

migrant labor FARMWORKER housing facilities

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| **Background** | A migrant labor housing facility is defined by state law as a facility that is established, operated, or used for more than three days as living quarters for two or more seasonal, temporary, or migrant families or three or more seasonal, temporary, or migrant workers, regardless of whether rent is paid or reserved in connection with the use of the facility. | |
| **History** | The Texas Migrant Labor Facilities Act became effective September 1, 2005.  Through this act of the Texas Legislature the responsibility for the licensing and inspection of migrant labor housing facilities was transferred from the Department of State Health Services to the Texas Department of Housing and Community Affairs (TDHCA). | |
| **Purpose** | Ensure that housing used by temporary laborers is safe and decent and meets the minimum state and federal standards for temporary housing. | |
| **TDHCA’s Role** | License temporary housing provided by employers who wish to establish, maintain, or operate a migrant labor housing facility regardless of whether the facility has been licensed, permitted or inspected by any other governmental entity. | |
| **Rules and Regulations** | * Texas Migrant Labor Housing Facility Act of 2005, codified in Tex. Gov. Code §§2306.921-2306.933 * Texas Administrative Code, Title 10, Part 1, Chapter 90, Rule §90.2 | |
| **Standards** | Licensed migrant labor housing facilities must meet standards of construction, sanitation, equipment, and operation. In Texas, these standards address: | |
| * Facility construction; * Sanitary conditions; * Water supply; * Toilets; * Sewage disposal; * Refuse storage, collection, disposal; * Light and air; | * Safety requirements; * Fire protection; * Equipment; * Facility maintenance and operation; and * Any other matter appropriate or necessary for the protection of the health and safety of the occupants |
| **Licensing** | * By law, a facility may not be offered or provided as any type of living quarters to migrant, seasonal workers until it has been licensed by TDHCA. * A license from TDHCA is required to establish, maintain, or operate a migrant labor housing facility. * Texas regulation requires an application be submitted to TDHCA prior to the intended operation of the facility. * The license and decal is to be posted in the facility at all times during the maintenance or operation of the migrant labor housing facility. | |
| **Applications** | Applications for a new license, or renew or change a license are available on TDHCA's website under Support and Services, Migrant Labor Housing. | |
| **Fees** | $250 annual fee per facility however, the fee is reduced to $75 if a TWC/DOL inspection that is less than 90 days old is provided along with the license application. | |
| **Penalties** | Migrant labor housing provider who violate licensing standards may be subject to civil penalties of up to $200 for each day that a violation occurs. | |
| **Questions** | * *Inspections and Licensing*: Email migrantlaborhousing@tdhca.texas.gov. * *Housing Violations or Unlicensed Facilities*: Contact TDHCA at 833-522-7028. | |