



**TOWN OF BRINY BREEZES**  
**PROPERTY OWNER'S AFFIDAVIT & DISCLOSURE STATEMENT**  
**STATE OF FLORIDA, PALM BEACH COUNTY**

The provisions of Chapter 489 F.S. require construction to be done by licensed contractors. You have applied for a permit under an exemption to that law that allows you, as the owner of your property, to act as your own contractor, even though you do not have a license. You may build or improve a one or two-family residence or build or improve a commercial building at a cost of \$75,000 or less in value, within any 12 month period, **provided the residence or building is for your own use and occupancy**. It may not be built for sale or lease. The construction must be performed according to Building Codes and Zoning Regulations. It is your responsibility to make sure that people employed by you have licenses, workers compensation, and insurance required by State law and by County licensing ordinances. **You must perform, or supervise the construction yourself, and possess technical knowledge to personally supervise all permitted work, if not performed by a licensed contractor.**

Therefore, as the Owner/Builder, I hereby declare, I understand and agree:

1. That I may build or improve a one or two-family residence. 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 one 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 and is subject to a fine of \$500 and/or imprisonment for sixty days.
2. **That Florida Statutes require all permit types with a value greater than \$2,500 to have a Notice of Commencement recorded with the Clerk of the Circuit Court prior to the 1<sup>st</sup> inspection.** If replacing Air Conditioning equipment (HVAC), the Notice of Commencement requirement is required for HVAC work with a value of \$7500 or more. **The permit holder must supply the Building Division with a copy of the recorded Notice of Commencement.**
3. 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.
4. I understand that all construction shall be in accordance with all Building, Zoning and Land Development Codes.
5. 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 number on permits and contracts.
6. I understand that, as the owner-builder, I must provide direct, onsite supervision of the construction, and I have the technical ability to supervise the work not performed by licensed contractors. 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 I must comply with laws requiring the withholding of federal income tax and social security contribution 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.
7. 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, and I may be subject to "aiding and abetting unlicensed contractors" substantial fines, if I hire unlicensed ones.
8. 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.

9. 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.

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 the Division of Professions Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, phone: 850.487.1395 or internet website address: www.myfloridalicense.com 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 Town of Briny Breezes immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure.

13. I certify that I have not completed a building under an Owner/Builder permit within the past twelve (12) months anywhere in Florida.

**Pursuant to Florida Law, Chapter 489 Part 1, property owners qualified to act as their own contractor must personally appear at the Briny Breezes Corporate office and sign the permit application, and deliver this Affidavit.**

I, the owner of \_\_\_\_\_ do hereby certify that I have read the foregoing, and am aware of my responsibilities and liabilities for construction work on the above- described property. I do hereby covenant and agree to abide by each of the aforesaid stipulations. I further understand that any falsification of the above statements constitutes fraud and may result in revocation of this permit. I understand "STOP WORK" order and /or Code Enforcement fines may also be applied to insure statutory limits recited above are honored.

\_\_\_\_\_  
Owner (signature)

\_\_\_\_\_  
Owner (print)

**State of Florida**

**County of Palm Beach**

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
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 \_\_\_\_\_