



TOWN OF PONCE INLET, PLANNING AND DEVELOPMENT DEPARTMENT  
BUILDING & CODE ENFORCEMENT DIVISION  
*We strive to be professional, caring and fair*

Property Owner: \_\_\_\_\_

Property Address: \_\_\_\_\_

Tax Parcel ID: \_\_\_\_\_

**OWNER BUILDER DISCLOSURE STATEMENT**

**INITIAL EACH  
ITEM BELOW**

\_\_\_\_\_ 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 [www.myflorida.com/dbpr/consumers.html](http://www.myflorida.com/dbpr/consumers.html) or (850)487-1395 for more information about licensed contractors.

\_\_\_\_\_ 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:

\_\_\_\_\_, Ponce Inlet, FL.

\_\_\_\_\_ 12. I agree to notify the Building Department of the Town of Ponce Inlet 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 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.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

**Office use only:**

**SWORN TO AND SUBSCRIBED** before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

by \_\_\_\_\_ who is personally known to me or has provided  
the following identification \_\_\_\_\_.

**Notary Stamp/Seal**

\_\_\_\_\_  
Notary Public / State of Florida



[Home](#) | [Services](#) | [Growth and Resource Management](#) | [Building and Zoning](#) | [Contractor Licensing](#) | Unlicensed contractors

## Unlicensed contractors

### How to protect yourself

Protect yourself by avoiding unlicensed contractors. Volusia County is committed to protecting its residents from unlicensed contractor activities and scams. Volusia County has adopted an ordinance that enables the county's staff to write citations imposing fines against violators in the unincorporated area of Volusia County. Working without the proper license is against the law. Be aware of what can happen if you hire an unlicensed contractor. If the work is not done to code or workmanship standards there is no recourse against the unlicensed contractor, other than through the civil courts. Contractor license information can be found on this website. Unlicensed activity searches can be performed at the [DPBR](#) website.

A Handyman is not a licensed contractor and cannot obtain building permits. If you want to find out if an individual is properly licensed, please call Volusia County Contractor Licensing at 386-736-5957, option 2.

### Don't Get Stung brochure

This brochure gives some basic information on unlicensed contractors and what to look out for.

### Warningsigns of an inlicensed contractor

- If a large down payment is requested before the work begins, you might be at risk. Only partial payments should be made until work is completed. Many requests for money are made during early phases of construction.
- If you are asked to pay in cash or make your check payable to an individual or "cash" instead of a company name, you may be dealing with an unlicensed individual.
- If you are told the job does not require a building permit check with your local building department before proceeding. Almost all projects and repairs require permits.
- If the contractor is willing only to work on weekends and evenings, it may be a sign the person is an employee who is moonlighting without a license.
- Be wary if someone other than the person or company contracting to do the construction work obtains the building permit or you are asked to obtain the building permit. If you do so, you will be responsible for complying with the Florida Building Code and for workers injured on the job. (Your standard homeowners insurance does not cover injuries to workers on a jobsite).
- Contractor displays only a Business Tax Receipt. (A Business Tax Receipt is not a license to perform contracting work.)
- Newspaper/flyers or yellow page ads where only the telephone number appears and there is not a license number.
- License numbers are not on the vehicle, business cards, contracts, flyers, newspaper or yellow page advertisements.

### You, the homeowner, can also ASK QUESTIONS

- Ask what type of license they have. The license should be issued from Volusia County, the Department of Business and Professional Regulation or other appropriate licensing authority.
- Ask to see a copy of their license. In order to lawfully engage in contracting, a contractor must be either State Registered, State Certified or Locally Licensed.
- Ask for a copy of their liability and workman's compensation exemption or insurance. Licensed contractors must have general liability and workers compensation exemption or insurance in force at all times.
- If using a small, independent contractor, request to see a professional license and a driver's license. The names should be the same.

### When hiring a contractor

- Anyone claiming to be a licensed "handyman" is not telling the truth; there is no such license. If they are doing structural, plumbing, electrical, HVAC, roof or similar repair tasks on your home without a county or state license for those trades, they are doing unlicensed work.
- Obtain estimates from at least three contractors. They should specify such items as the quality and type of materials to be used and how long it will take to complete the work.
- Don't choose a contractor based on price alone. Ask for references and how long a contractor has been in business. Check out work the contractor has done for others.
- Check if your contractor has any unresolved complaints, and if his or her license has ever been revoked or suspended. To check if a construction company is incorporated with the state and for how long,

**Contact us at**  
[contractorlicensing@volusia.org](mailto:contractorlicensing@volusia.org)

**West Volusia**  
 386-736-5957, option 2

**Daytona Beach**  
 386-248-8158, option 2

**New Smyrna Beach**  
 386-424-6828, option 2

**Fax**  
 386-740-5215

go to [www.sunbiz.org](http://www.sunbiz.org). Check the Better Business Bureau's website for any complaints filed against the company. [www.bbb.org](http://www.bbb.org).

- Get any proposal, contract or agreement in writing. Be aware if your contractor fails to pay his suppliers or subcontractors, you may be liable. To prevent this, get a written "release of lien" from the contractor before making a lump sum or final payment for any work.

Remember a business tax receipt is not a license to perform contracting work. If in doubt, you can always call us at 386-736-5957, Option 2.

Homeowners who hire unlicensed contractors face several potential costly penalties. The Department of Business and Professional Regulation can issue an order to stop construction and can levy a \$5,000 fine for aiding and abetting unlicensed contractors.