

Owner/Builder Affidavit

DISCLOSURE STATEMENT [FLORIDA STATUTE 489.103 \(7\)](#)

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 the owner of your property, to act as your own contractor with certain restrictions even though you do not have a license. You must provide direct, onsite supervision of the construction yourself. You may build or improve a one family or two-family residence or a farm outbuilding. You may also build or improve a commercial building, provided your costs do not exceed \$75,000. The building or residence must be for your own use or 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 1 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 to act as your contractor or to supervise people working on your building. It is your responsibility to make sure that people employed by you have licenses required by state law and by 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 is not licensed must work under your direct supervision and must be employed by you, which means that you must deduct F.I.C.A. and withholding tax 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.

For your information, the Owner/Builder may become liable and responsible for the employee he/she hires to assist in the construction project. This responsibility may include the following where required by Law:

- Worker's compensation (for workers injured on the job)
- Social Security Tax (must be deducted from the employee's wages and matched with the owner's funds)
- Unemployment Compensation (may or may not be required)
- Federal Withholding Tax
- Liability Coverage

I acknowledge that as an Owner/Builder, I _____ am obligated to physically build the structure or do the work which I have permitted. I understand that if I am not physically doing the work or physically supervising free labor from friends or relatives, that I must hire licensed contractors, i.e. electrician, plumber, mechanical (heating & air conditioning), etc. I further understand that the violation of not physically doing the work, and the use of unlicensed contractors at the construction site, will cause the project to be shut down by the inspector staff of the Miami Beach Building Department. Additionally, state statutes allow for additional penalties. I also understand that if this violation does occur, that for the job to proceed, I will have a licensed contractor come in and obtain a new permit as taking the job over. I understand that if I hire subcontractor under a contract price, that they must be licensed to work in Miami-Dade County, i.e. masonry, drywall, carpentry. Contractors licensed by Miami-Dade County Contractor Licensing Section or the State of Florida are required to have worker's compensation and liability coverage. State statute requires all licensed contractors have worker's compensation and liability insurance.

I will assume full responsibility as an Owner/Builder Contractor and will personally supervise of do all work allowed by law on the permitted structure.

**WARNING TO OWNER:
YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR
PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN
FINANCING, CONSULT WITH YOUR LENDER OR ATTORNEY BEFORE RECORDING YOUR
NOTICE OF COMMENCEMENT.**

Permit/Process number: _____

Property Address: _____

Email Address: _____

Print Owner's Name _____ **Owner's Signature** _____

STATE OF _____ **, COUNTY OF** _____

Sworn to and subscribed before me this _____ **day of** _____ **,20** _____

By _____

Personally known

Produced Identification – Type of Identification _____

Signature of Notary Public

(SEAL)