

Tax Credit Eligibility & ITIN Filers

ITIN holders and SSN holders both have access to common tax credits such as education credits and the Child and Dependent Care Credit. But an ITIN holder has different eligibility for two specific tax credits.

Earned Income Tax Credit (EITC)

To qualify for the Earned Income Credit, the taxpayer, spouse, and any dependents claimed for the Earned Income Credit **must have Social Security Numbers**.

- Taxpayers with an ITIN cannot claim EIC even with US citizen children.
- If filing MFJ, both taxpayer and spouse must have an SSN to claim the EITC.
- If multiple dependents are on the return with a mix of SSNs and ITINs and the taxpayer and spouse (if applicable and filing MFJ) both have an SSN, the EITC can still be claimed, but only dependents with a SSN will qualify as dependents for EIC purposes.
- If a married taxpayer has an SSN and is eligible to file as Head of Household and does so, **they can claim the EIC even if their spouse has an ITIN**.

Child Tax Credit (CTC) , Additional Child Tax Credit (ACTC) and Credit for Other Dependents (COD)

The CTC is non-refundable and can be used only to reduce the amount of tax owed. The ACTC is refundable and is available when the amount of CTC the taxpayer is eligible for exceeds the amount of tax due. The CTC and ACTC are available for ITIN taxpayers but only dependents who are U.S. Citizens, U.S. Nationals, or U.S. Residents with a valid SSN qualify.

The COD is available only if a dependent does not qualify for CTC or ACTC, for example if they have an ITIN or are above the age threshold for CTC/ACTC. The taxpayer and/or spouse can have ITINs and still be eligible to claim the CTC, ACTC, or COD for eligible dependents.

Note: If you are preparing a prior year tax return, the taxpayer(s) and any dependents must both have had a valid SSN/ITIN by the original due date of the tax return (including extensions) in order to be eligible for the CTC, ACTC or COD. If the taxpayer is not eligible, you may need to manually remove the credit from the tax return. See [Restricting CTC/COD in a Tax Return When Ineligible](#).