



THE CITY OF DAYTONA BEACH
PERMIT AND LICENSING DIVISION
Post Office Box 311, Daytona Beach, FL 32115-0311

OWNER-BUILDER PERMIT APPLICATION

AFFIDAVIT OF ACKNOWLEDGMENT AND DISCLOSURE STATEMENT

BEFORE me, the undersigned authority, personally appeared,
_____ (*print name*) and states:

1. Affiant is over 18 years of age and makes this Affidavit upon his/her own personal knowledge.

2. The Affiant is the owner of the property located at

(*insert address AND parcel number*).

3. Affiant has submitted a building permit application to the City of Daytona Beach as an owner-builder.

4. Affiant understands 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 Affiant, as the owner of the property listed, may act as his/her own contractor with certain restrictions even though Affiant does not have a license.

5. Affiant understands 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.

6. Affiant understands that, as an owner-builder, Affiant is the responsible party of record on a permit. Affiant understands that Affiant may protect himself/herself from potential financial risk by hiring a licensed contractor and having the permit filed in his or her name instead of Affiant's name. Affiant also understands that a contractor is required by law to be licensed in Florida and to list his or her license numbers on permits and contracts.

7. Affiant understands that Affiant may build or improve a one-family or two-family residence or a farm outbuilding. Affiant 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. Affiant acknowledges that the exemption set forth in section 489.109(7)(a)4, Florida Statutes, does not apply to my property.

8. Affiant understands that, as the owner-builder, Affiant must provide direct, onsite supervision of the construction.

9. Affiant understands that Affiant may not hire an unlicensed person to act as Affiant's 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.

10. Affiant understands 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. Affiant, 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. Affiant's homeowner's insurance may not provide coverage for those injuries. Affiant is willfully acting as an owner-builder and is aware of the limits of insurance coverage for injuries to workers on Affiant's property.

11. Affiant understands that Affiant 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 Affiant's building who is not licensed must work under Affiant's direct supervision and must be employed by Affiant, which means that Affiant 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. Affiant understands that Affiant's failure to follow these laws may subject Affiant to serious financial risk.

12. Affiant agrees that, as the party legally and financially responsible for this proposed construction activity, Affiant will abide by all applicable laws and requirements that govern owner-builders as well as employers. Affiant also understand that the construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.

13. Affiant understands that Affiant may obtain more information regarding Affiant's 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. Affiant also understand that Affiant may contact the Florida Construction Industry Licensing Board at 850-487-1395 or myfloridalicense.com/dbpr/pro/cilb/info.html for more information about licensed contractors.

14. Affiant is aware of, and consents to, an owner-builder permit applied for in Affiant's name and understands that Affiant is the party legally and financially responsible for the proposed construction at _____ (address), Daytona Beach, Florida.

15. Affiant agrees to notify the City of Daytona Beach, Permits & Licensing Division

immediately of any additions, deletions, or changes to any of the information that Affiant has provided in this acknowledgment.

16. Affiant understands and acknowledges that licensed contractors are regulated by laws designed to protect the public. If you contract with a person who does not have a license, the Construction Industry Licensing Board and Department of Business and Professional Regulation may be unable to assist you with any financial loss that you sustain as a result of a complaint. Your only remedy against an unlicensed contractor may be in civil court. It is also important for you to understand that, if an unlicensed contractor or employee of an individual or firm is injured while working on your property, you may be held liable for damages. If you obtain an owner-builder permit and wish to hire a licensed contractor, you will be responsible for verifying whether the contractor is properly licensed and the status of the contractor's workers' compensation coverage.

17. Affiant understands and acknowledges that before a building permit can be issued, this disclosure statement must be completed and signed by the property owner and returned to the local permitting agency responsible for issuing the permit. A copy of the property owner's driver license, the notarized signature of the property owner, or other type of verification acceptable to the local permitting agency is required when the permit is issued.

18. Affiant acknowledges that any person who prescribes a false statement to a Notary Public is guilty of perjury.

19. Affiant acknowledges that this document will be recorded with the Clerk of Court of Volusia County and become public record.

20. Affiant hereby releases and holds the City of Daytona Beach harmless from any liability, code enforcement violations, building code violations, claims, suits, and/or damages associated with owner-builder construction associated with the requested permit for the subject property.

FURTHER AFFIANT SAYETH NAUGHT.

_____ (Print Name of Affiant)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____ who is (____) personally known to me or (____) who has produced _____ as identification.

NOTARY PUBLIC SEAL: _____
Notary Public

Print Name of Notary

Commission No. _____ My Commission Expires _____