



CITY OF COCONUT CREEK

SUSTAINABLE DEVELOPMENT DEPARTMENT
BUILDING DIVISION
4800 WEST COPANS ROAD
COCONUT CREEK, FLORIDA 33063

Owner/Builder Affidavit Disclosure Statement 489.103(7)

Please carefully read the Disclosure statement below, prior to signing. If these rules are violated the City Of Coconut Creek Building Division 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.

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 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 built or substantially improved it for sale or lease, which violates 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.

Pursuant to Florida Law, Chapter 489 Part 1, property owners qualified to act as their own contractor **must personally appear at the building department and sign the permit application and deliver this affidavit along with appropriate identification**

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.
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 www.myfloridalicense.com/dbpr 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 Coconut Creek immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure.

I will assume full responsibility as an Owner/Builder Contractor and will personally supervise or do all work allowed by law on the permitted structure. I also understand that it is my responsibility to call in for all required inspections up to and including final inspections on the permitted work.

Property owner address _____

Telephone () _____ Driver's license number _____

Other identification _____

I hereby acknowledge that I have read and understand the above affidavit. Date _____

Owner Name (please print) _____

Owner Signature _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____

Notary Seal

Notary Signature _____

Print Notary Name _____

STATE LAW

Unlicensed Practice of a Profession: Cease and Desist Notice: Civil Penalty; Enforcement Chapter 455.228 FSS

1. When the department has probable cause to believe that any person not licensed by the department, or the appropriate regulatory board within the department, has violated any provision of this chapter or any statute that relates to the practice of a profession regulated by the department, or any rule adopted pursuant thereto, the department may issue and deliver to such person a notice to cease and desist to any person who aids and abets the unlicensed practice of a profession by employing such unlicensed person. For the purpose of enforcing a cease and desist order, the department may file a proceeding in the name of the state seeking issuance of an injunction or writ of mandamus against any person who violates any provisions of such order. In addition to the foregoing remedies, the department may impose an administrative penalty not to exceed \$5,000 per incident pursuant to the provisions of chapter 120 or may issue a citation pursuant to the provisions of subsection. If the department is required to seek enforcement of the order for a penalty pursuant to s. 120.569, it shall be entitled to collect its attorney's fees and costs, together with any cost of collection
2. In addition to or in lieu of any remedy provided in subsection (1), the department may seek the imposition of a civil penalty through the circuit court for any violation for which the department may issue a notice to cease and desist under subsection (1). The civil penalty shall be no less than \$500 and no more than \$5,000 for each offense. The court may also award to the prevailing party its costs and reasonable attorney fees and, in the event the department prevails, may also award reasonable costs of investigation.
3. The provisions of this section only apply to the professional practice acts administered by the Department of Business and Professional Regulation.

STATE LICENSING LAW

Definition of Owner/Builders – Chapter 489.103(7) FSS

Owners of property when acting as their own contractor and providing direct, onsite supervision themselves 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.

Definition of Contractor – Chapter 489.105 (3) FSS

"Contractor" means the person who is qualified for, and shall only be responsible for, the project contracted for and means, except as exempted in this part, the person who, for compensation, undertakes to, submits a bid to, or does himself or herself or by other construct, repair, alter, remodel, add to, demolish, subtract from or improve any building or structure, including related improvements to real estate, for others or for resale to other.