making) at a branch of the same employer or one of the qualifying organizations.

E-2 Treaty Investor Visa

Unlike the L-1 visa, the E-2 visa does not require you to have a business abroad. The E-2 visa allows nationals from countries which have a trade agreement with the United States (for the list of treaty countries visit www.jflawfirm.com) to be admitted to the United States when investing a substantial amount of capital in a U.S. business. This visa requires the applicant to invest or be actively in the process of investing a substantial amount of capital in an existing business or establish a new one.

Information to consider:

- This classification does not require a minimum investment amount. However, the investment should be substantial in relationship to the total cost of either purchasing an existing business or establishing a new one.
- The investment should be sufficient to support the likelihood that the investor will successfully develop and direct the enterprise.
- You can bring spouse and children under 21 years (E-2 Visa).
- The visa is initially granted for 2 or 5 years. However, there is no maximum limit to the number of extensions an E-2 nonimmigrant may be granted.
- The investment enterprise may not be marginal (it must have a present or future capacity to generate more than enough income to provide a minimal living for the treaty investor and his or her family).

Requirements:

- Investor must be a national of a country with a commercial treaty with the United States.
- The investment must be a substantial amount (the lower the cost of the enterprise, the higher, proportionately, the investment must be to be considered substantial).
- Investor must have the intent to develop and direct the company. He/she must have at least 50% ownership and operating control of the company.

EB-5 VISA

This type of visa is recommended for investors with high purchasing power. Generally, the minimum qualifying investment is \$1 million. However, the investor also has the option of investing \$500,000 in an area with high unemployment or rural area. The EB-5 program was created by Congress to promote economic growth in the United States economy

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though the creation of jobs and capital investment. As a result, the investor is also required to create or preserve at least 10 direct or indirect full time jobs (40 hours per week).

Things to know about the EB-5 program:

- You can invest \$1 million in a business and create 10 direct full time jobs; or
- You can invest \$500,000 in a high unemployment area or a rural area, which is defined as an area outside a metropolitan statistical area (as designated by the Office of Management and Budget) or outside the boundary of any city or town having a population of 20,000 or more according to the decennial census.
- You can invest through an EB-5 Regional Center designated by United States Citizenship and Immigration Services (USCIS). In this situation, the investor is required to create direct or indirect jobs.
- Congress has reserved 3,000 of the 10,000 EB-5 visas authorized annually for EB-5 investors who invest in a high unemployment area or a rural area.

Jurado & Farshchian, P.L. can advise and guide investors and business owners who intend to invest strategically in the United States and/or acquire work visas for themselves or their workers. We encourage you to visit our website to learn more about the services that we offer. Please contact us if you have any questions. We are available via (305) 921 0440, Skype or email at Romy@jflawfirm.com.

Best Regards,

Romy Jurado, Esq