

Building Division

OWNER BUILDER STATEMENT / AFFIDAVIT

Florida Statutes are quoted here in part for your information to indicate the authority for exemptions for homeowners from qualifying as contractors and to express any applicable restrictions and responsibilities.

BY SIGNING THIS STATEMENT, I ATTEST THAT: *(Initial to the left of each statement)*

	I understand that state law requires construction to be done by a licensed contractor, and I have applied for an owner-builder permit under an exemption from the law. The exemption specifies that I, as the owner of the property listed, may act as my own contractor with certain restrictions even though I do not have a license.
	I understand that building permits are not required to be signed by a property owner unless they are responsible for the construction and is not hiring a licensed contractor to assume responsibility.
	I understand that, as an owner-builder, I am the responsible party of record on a permit. I may protect myself from potential financial risk by hiring a licensed contractor and having the permit filed in his or her name instead of mine. I also understand that a contractor is required by law to be licensed in Florida and to list his or her license numbers on all permits and contracts.
	I understand that I may build or improve a one-family or two-family residence or a farm outbuilding. I may also build or improve a commercial building if the costs do not exceed \$75,000. The building or residence must be for my use or occupancy. It may not be built or improved for sale or lease unless I complete the building permit requirements where the contractor listed on the permit substantially completed the project. If a building or residence I have built or improved myself is sold or leased within 1 year after the construction is complete, the law will presume that I built or improved it for sale or lease, which violates this exemption.
	I understand that, as the owner-builder, I must provide direct, onsite supervision of the construction.
	I understand that I may not hire an unlicensed individual to act as my contractor or to supervise persons working on my building or residence. I am responsible for ensuring that the persons I employ have the licenses required by law and county or municipal ordinance.
	I understand that it is a frequent practice of unlicensed persons to have the property owner obtain an owner-builder permit that erroneously implies that the property owner is providing their labor and materials. As an owner-builder, I may be held liable and subjected to severe financial risk for any injuries sustained by an unlicensed person or his or her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I willfully act as an owner-builder and know the limits of my insurance coverage for injuries to workers on my property.
	I understand that I may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. <i>Any person working on my building who is not licensed must work under my direct supervision and must be employed by me, which means that I must comply with laws requiring the withholding of federal income tax and social security contributions under the Federal Insurance Contributions Act (FICA) and must provide workers' compensation for the employee. I understand that my failure to follow these laws may subject me to severe financial risk.</i>
	As the party legally and financially responsible for this proposed construction activity, I agree to abide by all applicable laws and requirements that govern owner-builders and employers. I also understand that the construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.
	<i>I am aware of the necessary construction practices for the work I will be doing, I am sufficiently aware of the Florida Building Code to conduct this work, and I have access to the Florida Building Code.</i>
	I understand that I may obtain more information regarding my obligations as an employer from the Internal Revenue Service, the United States Small Business Administration, the Florida Department of Financial Services, and the Florida Department of Revenue. I also understand that I may contact the Florida Construction Industry Licensing Board at 1-850-487-1395 or MyFloridaLicense.com for more information about licensed contractors.
	I am aware of and consent to an owner-builder building permit applied for in my name. I understand that I am the party legally and financially responsible for the proposed construction activity at the address listed below.
	I agree to notify the Building Department immediately of any additions, deletions, or changes to the information I have provided on this disclosure or in the permit application package.
	Licensed contractors are regulated by laws designed to protect the public. I understand if I contract with a person who does not have a license, the Construction Industry Licensing Board, the Department of Business and Professional Regulation, and the Building Department may be unable to assist me with any financial loss that I sustain due to a complaint. My only remedy against an unlicensed contractor may be in civil court. I also understand that if an unlicensed contractor or employee of an individual or firm is injured while working on my property, I may be liable for damages. Suppose I obtain an owner-builder permit and wish to hire a licensed contractor. In that case, I will be responsible for verifying whether the contractor is properly licensed and the contractor's workers' compensation coverage status.

Property Address: _____

I, _____, do hereby state that I am qualified and capable of performing the requested construction involved with the permit application filed and agree to the conditions specified above.

Signature of Owner-Builder

Date

A violation of this exemption is a misdemeanor of the first degree punishable by a term of imprisonment not exceeding 1 year and a \$1,000.00 fine in addition to any civil penalties. In addition, the local permitting jurisdiction shall withhold final approval, revoke the permit, or pursue any action or remedy for unlicensed activity against the owner and any person performing work that requires licensure under the permit issued.