



DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF CODES AND STANDARDS

**EMPLOYEE HOUSING PROGRAM  
FREQUENTLY ASKED QUESTIONS (FAQs)**

**Q1: Do I need an Employee Housing Permit to Operate from HCD or the Local Enforcement Agency (LEA)?**

**A1:** If you provide housing for a total of five (5) or more employees, either in a single facility or multiple facilities, an HCD Employee Housing Permit to Operate (PTO) is required from HCD or the local enforcement agency approved by HCD (See California Health and Safety Code, sections 17007 and 17008)

**Q2. Who do I list as the Operator and the Legal Owner of the facility on the EH 204 Application?**

**A2.** Generally, the operator is the company or individual that is responsible for the employees being housed at an employee housing facility. The legal owner is the company or individual that owns the property being used to house the employees.

**Q3. What forms are required to apply for an Employee Housing Permit to Operate with HCD?**

**A3.** The [HCD EH 204](#) and the [HCD EH 207](#) should be included for all employee housing PTO applications. If the housing being utilized as Employee Housing includes room or unit numbers, please include the [HCD EH 209](#). If you are applying for the first time with HCD, and are listing an individual name (not a company name) as either Legal Owner or Operator, the [HCD BENEFITS STATUS FORM 1](#) is required from the individual that is listed on the application.

**Note:** There is a thirteen-dollar (\$13) applicant verification fee to process the HCD BENEFITS STATUS FORM 1.

**Q4. What are the fees for an Employee Housing Permit to Operate with HCD?**

**A4.** Employee Housing Application Fees:

- \$200 Issuance Fee
- \$27 per employee/lot
- \$13 Applicant Verification Fee (Only required when submitting the [HCD BENEFITS STATUS FORM 1](#))

NOTE: For questions about Employee Housing Local Enforcement Agency PTO fees, please contact the respective city/county.

**Q5. Do I need an inspection for an HCD Employee Housing facility?**

**A5.** An occupancy/pre-occupancy inspection is required prior to occupancy of a new employee housing facility and when renewing a PTO. Additionally, an inspection will be required if an employee housing facility owner amends their PTO to add additional occupants. New or renewing applicants must apply for a PTO, a minimum of forty-five (45) days prior to occupancy.

**Q6. What does an HCD Employee Housing inspection include?**

**A6.** HCD inspects your facility for compliance with the Employee Housing Act (Act) and regulations promulgated pursuant to the Act. Inspection parameters are detailed in Title 25, California Code of Regulations, Chapter 1, Subchapter 3, Employee Housing (Sections 600 -940).

The *Employee Housing Facility Inspection Information Booklet for Owners, Operators and Residents* is available in [ENGLISH](#) and [SPANISH](#) on [HCD's Employee Housing webpage](#).

**Q7. Another State Agency inspected my Employee Housing facility; do I still need an inspection from HCD?**

**A7.** Yes. HCD is required to conduct an inspection to determine if each facility complies with the Employee Housing Act and applicable regulations. An H-2A inspection conducted by the California Employment Development Department does not satisfy the requirement of an HCD inspection.

**Q8. What are the timeframes to apply for an HCD Employee Housing Permit to Operate?**

**A8.** Title 25, California Code of Regulations, section 631, requires an Application for a Permit to Operate to be submitted to HCD at least forty-five (45) days prior to the date of initial occupancy. The department requests for applications to be submitted as soon as possible.

HCD field inspectors manage their own inspection schedules. Scheduling and inspection timeframes vary depending on how diligent the applicant is and the field inspector's workload and availability. Generally, inspections are scheduled within thirty (30) days after HCD receives a complete application.

PTOs are issued upon receipt of all applicable fees and an inspection report indicating the facility is clear of any violations of the Employee Housing Act/regulations.

**Q9. Does HCD have the authority to expedite the Employee Housing Permit to Operate process?**

**A9.** The Employee Housing Act and regulations adopted thereto do not give HCD authority to expedite the PTO application process.

**Q10. As an Employee Housing Operator, I increased the number of employees in my contract and need to update my Permit to Operate; what is the HCD process?**

**A10.** You will need to submit an amended application ([form HCD 204](#)) to HCD's Employee Housing Permit to Operate team. In Section 11 and 12 of form HCD 204, a list is included with the total number of units and employees (the total should include the current permitted units and employees and additional units and employees). In section 14, note the *number of additional employees only* for fee calculation.

Amended Permit to Operate Fees: Twenty dollars (\$20) Amended Permit Fee and twenty-seven (\$27) per additional employee/lot.

**Q11. I need a reinspection of my Employee Housing facility; what is the HCD process?**

**A11.** A reinspection is required when violations are found during the initial inspection of your facility by HCD. Following the inspection, HCD will provide a report detailing violations observed. The party responsible will have thirty (30) days to correct the violation(s). Once you have corrected all violations, contact your HCD field inspector to schedule a reinspection of your facility. During the reinspection HCD will verify if all violations have been corrected. At that point, HCD will write a report indicating whether all violations were corrected and/or if violations remain.

When a reinspection fee is required, there is a two hundred and twenty-three (\$223) fee. When the reinspection time exceeds one hour, the following fees apply in addition to the initial fee of two hundred and twenty-three (\$223):

(A) Second and subsequent whole hours: one hundred and two dollars (\$102).

(B) Each thirty (30) minutes, or fractional part thereof: fifty-one dollars (\$51).

Payment can be paid directly to the inspector at the time of reinspection, with either a check or money order. If you would prefer to pay online, you may email the department at [EH@HCD.CA.GOV](mailto:EH@HCD.CA.GOV) and request an online payment link. A valid PTO will not be issued until all payments are made in full and all inspections are completed.

**Q12. I passed my initial inspection or reinspection, when can I expect my Employee Housing Permit to Operate to be issued?**

**A12.** A passing inspection report will be submitted to the Permit to Operate team by the HCD field inspector after an inspection (or reinspection) when a facility is found to be in compliance. The passing inspection report will be processed, and a PTO will be issued. As a reminder, a PTO cannot be issued until all fees are

paid in full, including reinspection fees. Generally, PTO's will be issued to an employee housing facility operator within seven (7) business days of a passing inspection report being issued.

**Q13. Do all rooms/units need to be available for inspection, or can HCD inspect one room set up?**

**A13.** All housing accommodation (e.g., rooms/units) need to be available for the HCD inspection, at the scheduled inspection time, to determine compliance. Failure to do so can result in a failed inspection as well as reinspection fees.

**Q14. When can employees move into Employee Housing accommodation?**

**A14.** A valid PTO is required prior to occupancy of an employee housing facility. PTO's include the occupancy and expiration dates for the facility.

**Q15. What should I do if I am no longer using an Employee Housing Facility?**

**A15.** If you are no longer using a private Employee Housing facility to house employees, you must notify HCD by submitting a [Certificate of Non-Operation \(HCD EH 214\)](#). You can also indicate you are no longer using an Employee Housing facility by indicating that on your Employee Housing renewal notices that are mailed annually.

**Q16. What is a Local Enforcement Agency for the Employee Housing program?**

**A16.** Any city, county, or city and county may assume responsibility for enforcement of the Employee Housing Act upon written notice to, and approval by HCD. For a [current list](#) of Local Enforcement Agencies, please visit <https://www.hcd.ca.gov/building-standards/employee-housing>.