



Hardee County Building Department

401 West Main Street
Wauchula, Florida 33873
Phone: 863-773-3236 Fax: 863-767-0360
www.hardeecounty.net

Owner Builder Affidavit DISCLOSURE STATEMENT

PLEASE READ THE FOLLOWING FORM CAREFULLY. FAILURE TO COMPLY WITH INITIALED STATEMENTS BELOW, AND THE REQUIREMENTS OF SECTION 489.103 OF THE FLORIDA STATUTES, MAY RESULT IN YOUR PERMIT BEING REVOKED AND FINES UP TO \$2,500.

1. 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. _____ INITIAL
2. 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. _____ INITIAL
3. 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 have 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 permits and contracts. _____ INITIAL
4. 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 build or substantially improved it for sale or lease, which violates the exemption. _____ INITIAL
5. I understand that, as the owner-builder, I must provide direct, onsite supervision of the construction. _____ INITIAL
6. I understand that I may not hire an unlicensed 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 license required by law and by county or municipal ordinance. _____ INITIAL
7. 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. _____ INITIAL
8. 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 worker's compensation for the employee. I understand that my failure to follow these laws may subject me to serious financial risk. _____ INITIAL

9. 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. _____ INITIAL
10. 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 800-487-1395 or <http://www.myfloridalicense.com/dbpr/pro/cilb/> for more information about licensed contractors. _____ INITIAL
11. 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 following address: _____ INITIAL
12. I agree to notify the Hardee County Building Department immediately of any addition, deletions or changes to any of the information that I have provided on this disclosure. _____ INITIAL
13. 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 Licensing Board and Department of Business and Professional Regulation 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 worker's compensation coverage. _____ INITIAL

Before a building permit can be issued, this disclosure statement must be completed and signed by the property owner and returned to the local permitting agency responsible for issuing the permit. A copy of the property owner's driver's license, the notarized signature of the property owner, or other type of verification acceptable to the local permitting agency is required when the permit issued.

CHECK THE TRADE(S) OR CATEGORIE(S) THAT WILL BE COMPLETED BY YOU:

- | | | | |
|--|---|-------------------------------------|--|
| <input type="checkbox"/> All Trades | <input type="checkbox"/> Framing | <input type="checkbox"/> Electrical | <input type="checkbox"/> Drywall, Painting |
| <input type="checkbox"/> Site Work, Soil | <input type="checkbox"/> Roofing | <input type="checkbox"/> Mechanical | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Concrete, Masonry | <input type="checkbox"/> Siding, Stucco | <input type="checkbox"/> Plumbing | <input type="checkbox"/> _____ |

I have read the statements above and agree to abide by them as indicated by my initials.

Signature of Property Owner: _____ Print Name: _____

Sworn or affirmed and subscribed before me this ____ day of _____ 20__ by _____

Personally Known or Produced Identification Type of Identification: _____

Notary Signature: _____

Notary Name (Printed): _____ Commission Number: _____

Owner Builder Requirements

Please review the following information concerning the duties and responsibilities you will assume as an "Owner Builder".

Florida Statute (FS) §489 requires construction work to be completed by a licensed contractor with some limited exceptions. Section (7) of FS §489.103 exempts owners of property provided they sign a disclosure statement acknowledging that they have read and understand the specific terms and conditions of this exemption. This disclosure statement can be found in Florida Statute §489.103 (7).

The following eight point summary of FS §489.103 is not intended to be fully inclusive or exhaustive. It is only intended to highlight some of the most commonly overlooked or misunderstood requirements of FS §489.103. Before proceeding as an Owner Builder you should read Florida Statute §489.103 in its entirety or consult your legal advisor.

1. As an Owner Builder you are taking on the same duties, responsibilities and risks of a licensed contractor.
2. As an Owner Builder you may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done.
3. As an Owner Builder, if you leave the job site for any reason all work being performed by unlicensed contractors or your employees must stop. If unlicensed contractors or your employees are found working without your direct, onsite supervision they may be fined, a Stop Work Order will be place on the job and your Owner Builder Permit may be revoked.
4. As an Owner Builder you are responsible for knowing and following the requirements of the Florida Building Code, National Electric Code, OSHA and all other applicable codes, laws, ordinances, environmental and zoning requirements.
5. As an Owner Builder you are responsible for knowing and following the procedures and requirements of Hardee County, the Building and Zoning Departments and all applicable Florida Statutes, Environmental Laws and Administrative Rules.
6. As an Owner Builder any person performing work, that is not a licensed contractor, must work under your direct supervision and must be employed by you. This means that you must deduct F.I.C.A. and withholding tax and provide workers' compensation insurance for that employee.
7. As an Owner Builder it is your legal responsibility to ensure that the licensed persons you employ have the valid licenses required by state law in addition to county, municipal and Contractor Industry Licensing Board requirements.
8. As an Owner Builder you are responsible for paying any re-inspection fees, fines or penalties that a licensed contractor would be required to pay.
9. Under the Owner Builder exemption you may not offer the structure on which you are working for sale or lease within one year after the work has been completed.