

# OWNER-BUILDER AFFIDAVIT

**PERMIT#:**

When issued, I understand that the permit is for construction or improvement of a single family or duplex residential structure and that I am the bona fide owner of said property. I also understand:

1. Proof of ownership is required in the form of either a deed or homestead exemption **and** a current water, electric or telephone bill showing **the property owner's** name **and** a driver's license or Florida I.D. of **the property owner** showing the job address as residence.
2. Construction is for my own use and occupancy.
3. All construction will be in accordance with all Building Codes, Zoning and Subdivision Codes and Licensing Laws.
4. That I am responsible for:
  - a) All work and subsequent procurement of add-on permits.
  - b) Should I employ anyone I will make proper provision to carry the necessary Workmen's Compensation, Public Liability and Property Damage Insurance, and that I will withhold Social Security and Federal Income Taxes, as required by law. Evidence of same may be required to be furnished to the Building Department.
5. I shall not employ any subcontractor, whether verbal or in writing, unless properly licensed by Broward County or the State of Florida for any part or portion of the work.

If sub-contractors are to be used, please supply the following information:

**Discipline:**  Electrical     Plumbing     Mechanical

**Name:**

**Office Phone:**

**Cell Phone:**

**Email Address:**

**Address:**

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If you are not using sub-contractors at this time, but decide to do so at a later date please notify the Building Department as soon as possible with the information listed above.

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6. Application for a Building Permit for the construction of more than one residence or duplex within one year after completion of another residence or duplex is construed as engaging in the construction business and is outside of the Owner-Builder Classification Exemption, and is subject to a fine of \$500.00 and/or imprisonment for sixty (60) days. The offering for sale or lease of more than one residence or duplex within one year after completion of same is also outside the Owner-Builder Classification Exemption, and subject to the same penalties.
7. I certify that I have not completed a residence or duplex under an Owner-Builder permit within the past twelve (12) months.

I, the Owner of property described as (present address):

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Do hereby certify that I have read the foregoing, and am aware of my responsibilities and liabilities for construction work on the above-described property and do hereby covenant and agree to abide by each of the aforesaid stipulations. I further understand that any falsification of the above statements constitutes fraud and will result in cancellation of this permit.

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**(Notarized Signature of Owner)**

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**(Printed Name of Owner)**

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**(Date)**

State of Florida  
County of Broward

Sworn to (or affirmed) and subscribed before me by means of  Physical Presence or  Online Notarization,

this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_  
Day Month Year Name of Person Swearing or Affirming

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Signature of Notary Public – State of Florida

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Name of Notary Typed, Printed or Stamped

Place Notary Seal Stamp Above

  

Personally Known  
Produced Identification  
Type of Identification Produced: \_\_\_\_\_

## OWNER BUILDER STATEMENT/AFFIDAVIT

Florida Statute 489.103(7) is 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.

### **OWNERS MUST PERSONALLY APPEAR AT THE BUILDING DIVISION TO SIGN THIS DOCUMENT**

*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 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 he or she is 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 understand that 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 my own name. 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 own use or occupancy. It may not be built or substantially improved for sale or lease. If a building or residence that I have built or substantially improved myself is sold or leased within one (1) year after the construction is completed, the law will presume that I built or substantially 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 person to act as my contractor or to supervise persons working on my building or residence. It is my responsibility to ensure that the persons whom I employ have the licenses required by law and by county 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 his or her own labor and materials. I, as an owner-builder, may be held liable and subjected to serious 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 am willfully acting as an owner-builder and am aware of 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. 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 serious financial risk.

\_\_\_\_\_ I agree that as the party legally and financially responsible for the proposed construction activity I will abide by all applicable laws and requirements that govern owner-builders as well as employers. I also understand that the construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.

Owner-Builder Statement / Affidavit (Con't)

\_\_\_\_\_ I am aware of construction practices and I have access to the Florida building Code.

\_\_\_\_\_ 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 on the internet at [www.myflorida.com/dbpr/pro/cilb/](http://www.myflorida.com/dbpr/pro/cilb/) for more information about licensed contractors.

\_\_\_\_\_ I am aware of, and consent to, an owner-builder building permit applied for in my name and 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 any of the information that I have provided on this disclosure or in the permit application package.

\_\_\_\_\_ Licensed contractors are regulated by laws designed to protect the public. If you 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 you with any financial loss that you sustain as a result of a complaint. Your only remedy against an unlicensed contractor may be in civil court. It is also important for you to understand that if an unlicensed contractor or employee of an individual or firm is injured while working on your property you may be held liable for damages. If you obtain an owner-builder permit and wish to hire a licensed contractor you will be responsible for verifying whether the contractor is properly licensed and the status of the contractor's workers' compensation coverage.

***If any person violates the requirements of this subsection, the local permitting agency 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.***

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**

State of Florida  
County of Broward

Sworn to (or affirmed) and subscribed before me by means of  Physical Presence or  Online Notarization,

this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_  
Day Month Year Name of Person Swearing or Affirming

\_\_\_\_\_  
Signature of Notary Public – State of Florida

\_\_\_\_\_  
Name of Notary Typed, Printed or Stamped

Place Notary Seal Stamp Above

  

Personally Known  
Produced Identification

Type of Identification Produced: \_\_\_\_\_

## **PUBLIC NOTICE WARNING**

### **Homeowners Face Penalties for Hiring Unlicensed Contractors**

According to Florida law, consumers who hire unlicensed construction contractors could face a fine of up to \$5,000 dollars.

Chapter 455.228 of the Florida Statutes allows the Florida Department of Business and Professional Regulation (BPR) to request the Circuit Court to impose to civil penalty of \$500.00 to \$5,000.00 on individuals who aid and abet unlicensed contractors. They may also be liable for court cost. Aiding and abetting is defined by the statute as anyone who employs an unlicensed contractor or company.

“Consumers who hire such a contractor face not only victimization by shoddy workmanship, no follow-up service, and inferior products; they face potential difficulties with the law.”