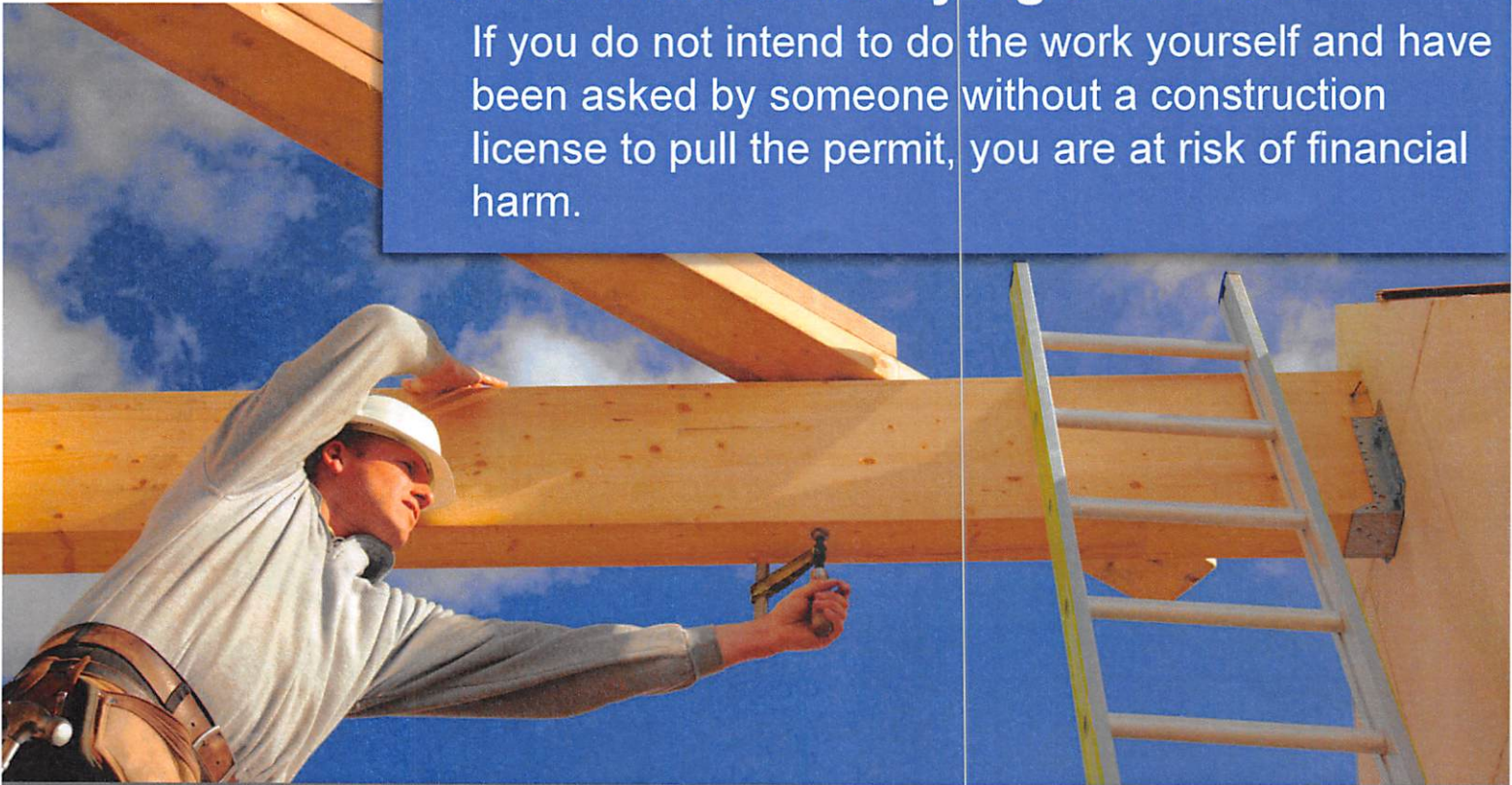




The dangers of pulling an Owner/Builder Permit without verifying a license

If you do not intend to do the work yourself and have been asked by someone without a construction license to pull the permit, you are at risk of financial harm.



When property owners act as their own contractor, they must provide direct on-site supervision of the work being performed. If you pull an owner/builder permit for an unlicensed contractor to perform work on your property, you must deduct F.I.C.A., withholding tax and provide workers' compensation for them.

Individuals who aid unlicensed persons may face fines up to \$5,000.

Without worker's compensation insurance, you could:

- Be held liable for injuries that occur on your property
- Not be covered under your homeowners' insurance policy

Dangers of Unlicensed Activity:

- Poor qualifications
- Poor quality work
- Possible criminal background
- Likely to be victim of a scam
- Limited resources for broken contracts



Resilient Environment Department

BUILDING CODE DIVISION | BUILDING PERMITTING

2307 West Broward Boulevard, Suite #300 • Fort Lauderdale, Florida 33312 • 954-765-4400 • Broward.org/Building

OWNER-BUILDER STATEMENT AFFIDAVIT

OWNER NAME: _____

SUBDIVISION _____ LOT: _____ BLOCK: _____

STREET ADDRESS: _____

ATTENTION PROPERTY OWNER: To qualify for exemption under this subsection, a Property Owner must personally appear and sign the building permit application and must satisfy local permitting agency requirements, if any, proving that the Property Owner has a complete understanding of the owner’s obligations under the law as specified in the disclosure statement in this section.

Please include your state-issued driver’s license/identification. (Not eligible for ePermits)

I am applying for a Building Permit pursuant to the Owner/Builder exemption set forth in Florida Statute 489.103. Florida law requires that I attest to the following statements.

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 this 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 permit 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 1 year after the construction is complete, the law will presume that I built or substantially improved it for sale or lease, which violates this exemption. Florida State Statute 489.103(7), 489.503(6)
- 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.



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- I agree that, as the party legally and financially responsible for this 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.
- 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 at <http://www.myfloridalicense.com/dbpr/pro/cilb/index.html> 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.
- Disabled veteran's exemption.** I certify that I am a 100% qualifying, disabled veteran and that the improvements upon the dwelling, owned by myself and used as my residence, are improvements limited to ramps, widening of doors, and similar improvements for making the dwelling habitable or safe. ([F.S. 295.16](#))

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 Property Owner/Builder _____



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STATE OF FLORIDA- COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me by means of

physical presence, this ____ day of _____, ____ (year)

by _____ (name of person making statement)

NOTARY as to Property's Owner Signature

Name and Title (printed) _____

(Type/Print Notary's Name)

Personally, known or Produced Identification

Type of identification produced _____

Identification Number: _____

Florida Statute(s) 489.103(7) and 489.503(6): 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.