

Owner-Builder Acknowledgement Form

Use this form for owner-builder projects.

Owner-Builder Permit Requirement Highlights

Florida State Statute 489 requires construction to be performed by a properly licensed contractor. The provisions of F.S. 489.103 provide an exemption to that law for owner-builders, with limitations.

Property Use

The property must be for the exclusive use of the owner.

- It may not be offered for sale, lease, or rent for a period of one (1) year* after the completion of the project.

*Exception: In 2019, sub-section F.S. 489.103(7)(a)4 was added to allow owners of property to act as owner-builders where the contractor listed on the permit substantially completed the project (as determined by the City).

- An owner-builder who qualifies under this exemption is not required to occupy the dwelling or unit for at least one (1) year.

Property Ownership

- Must be deeded in the owner-builder's name.
- A property held in a trust qualifies if the trustee is a natural person.

Project Valuation Limits

- Improvements on one-family or two-family residences have no valuation limits.
- Improvements for commercial structures may not exceed $75,000.

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- A form, signed by the owner-builder, must be submitted with the project application.

Risk for Owner-Builders

Before deciding to obtain a permit in your name, we strongly encourage you to review an important message drafted by the Department of Business and Professional Regulation (DBPR) regarding the Dangers and Risks of Pulling an Owner-Builder Permit.

QUICK TIPS

Accela Instructions

See Guide to Starting an Online Permit Application for easy-to-follow instructions.

Accela Instructions

See How to Upload an Owner-Builder Acknowledgement Form for easy-to-follow instructions.

A Note on Fees

Permit fees are the same regardless of who obtains the permit.

Unqualified Ownerships

Corporations, LLCs, Partnerships, etc., do not qualify as owner-builders and must hire a licensed contractor.

Notice of Commencement

Owner-Builders must still file a Notice of Commencement (NOC) if the statutory limits for improvements are met.

OWNER-BUILDER ACKNOWLEDGEMENT FORM

IMPORTANT: Please read all conditions before signing.

Record ID No. _____ (Quick Tip: Record ID = Permit Number.)

Property Address: _____

IMPORTANT: Before signing, please review an important message from the Florida Department of Business and Professional Regulation (DBPR) regarding the Dangers and Risks of Pulling an Owner-Builder Permit.

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 all 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 this exemption.

5. I understand that, as the owner-builder, I must provide direct, onsite supervision of the construction.

6. I understand I may not hire an unlicensed individual 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 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 those injuries to workers on my property.

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.

Owner-Builder Acknowledgement Form

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 am aware of the necessary construction practices for the work that I will be doing. I am sufficiently aware of the Florida Building Code to conduct this work and I have access to the Florida Building Code.

11. 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 1-850-487-1395 or at www.myflorida.com/DBPR for more information about licensed contractors.

12. 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 address listed below.

13. I agree to notify the building department immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure or in the permit application package.

14. 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, the Department of Business and Professionals Regulation and the building department 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 property licensed and the status of the contractor's workers' compensation coverage.

I, the owner of the property located at _____
do hereby state that I am qualified and capable of performing the requested scope of construction involved with the application for Record ID No. _____ and agree to the aforementioned conditions.

_____	_____	_____
Print Name of Owner-Builder	Signature of Owner-Builder	Date

A violation of this exemption is a misdemeanor of the first degree punishable by a term of imprisonment not exceeding 1 year and a $1,000.00 fine in addition to any civil penalties. In addition, the local permitting jurisdiction 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.

Remember, it is illegal to act as a contractor without proper certification and licensing. Failure to file a Notice of Commencement may result in your paying twice for improvements to your property. Consult your lender or attorney if you have any questions.