

OWNER/ BUILDER AFFIDAVIT

State of Florida
County of Bay

BEFORE ME, the undersigned authority, personally appeared _____ who upon first being duly sworn, deposes and says:

I, _____, am the legal owner of the following described property:

Subdivision: _____

Block: _____ Lot: _____

Parcel No.: _____

I am applying for a building permit pursuant to the Owner Builder exemption set forth in Florida Statute, Section 489.103 and Panama City Beach Ordinance Section 8-4. Florida law requires that I have been provided with the following Disclosure Statement:

DISCLOSURE STATEMENT

State law requires construction to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own contractor with certain restrictions even though you do not have a license. You must provide direct, onsite supervision of the construction yourself. You may build or improve a one-family or two-family residence or a farm outbuilding. You may also build or improve a commercial building, provided your costs do not exceed \$75,000. The building or residence must be for your own use or occupancy. It may not be built or substantially improved for sale or lease. If you sell or lease a building you have built or substantially improved yourself within one (1) year after the construction is complete, the law will presume that you built or substantially improved it for sale or lease, which is a violation of this exemption.

According to Florida Law, consumers who hire unlicensed construction contractors could face a fine of up to \$5,000. Chapter 455.228 of the Florida Statutes allows the Florida Department of Business and Professional Regulation (DBPR) to request the Circuit Court to impose a civil penalty of \$500 to \$5,000 on individuals who aid and abet unlicensed construction contractors. They may also be liable for court costs. Aiding and abetting is defined by the statute as anyone who employs an unlicensed contractor or company.

You may not hire an unlicensed person to act as your contractor or to supervise people working on your building. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances. You 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 your building who is not licensed must work under your direct supervision and must be employed by you, which means that you must deduct FICA and withholding tax and provide workers' compensation for that employee, all as prescribed by law.**

Your construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.

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

Licensed contractors are regulated by laws to protect the public. If you contract with a person who does not have a license, the Construction Industry licensing Board, the DBPR 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 properly licensed and the status of the contractor's workers' compensation coverage.

In addition, the owner becomes liable and responsible for the employees he hires to assist in the construction project. This responsibility includes, but may not be limited to the following:

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|----|----------------------------|---|
| A. | Workmen's Compensation | For workmen injured on the job |
| B. | Social Security Tax (FICA) | Must deduct from employees wages w/owners fund. |
| C. | Unemployment Compensation | May or may not be required |
| D. | Public Liability | |
| E. | Federal Withholding Tax | |

As per House Bill 177, effective October 1, 1989, evidence of "Workers Compensation" coverage for every person, business, organization or qualifying agent engaged in the business of contracting or subcontracting, receiving a construction permit must provide proof of workers compensation coverage for all employees.

Furthermore, **NO OCCUPANCY SHALL TAKE PLACE UNTIL FINAL INSPECTION AND CERTIFICATE of OCCUPANCY HAS BEEN OBTAINED.**

I hereby acknowledge that I have read the above DISCLOSURE STATEMENT and that I comply with all the requirements for the issuance of an Owner-Builder permit, including the provisions of the Panama City Beach Code of Ordinances Section 8.4 which limits the owner builder exemption to a single-family residences and commercial buildings.

Further, affiant sayeth no.

Property Owner

Sworn to and subscribed before me this _____ day of _____, 20____.

My Commission Expires:

Notary Public