Staying in France Beyond Ninety Days

The long-stay visitor route for American clients — remote work, sabbaticals and second homes.

LEXCASE — IMMIGRATION & INTERNATIONAL MOBILITY · JUNE 2026

Photo by Anthony DELANOIX -- Unsplash

The ninety-day wall is now enforced automatically

For decades, Americans enjoyed a comfortable ambiguity at French borders. Passports were stamped by hand, stamps were sometimes forgotten, and the Schengen rule allowing 90 days of stay in any rolling 180-day period was, in practice, loosely policed.

That era has closed. The European Entry/Exit System (EES) began its progressive rollout on 12 October 2025 and became fully operational on 10 April 2026. Every entry and exit by a third-country national travelling for a short stay is now recorded biometrically, and the 90/180 calculation runs by itself. The ETIAS travel authorisation is expected to follow from the last quarter of 2026.

The practical consequence is simple. If you plan to spend a French winter, a sabbatical year, or a period of remote work from a house in Provence, the visa-free route no longer works, and the risk of an overstay is no longer theoretical. The instrument designed for exactly this situation is the **long-stay visitor visa** — the *visa de long séjour valant titre de séjour, mention « visiteur »* (VLS-TS visiteur).

What "visitor" status actually is

Article L. 426-20 of the French Immigration Code (CESEDA) sets out three cumulative conditions. The applicant must:

- **live on their own resources**, without recourse to the French welfare system;
- **hold health insurance** covering the whole period of stay;
- **undertake in writing not to carry out any professional activity in France** requiring authorisation.

Note what the text does *not* require. There is no minimum investment, no property purchase, no French language test at entry, and no employer sponsorship. Visitor status is not an investment-based residence programme: it is a residence status for people who are financially self-sufficient and economically inactive *in France*. That distinction — inactive in France, rather than inactive altogether — is where most of the real questions lie.

The question every American asks: can I keep working remotely?

Clients who intend to keep their US job and work from a French address have long received contradictory answers. That uncertainty was substantially resolved this year.

Responding to written parliamentary question no. 11730 (published in the *Journal Officiel* of 16 December 2025), the Minister of the Interior stated on 23 June 2026:

> *"There is no legislation governing the right of residence of foreign nationals teleworking on French territory for the benefit of the economy of another foreign country […] A residence permit issued for a professional purpose implies the exercise of an activity on French territory which is integrated into the French economy, that is to say into the French 'market'. Conversely, a foreign national residing in France but who does not meet those criteria, and who remains paid and pays the related taxes in his or her country of origin, must apply for a temporary residence card bearing the mention 'visitor'. […] The holder of that card is prohibited from carrying out in France a professional activity subject to authorisation."*
>
> Ministry of the Interior, answer to written question no. 11730, JO AN 23 June 2026, p. 5748 (our translation)

Three points follow for an American client.

First, remote work for a US employer, invoiced and paid outside France, is treated as economically inactive under French immigration law. The visitor card is the correct — indeed, according to the Ministry, the required — status.

Second, the boundary is the French market. Serving French clients, developing business in France, or working for a French establishment of your employer changes the analysis entirely and pushes the file towards a work-authorised status (*passeport talent*, *salarié*, ICT permit).

Paris
65, rue d'Anjou
75008 Paris
Tél. +33 (0)1 40 20 22 22
contact@lexcase.com

Lyon
2, rue Pdt Carnot
69002 Lyon
Tél. +33 (0)4 37 23 11 11
contact@lexcase.com

Marseille
38, rue Grignan
13001 Marseille
Tél. +33 (0)4 91 33 22 22
contact@lexcase.com

Bordeaux
50, cours Pasteur
33000 Bordeaux
Tél. +33 (0)5 54 72 00 53
contact@lexcase.com

Third, this is a ministerial interpretation, not a statute. It carries real weight before a prefecture and before an administrative court, but the file still has to be built so that the inactive-in-France character is evident from the documents themselves. That is a drafting exercise, and it is where cases are won or lost.

Proving you can support yourself

The legal floor and the practical standard are two different things, and confusing them is the most frequent cause of a delayed or refused file.

The legal floor. Prefectures and consulates assess resources against the French minimum wage. Since 1 June 2026 the net monthly SMIC stands at **€1,477.93** (gross: €1,867.02), which puts the theoretical threshold at roughly **€17,700 per year for a single applicant**, to be adjusted upward for a spouse and children.

> **What we advise in practice.** Meeting that floor is rarely enough to secure a comfortable decision. Consular officers enjoy a broad margin of appreciation, and a file sitting at the statutory minimum invites scrutiny — particularly where the applicant has no French property and no French income. Across the American files we handle, applicants who obtain the visa without difficulty typically show **liquid assets in the region of USD 100,000 across checking and savings accounts**, alongside a documented recurring income stream. That figure is not a legal requirement and no consulate publishes it; it is the practical margin that removes the debate about self-sufficiency altogether, and we build files to reach it wherever the client's position allows.

Resources may come from savings, pensions, rental income, dividends, trust distributions or a salary paid abroad. What matters is that they are **stable, documented and available in a form the consulate can verify**: US bank and brokerage statements, tax returns, pension award letters and lease agreements, each translated where required. Housing costs are assessed alongside income, so an applicant with a mortgage-free French property is in a stronger position than the raw figures suggest.

Health cover — and the trap that follows it

At the consular stage, private international health insurance covering the full visa period is required. Both Mondial First Euro and April International Care are routinely accepted.

The more delicate question arises later. After three months of stable and regular residence, a visitor may affiliate to the French health system under the *Protection universelle maladie* (PUMa). Affiliation is often presented as an unqualified benefit. It is not: it triggers a tax and contribution analysis, including potential liability to the *cotisation subsidiaire maladie* (CSM), which is assessed on capital income for those with little or no French earned income — precisely the profile of most visitor cardholders.

Paris
65, rue d'Anjou
75008 Paris
Tél. +33 (0)1 40 20 22 22
contact@lexcase.com

Lyon
2, rue Pdt Carnot
69002 Lyon
Tél. +33 (0)4 37 23 11 11
contact@lexcase.com

Marseille
38, rue Grignan
13001 Marseille
Tél. +33 (0)4 91 33 22 22
contact@lexcase.com

Bordeaux
50, cours Pasteur
33000 Bordeaux
Tél. +33 (0)5 54 72 00 53
contact@lexcase.com

SELARL d'avocats au capital de 777.750 € immatriculée sous le numéro 512 642 950 RCS Paris

Our standing advice: keep private cover for the first year and run the tax and social security analysis *before* affiliating, not after.

The route, step by step

1. **Consular stage — from the United States**

   The application starts on the France-Visas portal and is then lodged in person at a French visa application centre. Since 18 April 2025 these centres are operated by **TLScontact**, which replaced VFS Global. There are ten in the United States:

   > **Atlanta · Boston · Chicago · Houston · Los Angeles**
   > **Miami · New York · San Francisco · Seattle · Washington DC**

   Applicants residing in Bermuda, the Bahamas, the Cayman Islands, the Turks and Caicos Islands, the US Virgin Islands and Puerto Rico may use any of these centres; a further centre operates in Jamaica.

   The centre is a front office only: it collects the file and your biometrics. The decision belongs to the consular service — France-Visas states that applications filed in the United States are examined by the **French Consulate in Washington DC**, and that "only the Consulate is authorised to take decisions about visas".

   The application cannot be filed more than six months before departure, and appointment capacity tightens sharply in spring and early summer. The visa cannot be obtained from within France: an applicant already in France on a short stay must return home to apply. Securing the appointment, auditing the file before it is lodged and handling the questions the examining service puts during processing are the parts of this stage we take on for our clients.

2. **Arrival and validation**

   The VLS-TS is issued for between four months and one year. It must be validated online with the OFII **within three months of arrival**. Since 1 May 2026, article 128 of the Finance Act for 2026 (Law no. 2026-103 of 19 February 2026) has raised the validation tax to **€300**.

3. **OFII formalities**

   Visitors are not required to sign the *contrat d'intégration républicaine*, but the OFII medical certificate features among the documents prefectures require when the first residence card is applied for. It should therefore be scheduled during the VLS-TS year rather than in the weeks before renewal.

Paris
65, rue d'Anjou
75008 Paris
Tél. +33 (0)1 40 20 22 22
contact@lexcase.com

Lyon
2, rue Pdt Carnot
69002 Lyon
Tél. +33 (0)4 37 23 11 11
contact@lexcase.com

Marseille
38, rue Grignan
13001 Marseille
Tél. +33 (0)4 91 33 22 22
contact@lexcase.com

Bordeaux
50, cours Pasteur
33000 Bordeaux
Tél. +33 (0)5 54 72 00 53
contact@lexcase.com

LexCase

4. **First renewal at the prefecture**

The application is filed online on the ANEF platform, **no earlier than four months and no later than two months before expiry**. The card issued is the *carte de séjour temporaire* « visiteur ». Fees since 1 May 2026: €350 for a first card, €250 on renewal. Prefecture silence for four months amounts to an implicit refusal, which may be challenged before the administrative court within two months.

Year two and beyond

Visitor status is renewable indefinitely, but it renews **one year at a time**: unlike most other categories, it does not open the multi-year card. Each renewal is a fresh examination of resources, insurance and the undertaking not to work.

The route does have a destination, and it is under-used. After **five years** of continuous lawful residence, a visitor cardholder may apply under article L. 426-17 CESEDA for the *carte de résident de longue durée – UE*: ten years, renewable, and carrying the right to work. Since 1 January 2026, that application requires French at **level B1** and a pass in the civics examination (articles L. 413-7 and R. 413-15 CESEDA). Clients who intend to settle permanently should therefore begin French tuition in year one, not year four.

Tax residence: where immigration law stops

The ministerial answer quoted above describes the visitor as someone who "remains paid and pays the related taxes in his or her country of origin". That is an immigration characterisation, and it should not be read as a tax conclusion.

Under article 4 B of the French Tax Code, an individual whose home or principal place of residence is in France — broadly, more than 183 days, or the centre of personal and economic interests — is a French tax resident, whatever their residence permit says. The France–United States tax treaty of 31 August 1994 then allocates taxing rights and provides relief from double taxation, but it does not switch French residence off. And US citizens remain subject to US taxation on worldwide income regardless of where they live. For Tax environment we advise to run a tax audit of your situation during your first year in France with French accountant and tax advisors. LexCase can guide you on all tax matters.

Buying or renting a home in France

France places no nationality restriction on the acquisition of real estate: an American may buy freely, with or without a residence permit. Buying property does not, however, confer any right to stay — the two questions are entirely separate, and the immigration file must stand on its own.

What buyers and tenants do encounter is a procedural system that assumes physical presence: the *compromis de vente*, the notary's searches, the ten-day cooling-off period, the *acte authentique*, and, for tenants, a landlord's expectation of a French guarantor or a substantial deposit. Each of these can be handled by an attorney acting under power of attorney. LexCase represents clients throughout their French property transactions, whether a purchase, a sale or a lease, in coordination with the immigration file.

FAQ for American applicants

Can I apply while I am already in France on a short stay?

No. The long-stay visa must be applied for from your country of residence, through the French consular network in the United States.

How long does the process take?

Plan as an average 2 months from first appointment with LexCase to visa in hand. Consular processing itself is usually shorter, but appointment availability, document gathering and certified translations are the real constraints. Our goal: facilitating and bolstering the Immigration route.

How much money do I actually need to show?

The statutory reference is the French minimum wage — around €17,700 a year for a single applicant. In practice we advise presenting considerably more: American files that go through smoothly generally show liquid balances of around **USD 100,000** across checking and savings, plus recurring income. There is no published figure, and each file is assessed as a whole.

Does my spouse need a separate visa?

Yes. Each adult files an individual application, and the resources threshold is assessed for the household. Minor children accompanying visitor parents are exempt from a residence permit and, in due course, obtain a *document de circulation pour étranger mineur* (DCEM) to travel.

I have a French bank account and a house here. Isn't that enough?

No. Property, bank accounts and a long history of visits carry no right of residence. They strengthen a file; they do not replace one.

Can I take a part-time job or do consulting work in France to keep busy?

No. Any professional activity in France requiring authorisation is incompatible with the status and jeopardises renewal. Voluntary and unpaid activity is a separate question and should be discussed case by case.

Will days spent in France on the visitor visa count against my 90/180 allowance?

No. Holders of a long-stay visa or residence permit fall outside the EES short-stay calculation.

What happens if my renewal is refused?

A refusal may be challenged by *recours gracieux*, *recours hiérarchique* or an application to the administrative court, generally within two months. Deadlines are short and strictly applied; a refusal is not the end of the matter, but it must be acted on immediately.

How LexCase works alongside you?

Our French Immigration & International Mobility team represents clients across the entire journey, in English and in French:

- **Consular stage** — eligibility assessment and structuring of the resources file; booking your appointment at the TLScontact centre; preparation and full audit of the file before it is lodged; monitoring of the examination procedure and answering the questions the examining service puts to you.
- **After you arrive in France** — we represent you before the French immigration authorities: OFII validation and medical formalities, the first residence card and each renewal at the prefecture, and litigation before the administrative courts where a decision has to be challenged.
- **First year of settlement** — health cover and social security affiliation, tax residence analysis with our tax team, schooling, driving licence exchange, and the practical questions that arise once you are living here.
- **Real estate** — representation in your purchase, sale or lease, under power of attorney where you cannot be present.

Our team is fully bilingual, and files are handled by attorneys, not by intermediaries. The aim is a settled, unhurried arrival in France, with the legal work done in the right order.

To discuss your situation, contact LexCase's Immigration & International Mobility team —

Paris · Lyon · Marseille · Bordeaux.

This article reflects the law in force on June 2026. It is provided for general information and does not constitute legal advice on any individual situation.

LexCase

Raphael Apelbaum, Esq. *Partner*

Attorney-at-Law – French Immigration advisor – Paris Bar – New York Bar

Georgetown University LL.M (2003)

French Immigration Dept.
65 rue d'Anjou 75008 Paris
Phone : +33 1 40 20 22 22
Cell : +33 6 50 83 84 37
@ : rapelbaum@lexcase.com

www.lexcase.com

Paris
65, rue d'Anjou
75008 Paris
Tél. +33 (0)1 40 20 22 22
contact@lexcase.com

Lyon
2, rue Pdt Carnot
69002 Lyon
Tél. +33 (0)4 37 23 11 11
contact@lexcase.com

Marseille
38, rue Grignan
13001 Marseille
Tél. +33 (0)4 91 33 22 22
contact@lexcase.com

Bordeaux
50, cours Pasteur
33000 Bordeaux
Tél. +33 (0)5 54 72 00 53
contact@lexcase.com