

**STAFF USE ONLY**

## **“OWNER/BUILDER” AFFIDAVIT**

**Owner must personally appear and sign affidavit in the City of Newberry Building Department**

### **CHAPTER 489, FLORIDA STATUTES 489 Sec. 103, PART I/PART II “CONSTRUCTION CONTRACTING” REQUIRES: (PLEASE READ & INITIAL NEXT TO EACH STATEMENT)**

\_\_\_ 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.

\_\_\_ 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.

\_\_\_ 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 a contractor is required by law to be licensed in Florida and to list his or her license numbers on permits and contracts.

\_\_\_ 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 improved for sale or lease. If a building or residence that 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 substantially improved it for sale or lease, which violated the exemption.

\_\_\_ 5. I understand that, as the owner-builder, I must provide direct, onsite supervision of the construction.

\_\_\_ 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 licenses required by law and by county or municipal ordinance.

\_\_\_ 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.

\_\_\_ 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 workers’ compensation for the employee. I understand that my failure to follow these laws may subject me to serious financial risk.



Mailing: 25440 W Newberry Rd  
Newberry, Florida 32669  
Tel: 352-472-2161 Ext. 3  
www.NewberryFL.gov

\_\_\_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.

\_\_\_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 **850-487-1395** or [My Florida License](#)<sup>1</sup> for more information about licensed contractors.

\_\_\_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:

\_\_\_12. I agree to notify The City of Newberry Building Department immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure.

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 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 workers' compensation coverage.

**I HEREBY ACKNOWLEDGE** that I have read and understand all the above on this \_\_\_ day of \_\_\_\_\_, 20\_\_\_

\_\_\_\_\_  
Signature of Owner/Builder in the City of Newberry, Florida  
**Owner must personally appear & sign the affidavit in the Building Department**

STATE OF FLORIDA  
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of  physical presence or  online

notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_.  
(Day) (Month) (Year) (Name of Person Acknowledging)

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

\_\_\_\_\_  
Print, Type, or Stamp Commissioned Name of Notary Public

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

<sup>1</sup> <http://www.myfloridalicense.com/dbpr/pro/cilb>

## DISCLOSURE STATEMENT FOR OWNER CONTRACTOR

### TO ACT AS A

### FLORIDA STATUTES 489.103

### Disclosure Statement

STATE LAW REQUIRES CONSTRUCTION TO BE DONE BY LICENSED CONTRACTORS. YOU HAVE APPLIED FOR A PERMIT UNDER AN EXEMPTION TO THAT LAW. THE EXEMPTION ALLOWS YOU, AS OWNER OF YOUR PROPERTY, TO ACT AS YOUR OWN CONTRACTOR WITH CERTAIN RESTRICTIONS, EVEN THOUGH YOU DON'T HAVE A LICENSE. **YOU MUST PROVIDE DIRECT, ONSITE SUPERVISION OF THE CONSTRUCTION YOURSELF.** YOU MAY BUILD OR IMPROVE A ONE FAMILY OR TWO-FAMILY HOME RESIDENCE OR A FARM OUTBUILDING. YOU MAY ALSO BUILD OR IMPROVE A COMMERCIAL BUILDING PROVIDED YOUR COST DOES NOT EXCEED \$75,000. THE BUILDING OR RESIDENCE MUST BE FOR **YOUR OWN USE AND OCCUPANCY.** IT MAY NOT BE BUILT OR SUBSTANTIALLY IMPROVED FOR SALE OR LEASE. IF YOU SELL OR LEASE A BUILDING YOU HAVE BUILT OR SUBSTANTIALLY IMPROVED YOURSELF WITHIN ONE YEAR AFTER THE CONSTRUCTION IS COMPLETE, THE LAW WILL PRESUME THAT YOU BUILT OR SUBSTANTIALLY IMPROVED IT FOR SALE OR LEASE, WHICH IS A VIOLATION OF THIS EXEMPTION. YOU MAY NOT HIRE AN UNLICENSED PERSON AS YOUR CONTRACTOR OR TO SUPERVISE PEOPLE WORKING ON YOUR BUILDING. IT IS YOUR RESPONSIBILITY TO MAKE SURE THE PEOPLE EMPLOYED BY YOU HAVE LICENSES REQUIRED BY THE STATE LAW AND COUNTY OR MUNICIPAL LICENSING ORDINANCES. YOU 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 YOUR BUILDING WHO ISN'T LICENSED MUST WORK UNDER YOUR SUPERVISION AND MUST BE EMPLOYED BY YOU, WHICH MEANS THAT **YOU MUST DEDUCT F.I.C.A. AND WITHHOLDING TAXES AND PROVIDE WORKERS COMPENSATION FOR THAT EMPLOYEE,** ALL AS PRESCRIBED BY LAW. YOUR CONSTRUCTION MUST COMPLY WITH ALL APPLICABLE LAWS, ORDINANCES, BUILDING CODES, AND ZONING REGULATIONS.

**I CERTIFY BY MY SIGNATURE THAT I HAVE READ AND UNDERSTAND THIS DISCLOSURE STATEMENT AND THAT I SHALL COMPLY WITH ALL THE REQUIREMENTS FOR ISSUANCE OF THE OWNER/BUILDER PERMIT.**

\_\_\_\_\_  
PROPERTY OWNER'S SIGNATURE

\_\_\_\_\_  
DATE