



Community Development Department

13777 Fruitvale Avenue

Saratoga, CA 95070

www.saratoga.ca.us/cdd

408.868.1240

OWNER BUILDER DECLARATION & ACKNOWLEDGEMENT

PROPERTY INFORMATION

Project Address: _____

Owner Name: _____

Mailing Address: _____

Email Address: _____ Phone #: _____

An application for a building permit has been submitted in your name listing yourself as the builder of the property improvements specified at the address above. The city of Saratoga Building Division is providing you with an Owner-Builder acknowledgement and information verification form to make you aware of your responsibilities and possible risks you may incur by having this permit issued in your name as the Owner-Builder as required by California Health and safety code section 19825.

OWNER'S ACKNOWLEDGEMENT AND VERIFICATION OF INFORMATION

- _____ 1. I understand a frequent practice of unlicensed person is to have the property owner obtain an Owner-Builder building permit that erroneously implies that the property owner is providing his or her own labor and material personally. I, as an owner builder, may be held liable and subject to serious financial risk for any injury sustained by an unlicensed person and 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.
- _____ 2. I understand that building permits are not required to be signed by the property owner unless they are responsible for the construction and are not hiring a licensed contractor to assume this responsibility.
- _____ 3. I understand as an owner builder I am the responsible party of record on the 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.
- _____ 4. I understand contractors are required by a lot to be licensed and bonded in California and to list their license number on permits and contracts.
- _____ 5. I understand if I employ or otherwise engage any person, other than a California license contractor, And the total value of my construction is at least \$500 (\$500.00), including design, labor, and materials, I may be considered an "employer" under state and federal law.

- _____ 6. I understand if I am considered an “employer” under state and federal law, I must register with the state and federal government, withhold payroll taxes, provide workers compensation disability insurance, and contribute to unemployment compensation for each “employee”. I also understand my failure to abide by these laws may subject me to serious financial risk.
- _____ 7. I understand under California contractor state license law, and owner builder who builds single family residential Structures cannot legally build them with the intent to offer them for sale, unless all work is performed by licensed contractors and the number of structures does not exceed 4 within any calendar year, or all of the work is performed under contract with a licensed general contractor.
- _____ 8. I understand as an owner builder if I....es sustained by any subsequent owner(s) That result from any latent construction defects in the workmanship or materials.
- _____ 9. I understand I may obtain more information regarding my obligations as an “employer” From the Internal Revenue Service, the United States Small Business Administration, the California Department of benefit payments, and that California Division of industrial accidents. I also understand I may contact the California contractor state licensing board (CSLB) at (800) 321-2752 or <http://cslb.ca.gov/> For more information about licensed contractors.
- _____ 10. I am aware of and consent to an Owner-Builder permit applied for me and my name and I understand that I am the party legally and financially responsible for proposed construction activity at the address listed on this form.
- _____ 11. I agree that, as the party legally and financially responsible for the proposed construction activity, I will abide by all applicable Laws and requirements that govern Owner-Builders as well as employers.
- _____ 12. I agree to notify the city of Saratoga Building Division immediately of any editions, deletions, or changes to any of the information that I have provided on this form and any other forms, plans, or documents associated with this permit application.
- _____ 13. I understand that license contractors are regulated by laws designed to protect the public. If I contract with someone who does not have a license, the contractor’s state licensing board may be unable to assist me with any financial loss I have sustained as a result of the complaint. My only remedy against unlicensed contractors may be in civil court.
- _____ 14. I understand that if an unlicensed contractor or employee of that individual or firm is injured while working on my property, I may be held liable for damages. I understand that if I obtain a permit as Owner-Builder and wish to hire contractors, I will be responsible for verifying whether or not those contractors are properly licensed and the status of their workers’ compensation insurance coverage.

Before a building permit can be issued, this form must be read, completed, and signed by the property owner and returned to the city of Saratoga building division. Note: A copy of the property owner’s driver license, form notarization, or other verification acceptable to the city of Saratoga Building Division is required to be present when the permit is issued to verify the property owner’s signature.

Signature or Property Owner or Authorized Agent*

PRINT NAME

DATE

OWNER-BUILDER'S DECLARATION- CALIFORNIA HEALTH AND SAFETY CODE SECTION 19825

I hereby affirm under penalty of perjury but I am exempt from the Contractor State License Law for the reasons indicated below by the checkmark(s) I have placed next to the applicable item(s) (Section 7031.5, Business and Professions Code: Any city or county that requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for the permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractor State License Law (Chapter 9 Commencing with section 7000) Of Division 3 of the Business and Profession Code) Or that he or she is exempt from licensure And the basis of the alleged exemption. Any violation of section 7031.5 By any applicant for a permit subjects the applicant to a civil penalty of not more than (\$500.00)

_____ I, as the Owner of the property, or my employees with wages as their sole compensation, will do (check one) _____ all of the work or _____ portions of the work, And the structure is not intended or offered for sale (Section 7044, Business and Professions Code: The contractor's state license law does not apply to an owner of property who, through employees or personal effort, builds or improves the property, provided that the improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner builder will have the burden of proving that it was not built or improved for the purpose of a sale).

_____ I, as owner of the property comment am exclusively contracting with licensed contractors to construct the project (Section 7044, Business and Professions Code: The Contractor State License Law does not apply to an owner of a property who builds or improves thereon, and who contracts were the projects with a licensed contractor pursuant to the Contractor's State License Law).

_____ I am exempt from licensure Under the Contractor State License Law for the following reason:

By my signature below I acknowledge that, Except for my personal residence in which I must have resided for at least one year prior to completion of the improvements covered by this permit, I cannot legally sell a structure that I have built as an owner builder if it has not been constructed in its entirety by licensed contractors. Section 7044 <http://www.leginfo.ca.gov>

Signature or Property Owner or Authorized Agent*

PRINT NAME

DATE