

OWNER-BUILDER DISCLOSURE STATEMENT

City of Dunedin, Florida ♦ Community Development Department
737 Loudon Avenue, Suite 137, Dunedin, FL 34698 ♦ 727-298-3210 ♦ www.dunedin.gov

To qualify for this licensing exemption, an owner must personally appear and sign the building permit application and must satisfy local permitting agency requirements, if any, proving that the owner has a complete understanding of the owner's obligations under the law as specified in this disclosure statement.

DISCLOSURE STATEMENT

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 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 the exemption.
5. I understand that, as the owner-builder, I must provide direct, onsite supervision of the construction.
6. 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.
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 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.
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 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 850-487-1395 or for more information about licensed contractors.

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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 City of Dunedin immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure.

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.

Before a building permit can be issued, this disclosure statement must be completed and signed by the property owner and returned to the Building Division. A copy of the property owner's driver license or other type of photo identification is required when the permit is issued.

Property Owner's Signature

Printed Name

Date

(FOR OFFICE USE ONLY)

Property Owner's Identification Verification

Permit No.: _____

Verified By: _____

Date Verified: _____

Type of ID Produced: ☐ Driver's License
☐ Other _____

WARNING: VIOLATING THE OWNER-BUILDER EXEMPTION

Violating Florida's owner-builder exemption statute most often occurs by selling or leasing the property within one year of its completion, which creates a legal presumption that the owner-builder built it for sale or lease. Other violations include hiring an unlicensed contractor, failing to occupy or use the property as a personal residence, or not meeting local code and zoning regulations.

Violating Florida's owner-builder exemption can lead to fines of up to \$5,000 per violation, mandatory reporting to the state, having the permit revoked, and being subject to actions for unlicensed activity. Penalties can escalate if work continues after a Stop Work Order, potentially including daily fines and liens on the property. If a homeowner is caught performing work that requires a contractor's license without being properly licensed, they can face misdemeanor charges with penalties like fines, jail time, and probation.

Penalties for violating the owner-builder exemption.

Fines: A fine of up to \$5,000 per violation may be issued by the local code enforcement board.

Permit revocation: The local permitting agency can revoke the permit and take further action.

Action for unlicensed activity: The owner can be prosecuted for unlicensed activity, which is a first-degree misdemeanor punishable by up to one year in jail and a \$1,000 fine.

Mandatory reporting: The violation may be reported to the State Contractor's Board.

Stop Work Order: A Stop Work Order will be issued, requiring all work to cease immediately.

Daily fines: Continuing work after a Stop Work Order is a daily violation that can lead to escalating daily fines, potentially up to \$5,000 per day.

Liens: Unpaid fines can be converted into liens against the property.

CITY CODE:

105-41.4.2 - Persons to Whom Issued, Affidavits

State law requires construction to be done by licensed contractors. If a homeowner applies for a permit under an exemption to that law, the exemption allows that person or persons, as the owner of their property, to act as their own contractor even though they do not have a license. They must supervise the construction themselves. They may build or improve a one- family or two-family residence or a farm outbuilding. The building must be for their own use and occupancy. It may not be built for sale or lease. If they sell or lease more than one building they have built themselves within one year after the construction is complete, the law will presume that they built it for sale or lease, which is a violation of this exemption. They may not hire an unlicensed person as their contractor. Their construction must be done according to building codes and zoning regulations. It is their responsibility to make sure that people employed by them have licenses required by state, county or municipal licensing ordinances.