

In what cases is the residence permit not issued?

Published: 11.10.2020.

The issue or registration of a residence permit shall be refused to a third country citizen if:

a foreigner or his or her inviter has not submitted all the documents specified in the Regulations of the Cabinet of Ministers required to request a residence permit, or refuses to provide the explanations required which are related to the receipt of a residence permit;

a foreigner or his or her inviter has provided false information or the submitted documents are acquired in an unlawful way, they are false or manipulations have been performed with them;

a foreigner does not have the necessary financial resources for residence in the Republic of Latvia;

a foreigner has filed the documents required for requesting a residence permit with a travel document not recognised or invalid in the Republic of Latvia, or he or she does not have a travel document;

a foreigner has a health disorder or disease that endangers the safety of the public and the health of the members thereof, or there is reason to believe that the foreigner may cause a threat to public health, except in the case where the foreigner, with the consent of the Ministry of Health, enters for medical treatment of the relevant health disorder or disease. The Cabinet of Ministers determines a list of health disorders and diseases. If the above health disorder or disease of the foreigner arose during the period of validity of the previous residence permit and he or she wishes to obtain a new residence permit, in addition to the required documents a certification from a medical institution shall be submitted, which certifies that the foreigner has performed all the necessary measures for the medical treatment of the relevant illness;

a foreigner has been illegally residing in the territory of the Republic of Latvia or another Schengen Agreement Member State during the last year or it has been established by a court judgment that he or she has helped another foreigner to enter the territory of the Republic of Latvia or another Schengen Agreement Member State illegally;

a foreigner has been included in the list of persons, for whom entering the Republic of Latvia is prohibited, or it has been established that he or she is prohibited from entering the Schengen territory;

a foreigner has been found guilty by a court judgement of committing a criminal offence in the Republic of Latvia or outside it, for which the sentence – deprivation of liberty for a period exceeding three years – is provided for by the law of the Republic of Latvia. This condition shall not apply if the status of a stateless person in the Republic of Latvia has been granted to the foreigner or the conviction has been extinguished or set aside in accordance with the procedures set forth by law, but with regard to criminal offences committed in foreign countries – at least five years have elapsed after the serving of the sentence of deprivation of liberty;

a foreigner has received remuneration (compensation) for moving to another state for permanent residence therein irrespective of the fact of whether the remuneration (compensation) has been provided by state or local government institutions of the Republic of Latvia or international (foreign) funds or authorities. This condition shall not apply to a foreigner who was a minor at the time of the receipt of the remuneration (compensation), to a foreigner who has reimbursed the remuneration (compensation) as well as to a foreigner who requests a temporary residence permit, but the request is not based on Sections 25, 26, 30 or 31 of the [Immigration Law](#). The procedures for the reimbursement of the remuneration (compensation) shall be determined by the Cabinet of Ministers;

the inviter has lost the right to reside in the Republic of Latvia;

a foreigner has not complied with the term referred to in Part Four of Section 24 of the [Immigration Law](#), except in the case when the foreigner can produce evidence that the deadline had been missed due to a justified reason;

a foreigner has joined a foreign military service;

there is reason to believe that a foreigner has entered into a marriage of convenience in order to receive a residence permit in the Republic of Latvia;

a foreigner is under the guardianship or trusteeship of such foreigner for whom entry into the Republic of Latvia is prohibited;

there is reason to believe that the established adoption is fictitious and established in order for the foreigner to receive a

residence permit in the Republic of Latvia;

an inviter withdraws the letter of invitation in writing;

the inviter has deceased or its not able to perform the provisions of Section 9¹ of the Immigration Law;

competent State institutions have provided information which constitutes grounds for prohibiting the foreigner from entering and residing in the Republic of Latvia;

a permanent residence permit has been requested in accordance with Paragraph 8 of Part One of Section 24 of the [Immigration Law](#) and there have been grounds to withdraw the status of a Latvian citizen or non-citizen of Latvia in accordance with the Law on Citizenship or the Law On the Status of Those Former USSR Citizens who do not have Citizenship of Latvia or that of any Other State;

there is a reason to believe that the foreigner causes the risk of illegal immigration;

the inviter is in a pre-trial investigation or a deprivation of liberty institution, except in the case where the residence permit is requested by the spouse of the inviter and there is a minor child in their family;

the residence permit has been requested in accordance with Paragraph 1 of Part One of Section 23, Paragraph 2 or 3 of Part One of Section 25, Paragraph 2 or 3 of Part One of Section 26, Part One of Section 30 or Section 31 of the [Immigration Law](#) and the inviter resides outside of the Republic of Latvia for a period exceeding six months in a year, except in the case where the inviter is a seafarer or fulfils military service in the National Armed Forces of the Republic of Latvia or civil service outside of the Republic of Latvia, or the residence permit is requested by the spouse of a Latvian citizen or a non-citizen of Latvia, or the spouse of a foreigner who has received a permanent residence permit and there is a joint child in their family;

a foreigner has resided in the Republic of Latvia in accordance with Paragraph 2, 3, 4 or 7 of Part One of Section 23 of the [Immigration Law](#) and taxes have not been paid for him or her in the last year or he or she has a tax debt as provided for in the legal acts;

the spouses do not comply with the conditions of Part Three of Section 26 of the [Immigration Law](#) or there is reason to believe that the marriage does not exist in fact;

the residence permit has been requested in accordance with Paragraph 2, 3 or 4 of Part One of Section 23 of the [Immigration Law](#) and a commercial company, a branch of a foreign merchant, an individual merchant or a self-employed person has not performed active economic activity and has not provided economic benefit to the Republic of Latvia during the last year;

a foreigner requests a residence permit in accordance with Paragraph 8 of Part One of Section 23 of the [Immigration Law](#) and a representation of a foreign merchant, which is operating in the Republic of Latvia, has not performed active activity during the last year, which would result in facilitating the development of the economy of the Republic of Latvia;

a permanent residence permit has been requested in accordance with Part One of Section 24 of the [Immigration Law](#) and there was a basis for the annulment of a previously issued temporary residence permit in accordance with Parts One and Two of Section 35 of the [Immigration Law](#);

a foreigner requests a residence permit in accordance with Paragraph 2, 3, 6 or 7 of Part One of Section 24 of the [Immigration Law](#) and it has been determined that he or she has not fulfilled the conditions of Part Seven of Section 24 of the [Immigration Law](#).

a foreigner has filed the documents for requesting a European Union Blue Card and:

- has received the status of a refugee or alternative status, or temporary protection in the Republic of Latvia or has requested asylum in the Republic of Latvia and the final decision has not been adopted,
- has requested a residence permit in accordance with Paragraph 9 of Part One of Section 23 of the [Immigration Law](#),
- he or she has been granted the status of a long-term resident of the European Community in another Member State of the European Union,
- he or she is entering in accordance with an international agreement, which regulates facilitated entry and residence of trade and investment-related foreigners,
- he or she resides in another Member State of the European Union as a seasonal employee,
- his or her removal from the country has been suspended,

- he or she resides in the Republic of Latvia as a service provider;

there is reason to believe that the real reason for a foreigner applying for a residence permit does not comply with that which has been indicated in the filed documents;

a foreigner has been employed during the last year, but he or she has not had the right to employment;

it has been established that the issue of the residence permit does not comply with the conditions specified in Section 23, 24, 25, 26, 27, 28, 29, 30 or 31 of the Immigration Law;

a legal person, inviting the employee posted within the framework of the enterprise, is established with the purpose to simplify entry of foreigners into the Republic of Latvia;

a foreigner has received a temporary residence permits in accordance with Section 23, Paragraph one, sub-paragraph 33 of this Law and the capital company has failed to perform the provisions of Section 23, Paragraph one, sub-paragraph 33 (a) or (b) of this Law;

a foreigner has received a temporary residence permit in accordance with Section 23, Paragraph one, sub-paragraph 33 of this Law and he or she fails to comply with the provisions of Section 23, Paragraph twelve;

a foreigner has requested or received a temporary residence permit in accordance with Section 23, Paragraph one, sub-paragraph 2, 3, 6, 28 or 33 of this Law and the individual merchant or capital company, where he or she is employed or performs commercial activity, has a registered debt of taxes set by regulatory enactments, exceeding 150 euro;

for a foreigner requesting a permanent residence permit in accordance with Paragraph 8 of Part One of Section 24 of the [Immigration Law](#), such permit may be refused in the following events:

- a foreigner or his or her inviter has not submitted all the documents specified in the Regulations of the Cabinet of Ministers required to request a residence permit, or refuses to provide the explanations required which are related to the receipt of a residence permit;
- the foreigner or his or her inviter has provided false information or documents submitted are obtained in an unlawful way, have been falsified or tampered with;
- a foreigner has filed the documents required for requesting a residence permit with a travel document not recognised, or invalid in the Republic of Latvia, or he or she does not have a travel document;
- a foreigner has been included in the list of persons for whom entering the Republic of Latvia is prohibited, or it has been established that he or she is prohibited from entering the Schengen territory;
- a foreigner has received remuneration (compensation) for moving to another state for permanent residence therein irrespective of the fact of whether the remuneration (compensation) has been provided by state or local government institutions of the Republic of Latvia or international (foreign) funds or authorities. This condition shall not apply to a foreigner who was a minor at the time of the receipt of the remuneration (compensation), to a foreigner who has reimbursed the remuneration (compensation) as well as to a foreigner who requests a temporary residence permit, but the request is not based on Sections 25, 26, 30 or 31 of the [Immigration Law](#). The procedures for reimbursement of the remuneration (compensation) shall be determined by the Cabinet of Ministers;
- a foreigner has not complied with the term referred to in Part Four of Section 24 of the [Immigration Law](#), except in the case when the foreigner can produce evidence that the deadline had been missed due to a justified reason;
- a foreigner has joined a foreign military service;
- there have been grounds to withdraw the status of a Latvian citizen or non-citizen of Latvia in accordance with the Law on Citizenship or the Law on the Status of Those Former USSR Citizens who do not have the Citizenship of Latvia or that of any Other State.

!!! If it is established that the foreigner, while residing in the Republic of Latvia, within the last five years starting from the day when the documents for requesting or registering the residence permit have been filed, has committed an administrative violation and has failed to pay the imposed fine by the deadline set forth by legal acts, the residence permit shall only be issued after the payment of the respective fine, except for the event when the operation of the administrative act has been suspended or the court adjudication regarding the payment of the fine has not entered into force.

!!! If the issue or registration of a temporary residence permit has been refused for a foreigner requesting a temporary residence permit or residing in the Republic of Latvia in accordance with Part One of Section 23 of the Immigration Law then the issue or registration of a temporary residence permit shall be refused to the foreigner's family members as well.



<https://www.pmlp.gov.lv/en/what-cases-residence-permit-not-issued>