

COSTA RICA IMMIGRATION FREQUENTLY ASKED QUESTIONS (FAQs)

Disclaimer: The following questions are a collection of real questions formulated to **GLC** over the years which we believe represent some of the most common questions that individuals interested in obtaining **residency in Costa Rica** normally have. Our answers **ARE NOT** in any way legal advice, they are just general information provided as reference so that the general public might obtain a better understanding of the **residency application process in Costa Rica**. Any unauthorized copying, alteration, distribution, transmission, performance, display or other use of this material is prohibited. As Costa Rican lawyers we are not allowed by the Costa Rican Bar Association from providing legal advice without the prior existence of a **client/attorney relationship**, in order to obtain legal advice for your specific case we encourage you to seek specialized legal advice.

1. I would like to start my residency when I move to Costa Rica. My plan is to request the necessary documents when down there so they are current do people do that?

Answer: the normal procedure that our clients follow and that we recommend is to coordinate with us so that we can assess the precise method in which the documents are retrieved in their country of origin. By doing that we make sure that client's **Birth Certificate** and **Background Check** are current and that they are either apostilled or Legalized depending on each country, also when we send our **Immigration Form** our **Immigration attorneys** are able to assess particular situations in which the applicant faces significant difficulties in obtaining the necessary documents or even cases in which it is virtually impossible to obtain them.

So the normal procedure is that the client retains our services we provide the necessary legal guidance and the client visits Costa Rica with the properly prepared documents and in that moment we file the **residency**. Once the **residency** is filed their status changes from tourists to residency applicants, allowing them to remain in the country while the residency is being processed.

So as you can see moving down to Costa Rica and then requesting the documents is not recommended as the process to receive the properly prepared documents remotely usually takes at least 2 months. It is also important to note that even though that residencies can be filed incomplete, we highly advise against it as such practice considerably delays the process as residencies are only processed by the **Immigration Authority** once ALL the documents and requirements have been properly filed.

*2. Hello I am Costa Rican, I married a US Citizen a year ago, we are interested in him having **Costa Rican residency**, we would like to hire your services, please let us know the prices and which documents we need to take to Costa Rica, in order for my husband to start the **residency process**, also something very important, we will be arriving in Costa Rica next month we would like to know the following after my husband starts the **residency process**, is he allowed to leave the country of Costa Rica while the residency request is still in process ? Or if you recommend to stay in Costa Rica while all the process is completed, we would like to know, thank you very much for your attention.*

Answer: Based in that description he would be eligible for a **Residency** based on his marriage with a **Costa Rican citizen** or **Residencia por Vinculo**. Our procedure is to send our **Immigration Form** so that the client can complete it with basic personal information that we need to analyze for the particular situation, before we can provide any type of legal advice, it is important for us to clarify that as Costa Rican attorneys we are subject to the professional regulations of the **Colegio de Abogados de Costa Rica** so we are not allowed to give any legal advice prior to the existence of a **client/attorney relationship**. Once the client retains our services with 50% of the legal fees, we are able to provide legal advice in relation to the exact processing of his or her residency.

As general information we can confirm that filing the residency does not in any way restrict the location of the applicant. Having filed a **residency application** does not confer any rights to the foreign individual as he is just a candidate and his request has to be properly analyzed and approved by the Immigration Authorities, having said that, the country tolerates the applicants to remain the country while waiting for the approval of their residencies, a large percentage of our clients decide to stay during the approval process.

3. I am from Australia and have income that will continue regardless of where I live and savings. Are you able to tell me what my likely options are?

Answer: When a foreign individual receives foreign income and has savings, the options are as follows:

- a) For cases in which the applicant receives a lifetime pension of at least US \$1000.00 per month that could be used to apply for Pensionado Residency.
- b) If the person can demonstrate with evidence that at least during the next 2 years he or she will receive a minimum monthly income of at least US \$2500.00 that could be used to apply for the Rentista Residency.
- c) If the monthly income is less than US \$2500.00 or if it cannot be demonstrated that it will be paid by a properly registered and recognized international company, then we would have to determine if that person is willing to open a Certificate of Deposit (CD) for 2 years in a local bank for a minimum amount of US \$60,000.00. This method is very common among our clients and with this modality, the client

receives from his or her same funds a minimum monthly deposit of US \$2500.00, this is another way to become eligible as a Rentista Resident.

- d) If with your savings you plan to invest in the acquisition of a Costa Rican asset such as a property or a company and such investment reaches at least US \$200,000.00, you can become eligible for an Inversionista Residency.
- e) If none of the previous options work for you, we could explore the possibility of applying as a Self Employed Individual. This category is reserved for entrepreneurs or business people that are willing to open a business in Costa Rica and obtain all the necessary permits, such residency can be seen as a "last recourse" as its approval criteria are not clearly established by the Immigration Authorities, contrary to options a b and c which are extremely straightforward.

4. My husband and I currently live in the United States and would like to obtain temporary residency in Costa Rica based on the Pensionado program. We have a number of questions regarding income requirements and the amount of time that we would be required to reside in Costa Rica in order to maintain temporary status. Our long-term goal is permanent residency for which we also have many questions. Can your firm assist with this effort?

Answer: Costa Rica continues to offer what is known as the Pensioner or *Pensionado* Residency, the key criteria to be eligible is for the applicant to be able to demonstrate a minimum lifetime income of at least US \$1000.00 per month paid by a government agency. Such requirement extends the eligibility to the spouse of the beneficiary and to children of under 18 years.

It is important to clarify that in the case of spouses, residencies are processed in connection with the main applicant but that each residency is processed individually.

The most important documents needed are:

- Birth Certificate
- Criminal Background Check
- Pension Letter
- Marriage License Certificate (Depending on the country of origin this document sometimes expires 2 months after being issued)

All foreign documents have to be issued within the last 6 months prior to filing and have to be properly apostilled or legalized and translated to Spanish.

5. I am interested in legal assistance to obtain Costa Rican residency as a pensioner. Besides proof of \$1000 monthly pension income, what other

documents are required? Will my wife and child be covered under the pensioner's residency? How long will the process take?

Answer: GLC has more than 20 years of experience in Immigration Law, in that time we have processed literally hundreds of residencies for individuals of many different nationalities, with tremendous success, our approval rates should be around 99%.

As you have mentioned, receiving at least US \$1000.00 per month for lifetime from a government recognized institution is the key criteria to become a *Pensionado* or Pensioner Resident. As in most of the other types of residencies, the other mandatory requirements are:

- **Birth Certificates**
- **Background Checks**
- **Marriage License if applicable** (Depending on the country of origin this document sometimes expires 2 months after being issued)

All foreign documents have to be issued within the last 6 months prior to filing and have to be properly legalized and translated to Spanish. The duration of residency procedure in Costa Rica fluctuate depending on the volume of the residency applications being processed, also depending on the consistency of the follow up efforts of your specialized immigration law attorney and on the preciseness of the preparation of the requirements. Based on that and on our more than 20 years of experiences we currently estimate the minimum duration of the process to be between 6-12 months after having filed with all the documents complete and in perfect adjustment to local formalities. During that wait period most of our clients remain in Costa Rica, waiting for approval as the government tolerates such status of residency applicants.

6. I am European and my girlfriend is Venezuelan. We have visited Costa Rica in the past and we want to return this year, and hopefully stay. But we do have some questions;

a) What are ways we can apply for Permanent residency?

Answer: Costa Rica only offers Temporary Residency to begin. The most common and effective ways to gain Temporary Residency are:

- **Investors Residency:** requires a minimum investment of US \$200,000.00 in a Costa Rican asset i.e. house or business.
- **Rentist Residency:** requires to demonstrate a minimum foreign income or rent of at least US \$2500.00 per month guaranteed by a properly registered company, or to make a Certificate of Deposit (CD) for 2 years in a local bank for a minimum amount of US \$60,000.00. This method is very

common among our clients and with this modality, the client receives from his or her same funds a minimum monthly deposit of US \$2500.00.

- **Self Employed Residency:** If none of the previous options work for you, we could explore the possibility of applying as a Self Employed Individual. This category is reserved for entrepreneurs or business people that are willing to open a business in Costa Rica and obtain all the necessary permits, such residency can be seen as a "last recourse" as its approval criteria are not clearly established by the Immigration Authorities, contrary to options a b and c which are extremely straightforward.

b) Can my Venezuelan girlfriend get a permanent residency too?

Answer: If she has the necessary Visa to enter the country, Costa Rica doesn't distinguish between nationalities as established by our Political Constitution which guarantees equal rights to all people. She can apply individually meeting the same criteria in order to become eligible for one of the aforementioned categories or you would be able to extend the benefit to her or vice versa only if you were married.

Residency applicants only obtain the status of Temporary Residents, it's only after maintain their Temporary Residency for at least 3 years that they can request to become Permanent Residents. After 5 or 7 years depending on their nationality residents may request Costa Rican citizenship.

c) What are the common required documents by most of the residency categories?

Answer:

- **Birth Certificate**
- **Background Check**

- **Marriage License if applicable** (Depending on the country of origin this document sometimes expires 2 months after being issued)

All foreign documents have to be issued within the last 6 months prior to filing and have to be properly legalized and translated to Spanish. Consult with our Immigration Division before requesting such documents in order to make sure that all local formalities are taken into consideration as a key to speedy approval.

d) Can my girlfriend and I change our driver's licenses for a Costa Rican license?

Answer: Foreign individuals are allowed to drive in Costa Rican territory with their valid foreign license while their tourist visa is still up to date. In order for a foreigner to obtain a

Costa Rican driver's license, it will be necessary for him or her to become a Temporary Resident. After the person receives their residency id. card the now resident has to have a valid foreign driver's license and will have to remain at least 90 successive days in Costa Rican territory to receive a local driver's license.

e) How much time is "normally" needed to obtain a residency?

Answer: Processing times for residency approvals are not clearly established by the Immigration Authority, however based on our more than 20 years of experience in Immigration Law we have been able to determine that the wait period after having filed a residency that meets ALL the necessary criteria with properly prepared documents and with a specialized immigration attorney ranges from 6-12 months with variations due to the complexity of each specific case and affected by the processing volume of the Immigration Authority and external phenomena.

f) Does a permanent residency have restrictions?

Answer: Once the residency changes from Temporary which is normally restricted to a specific condition, the resident can request to become a Permanent Resident. Once a Permanent Resident, the individual receives what is known as a Free Condition residency which implies that he or she has no work restrictions and what separates him or her from a citizen is only the right to vote on local elections.

7. I am looking at Costa Rica as a place to base my business. I would also like to become a resident of Costa Rica. Is there a business visa for Costa Rica? My company is new, but will be able to prove 60K in the next 6-8 months...but I would like to incorporate first.

Answer: Based on your profile, the most common and effective ways to gain Temporary Residency are:

- **Investors Residency:** requires a minimum investment of US \$200,000.00 in a Costa Rican asset i.e. house or business.
- **Rentist Residency:** requires to demonstrate a minimum foreign income or rent of at least US \$2500.00 per month guaranteed by a properly registered company, or to make a Certificate of Deposit (CD) for 2 years in a local bank for a minimum amount of US \$60,000.00. This method is very common among our clients and with this modality, the client receives from his or her same funds a minimum monthly deposit of US \$2500.00.

- **Self Employed Residency:** If none of the previous options work for you, we could explore the possibility of applying as a Self Employed Individual. This category is reserved for entrepreneurs or business people that are willing to open a business in Costa Rica and obtain all the necessary permits, such residency can be seen as a “last recourse” as its approval criteria are not clearly established by the Immigration Authorities, contrary to options a b and c which are extremely straightforward.

Those are the options available for business people, there is no specific category that can be called a Business Visa which would allow you to become a Resident of Costa Rica. For cases in which the applicant needs his savings as working capital and they are less than US \$200,000.00 the option left would be the Self Employed Residency.

8. Would like gain citizenship to the Republic of Costa Rica would like to hire an attorney to streamline this process for me.

Answer: Costa Rica offers residencies for qualified individuals, there is no citizenship program offered by the Government of Costa Rica, in order to become a Costa Rican citizen you have to be born in our territory or would have to maintain resident status for 5-7 years depending on your nationality in order to request Costa Rican citizenship. Another way to obtain Costa Rican citizenship is 2 years after marrying a Costa Rican citizen.

We have to clarify that Costa Rican Immigration authorities have established a procedure in order to verify that every single marriage related residency and/or citizenship application is real. It is necessary to demonstrate a real relationship and marriage in order to avoid being accused of a felony with serious consequences for all the parties involved including the Notary Public who accepted to celebrate the marriage.

9. Hello, I was looking for a firm to help me applying to immigrate to Costa Rica. I am a solar design Engineer, developing ecosystems for growing organic food. I have constant trust fund income of the amount of \$2680/month for the past 5 years and I am looking to relocate my business and development to Costa Rica.

Answer: Costa Rica welcomes entrepreneurs and highly qualified individuals. Based on your description, you might be eligible to become a *Rentista* Resident.

Rentist Residency: requires to demonstrate a minimum foreign income or rent of at least US\$2500.00 per month guaranteed by a properly registered company, or to make a Certificate of Deposit (CD) for 2 years in a local bank for a minimum amount of US\$60,000.00. This method is very common among our clients and with this modality, the client receives from his or her same funds a minimum monthly deposit of US\$2500.00.

10. I was charged with two felonies. Will this misdemeanor conviction prevent me or bar me from entering Costa Rica and getting permanent residency?

Answer: A key requirement to become a Costa Rican resident is to submit a “clean” Background Check, the Immigration Law establishes that individuals who have been convicted of a felony in the last 10 years will not be approved.

It is important to correctly distinguish between a misdemeanor and a felony according to local Criminal Law. The role of the Immigration Authority is to protect our territory from foreign individuals that could represent a threat to the safety and moral standards of our country. As a law firm we reserve our right to select our clients based on Know Your Client (KYC) policies.

11. I would like to have more information about immigration and residency on a business base I have an online business - do I need to pay taxes in CR? (I earn my money outside of CR?) We are a family of 4 members (2 adults+2 little kids).

Answer: Costa Rica welcomes serious business people that can contribute to the development of the local economy and take advantage of the important quantity of business opportunities available in the country.

The following are the main residency options available for businessmen and their families:

- **Investors Residency:** requires a minimum investment of US \$200,000.00 in a Costa Rican asset i.e. house or business.
- **Rentist Residency:** requires to demonstrate a minimum foreign income or rent of at least US\$2500.00 per month guaranteed by a properly registered company, or to make a Certificate of Deposit (CD) for 2 years in a local bank for a minimum amount of US \$60,000.00. This method is very common among our clients and with this modality, the client receives from his or her same funds a minimum monthly deposit of US \$2500.00.
- **Self Employed Residency:** If none of the previous options work for you, we could explore the possibility of applying as a Self Employed Individual. This category is reserved for entrepreneurs or business people that are willing to open a business in Costa Rica and obtain all the necessary permits, such residency can be seen as a “last recourse” as its approval criteria are not clearly established by the Immigration Authorities, contrary to options a b and c which are extremely straightforward.

So based on your current circumstances you should evaluate which options suits you better. Costa Rican Tax Law is governed by the principle of Territoriality so business activities conducted outside of Costa Rica are not obligated to pay taxes in the country. In order for you to determine if you will have to pay taxes you will have to assess where is business being conducted and where it has its effects. The benefit of a Costa Rican Residency is extended to the spouse and to children under 25 years of age if they are active students.

12. I am planning to move to Costa Rica in the next months with my fiancée and our two small boys aged one and three. We want to as quickly as possible get married and then apply for the temporary residency as "rentistas. We will bring with us birth certificate, affidavit of single status and our criminal records, all apostilled. We will also bring a letter of recommendation from our bank so as to open a bank account. We were wondering if you could help us with paperwork for both the marriage and application for the temporary residency.

Answer: Costa Rican residencies offer the main applicant the option of extending his or her benefit to the spouse and to children under 18 years or up to 25 years if they are studying. In order to extend the benefit it is necessary to be legally married and only after the marriage is properly registered that you could begin with the residency process for the dependent spouse.

It is essential to begin the process by retaining the services of a specialized immigration attorney so that we can assess the specific formalities of the required documents i.e. Birth Certificate, Marriage License, Background Check and other documents required to become a Costa Rican resident.

13. I am interested in getting residency in Costa Rica along with my boyfriend. We're not of retirement age, and through our research I've found this path which is interesting to me:

The path is "Temporary Residency for Self Employed Skilled Worker". I would like to learn more about this path and I'm wondering if you can share any information about it with me. I believe it may be the same as "Residencia Temporal Empleados Especializados Por Cuenta Propia Y Sus Dependientes" which I've seen at migracion.go.cr.

Do you think it is a path worth following for us?

Answer: For business people who cannot comply with the requirements of the Investor's Residency nor the Rentist Residency, the Self Employed Residency is the option left.

- **Self Employed Residency:** This category is reserved for entrepreneurs or business people that are willing to open a business in Costa Rica and obtain all the necessary permits, such residency can be seen as a “last recourse” as its approval criteria are not clearly established by the Immigration Authorities, contrary to options Investor or Rentist which are extremely straightforward.

To apply for the Self Employed Residency you will at least have to comply with the following processes:

- Form a Costa Rican Company
- Open a Costa Rican Corporate Bank Account
- Register the Company as an Employer
- Employee local labor (not properly established how many)
- Obtain Work Risk Insurance
- Obtain a Business License
- Provide Financial Statements

The applicant has to demonstrate that he or she has created a legal business with a sound plan that will contribute to the local economy and demonstrate that it will serve as his financial support in the country so that he or she will not become a burden for Costa Rican society.

GLC specializes in business setup for foreigners in Costa Rica.

14. Hello, I am in need of some help understanding if I am eligible for my Costa Rican citizenship. My mother is a born citizen of Costa Rica but I was never able to work further into seeing if I am able to get it. I haven't spoken to my mother for a few years, but regardless of that I was curious to see what is the procedure to see if I am able of getting it. On my birth certificate I have her name on it as well.

I have heard some things that a child of a born Costa Rican citizen has until age 25 to still be eligible to apply. That was the last time I spoke to a Costa Rican embassy around 2 years ago.

Could you assist me with this or have any idea who may?

Answer: The period to claim Costa Rican citizenship is for individuals of Costa Rican parents is between the ages of 21 and 25 without the presence of the Costa Rican parent or if the applicant is less than 21 years old, the applicant requires the presence of the parent in order to request the citizenship. The procedure is conducted at the Civil Registry

of Costa Rica and it's necessary to provide a document demonstrating the relation with the Costa Rican parent.

If the person is over 25 years old then he or she will have to apply for Permanent Residency and only after 5-7 years of holding the permanent resident he or she could request the citizenship.

15. I have an attorney working on my migration case, but I'd like a second opinion on one aspect of this. I am willing to pay a consultation fee for this information. My attorney has submitted my application, and has returned to me my application receipt (tramite). He has told me that with this paper, I do not have to leave Costa Rica within 90 days, and if I leave after 90 days they will let me back in. I want to verify that this is correct. Please let me know what steps I can take to get a review of this issue.

Answer: The normal practice in Costa Rican Immigration procedures is that clients prepare the foreign documents with the guidance of a specialized Costa Rican Immigration Lawyer before they arrive to Costa Rica. They enter the country with their Tourist Visa and then once the Residency Application is filed their status changes from Tourist to Residency Applicant. As a matter of fact the government charges US \$250.00 per applicant for the processing of the change of status.

With the receipt residency applicants stay in Costa Rica for their approval, during that period of "tolerance" from the authorities, the applicants are not required to stay in our territory. They are free to exit and there at their will.

When entering Costa Rica during the "tolerance" period you will still have to show:

- Departure ticket
- A minimum of US \$300.00 in cash or credit card
- Valid Passport

We advise our clients to always carry the residency in progress receipt with them after their 90 days visa is expired, we have seen any negative legal consequences of that decision in the last 20 years of Immigration Law practice.

16. My daughter was born in Costa Rica and holding the nationality but need to renew the passport due to staying abroad for quite 18 years already. Can I renew her passport without visiting Costa Rica? If not, what documents do I need to bring to Costa Rica to have her passport renewed?

Secondly, can I apply for citizenship, and how to apply? Can my ex-husband can apply as well? If he can apply, can he apply for his other son from his ex-wife?

Answer: The Passport renewal can be requested at the Costa Rican Consulate corresponding to where the person is resident of. In order to do that it's necessary for the applicant to have a valid and up to date Costa Rican identification (*cédula*).

In order for a parent of a Costa Rican citizen to be able to request citizenship, it's necessary to have maintained a Costa Rican residency for at least 5-7 years.

17. I will be in Costa Rica soon looking for our next home and meeting with immigration attorneys to explore my options. Do you offer free consultations?

Answer: As Costa Rican attorneys we are governed by the Colegio de Abogados de Costa Rica (Costa Rican Bar Association) so we are prohibited from providing legal advice without the prior existence of a client/attorney relationship and the necessary payment of legal fees for our professional legal advice. If legal advice is provided without the necessary payment of legal fees, the attorney could receive a sanction from the Bar. We can provide general information but not legal advice nor guidance to your specific situation.

18. I would like to speak to somebody who could help with questions related to becoming a Costa Rican citizen. Opening a business. In purchasing real estate in Costa Rica.

Answer: Costa Rica does not offer citizenship to foreign citizens. Costa Rica does offer Residency as an Investor for qualified applicants who can invest in a Costa Rican property or business at least US \$200,000.00.

GLC assists foreign individuals with their residency process and their property acquisition process as well.

Costa Rica also offers the Self Employed Residency, for that you will at least have to comply with the following processes:

- Form a Costa Rican Company
- Open a Costa Rican Corporate Bank Account
- Register the Company as an Employer
- Employee local labor (not properly established how many)
- Obtain Work Risk Insurance
- Obtain a Business License

- Provide Financial Statements

19. I'm planning a 3 month trip to beautiful Costa Rica to gain permanent retirement. I'm going to apply for pensionado status. I'm disabled never to return to work. My Social Security is slightly more than US \$1000.00 per month. I have started to fill out my passport application. Will I need a Visa to enter? Or can you send the appropriate papers I will need when I arrive.

Answer: The key criteria to apply for *Pensionado* or Pensioner Residency is to receive a lifetime monthly minimum income of US \$1000.00. Depending on your nationality you will not need a Visa to enter Costa Rica as a tourist. The best method is to retain the services of a specialized Costa Rican immigration attorney so that you can begin to retrieve the necessary documents with all the formalities prior to your arrival. That way you will make sure that the efforts to obtain them are in perfect alignment with Costa Rica Immigration formalities, upon your visit we will file the Residency Application and you could stay in Costa Rica waiting for the approval.

20. I am interested for incorporation limited liability company (LLC), residence and work permit in Costa Rica. Can you send me more information for incorporation of company, work and residence permit in Costa Rica?

Answer: GLC specializes in comprehensive foreign advisory and business setup in and from Costa Rica.

For business people it is ideal for them to form a Costa Rican company so that they can conduct business activities in Costa Rica. The company can be used to apply for the following 2 types of residencies:

- **Investors Residency:** requires a minimum investment of US \$200,000.00 in a Costa Rican asset i.e. house or business.
- **Self Employed Residency:** This category is reserved for entrepreneurs or business people that are willing to open a business in Costa Rica and obtain all the necessary permits, such residency can be seen as a "last recourse" as its approval criteria are not clearly established by the Immigration Authorities, contrary to the Investors Residency which is extremely straightforward.

When you obtain Residency as an Investor or Self Employed you are authorized to conduct business, not to receive a salary as an Employee of a Costa Rican company. In order to obtain a Work Permit as an individual authorized to work in Costa Rica you have to be sponsored by a Costa Rican company and receive authorization and approval from Costa Rican Immigration as a Skilled Worker.

21. I am enquiring about residency in Costa Rica. I have a property portfolio abroad which brings me in a significant amount of rental income and I am looking to reside somewhere warmer. My income I believe more than satisfies the requirements for residency. Is it simply enough to begin the process by attending Costa Rica and your offices.

Answer: The residency process starts with the hiring of the specialized Costa Rican immigration law attorney so that the applicant can receive the proper guidance and conduct a pre-eligibility assessment. If done that way, the applicant visits Costa Rica with all the formalities in order to file and request the residency.

For applicants that receive income from abroad the following is the general criteria for the Rentista Residency.

Rentist Residency: requires to demonstrate a minimum foreign income or rent of at least US \$2500.00 per month guaranteed by a properly registered company, or to make a Certificate of Deposit (CD) for 2 years in a local bank for a minimum amount of US \$60,000.00. This method is very common among our clients and with this modality, the client receives from his or her same funds a minimum monthly deposit of US \$2500.00.