



BUILDING & ZONING SERVICES
2345 Providence Blvd
Deltona, FL 32725
386-878-8650
386-878-8651 FAX

OWNER-BUILDER STATEMENT **FLORIDA STATUTES 489.103 –EXEMPTIONS**

Florida Statutes are quoted here in part for your information. This law exempts you from the requirements of contractor licensure. It details your restrictions, authority, rights and responsibilities.

Florida Statute 489.103 Exemption – This part does not apply to:

(7) Owners of property when acting as their own contractor and providing direct, onsite supervision themselves of all work not performed by licensed contractors:

(a) When building or improving farm outbuildings or one-family or two-family residences on such property for the occupancy or use of such owners and not offered for sale or lease, or building or improving commercial buildings, at a cost not to exceed \$75,000, on such property for the occupancy or use of such owners and not offered for sale or lease. In an action brought under this part, proof of the sale or lease, or offering for sale or lease, of any such structure by the owner-builder within 1 year after completion of same creates a presumption that the construction was undertaken for purposes of sale or lease.

(b) When repairing or replacing wood shakes or asphalt or fiberglass shingles on one-family, two-family, or three-family residences for the occupancy or use of such owner or tenant of the owner and not offered for sale within 1 year after completion of the work and when the property has been damaged by natural causes from an event recognized as an emergency situation designated by executive order issued by the Governor declaring the existence of a state of emergency as a result and consequence of a serious threat posed to the public health, safety, and property in this state.

This subsection does not exempt any person who is employed by or has a contract with such owner and who acts in the capacity of a contractor. The owner may not delegate the owner's responsibility to directly supervise all work to any other person unless that person is registered or certified under this part and the work being performed is within the scope of that person's license. For the purposes of this subsection, the term "owners of property" includes the owner of a mobile home situated on a leased lot. To qualify for exemption under this subsection, an owner must personally appear and sign the building permit application and must satisfy local permitting agency requirements, if any, proving that the owner has a complete understanding of the owner's obligations under the law as specified in the disclosure statement in this section. 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. The local permitting agency shall provide the person with a disclosure statement in substantially the following form:

OWNER-BUILDER STATEMENT
FLORIDA STATUTES 489.103 –EXEMPTIONS

NOTE: OWNERS MUST PERSONALLY APPEAR AT THE PERMIT OFFICE TO SIGN THIS DOCUMENT AND THE PERMIT APPLICATION.

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 having the permit filed in his or her name instead of my own name. I also understand that contractors are 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 costs do not exceed \$75,000. The building or residence that I improve must be for my own occupancy. It may not build or substantially improve a building 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 date on which construction is complete, the law will presume that I built or substantially improved it for sale or lease, which is a violation of this 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 persons whom I employ have the licenses required by law and by county or municipal licensing ordinances.
_____ (Initial)
7. I understand that it is a frequent practice of unlicensed persons is 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 subject to serious financial risk for any injuries sustained by an unlicensed person and 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 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 abide by these laws may subject me to serious financial risk.

_____ (Initial)

9. 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.

_____ (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 I may contact the Florida Construction Industry Licensing Board (CILB) at 850-487-1395 or www.florida.com/dbpr/pro/cilb/index.html 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 proposed construction activity at the following address:

(Address of Location of Construction Activity)

_____ (Initial)

12. I agree to notify the issuer of this form:

City of Deltona

Building & Zoning Services

2345 Providence Blvd.

Deltona, FL 32725

immediately of any additions, deletions, or changes to any of the information I have provided on this form.

_____ (Initial)

Licensed contractors are regulated by laws designed to protect the public. If you contract with someone who does not have a license, the Construction Industry Licensing Board and Department of Business and Professional Regulation may be unable to assist you with any financial loss you may sustain as a result of a complaint. Your only remedy against unlicensed contractors 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 insurance coverage.

Before a building permit is 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 license, the notarized signature, or other type of verification acceptable to the local permitting agency is required when the permit is issued.

In accordance with the above, I certify that I am the owner of property described on the attached application and currently reside or intend to immediately reside in the dwelling upon its completion, the property is not for sale or lease, and I verify that I have read and understand the responsibilities noted herein.

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

Signature of Property Owner

Date

STATE OF FLORIDA, COUNTY OF _____

Affirmed and subscribed before me this ____ day of ____ 20____ by _____ who is personally known to me or who has produced _____ (type of ID) identification.

Signature of Notary Public State of Florida

Print, Type or Stamp Name of Notary

(SEAL)