

## Owner/Builder Affidavit

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

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. 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)**