



City of Palm Springs

Building & Safety Department

3200 East Tahquitz Canyon Way, Palm Springs, California 92262

PO Box 2743, Palm Springs, CA 92263

Application for Exemption from the California State Contractor Licensing Law (Owner/Builder Affidavit)

Date: _____

Property owner: _____

Property address: _____

Description of work: _____

SECTION 1 – OWNER/BUILDER INFORMATION ACKNOWLEDGEMENT

A permit cannot be issued until all sections below have been initialed and signed by the property owner. An agent of the owner may execute this form for the property owner only if section 2, *Authorization of agent to act on property owner's behalf* has been completely filled out and signed by the property owner.

The information below is to make you aware of your responsibilities and possible risks you may incur by having this permit issued in your name as the owner/builder.

DIRECTIONS: Read and initial each statement below to signify you understand the conditions of this exemption.

____ 1. I understand a frequent practice of unlicensed persons is to have the property owner obtain an owner/builder permit, which implies that the property owner is providing their own labor and materials. I, as an owner/builder, may be held liable and subject to financial risk for any injuries sustained by an unlicensed person and their 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.

____ 2. I understand that I may only obtain a permit for work on a single family detached residence that I occupy, or I am claiming an occupancy exemption under CSLB 7044 (2)(A)(B) for the following reason:

No owner/builder permits may be issued for work on multi-family structures (townhomes, condominiums, apartments) as the work may place the other occupants of the building at risk.

____ 3. I understand contractors are required by law to be licensed and bonded in California, as well as being required to list their license numbers on all permits or contracts.

____ 4. I understand that as an owner/builder that if I sell the property for which this permit is issued, I may be held liable for any financial costs or personal injuries sustained by subsequent owner(s) that result from any latent construction defects in my workmanship or materials.

____ 5. I agree to notify the City of Palm Springs Building and Safety Department immediately of any additions, deletions, or changes to any of the information I have provided on this form.

California licensed contractors are regulated by laws designed to protect the public. If you enter into a contract with someone who does not have a license, the Contractors State License Board will be unable to assist you with

any losses that you may incur because of a complaint; your only remedy against unlicensed contractors may be in the civil court. It is also important for you to understand that if an unlicensed contractor or employee of the unlicensed contractor is injured while working on your property you may be held liable for damages. If you obtain a permit as owner/builder and wish to hire licensed contractors, you will be responsible for verifying that those contractors are properly licensed, and for checking the status of their workers compensation insurance coverage.

Before a building permit can be issued, this form must be completed and signed by the property owner and returned to the City of Palm Springs Building and Safety Department.

OWNER-BUILDER DECLARATION

I hereby affirm under penalty of perjury that I am exempt from the Contractor's State License Law for the reason(s) indicated below. *Per section 7031.5, Business and Professions Code: Any city or county that requires a permit to construct, alter, improve, demolish, or repair, any structure, prior to its issuance, also requires the applicant for the permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractor's State License Law (Chapter 9) Commencing with Section 7000 of division 3 of the Business and professions Code]* or that he or she is exempt from licensure and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).

I, as owner of the property, or my employees with wages as their sole compensation, will complete all work listed in the permit application, and that the structure is not intended or offered for sale. Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who, through employees or personal effort, builds or improves the property, provided that the improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner/builder will have the burden of proving that it was not built or improved for the purpose of sale.

I, as owner of the property, am contracting with licensed California contractors to construct the project. Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who builds or improves thereon, and who contracts for the project with a licensed contractor(s) pursuant to the Contractors' State License Law.

I am exempt from licensure under the California state contractor license law for the following reason:

**By my signature below I acknowledge that, except for my primary residence in which I have resided for at least one year prior to completion of the improvements covered by this permit, cannot legally sell a structure that I have built or made improvements to as an owner/builder if the work has not been constructed in its entirety by California licensed contractors. I understand that a copy of the applicable law, Section 7044 of the Business and Professions Code is available at the following Web site:
<http://www.leginfo.ca.gov/calaw.html>.**

(Property Owner - Print name)

(Property Owner - Signature)

(Date)

SECTION 2 - AUTHORIZATION OF AGENT TO ACT ON PROPERTY OWNER'S BEHALF

I hereby authorize the person listed below to act as my agent to apply for, sign, and file the documents necessary to obtain an owner/builder for my property. I understand I must complete and sign section 1 and upload a scanned copy of my authorized agents' driver's license along with this form. Failure to do so may result in immediate rejection of my permit application.

Project Location or Address: _____

Description of work: _____

Name of Authorized Agent: _____

Address of Authorized Agent: _____

Authorized agent's state/driver's license number: _____

A scanned copy of the authorized agent's driver's license has been attached.

I declare under penalty of perjury that I am the property owner for the address listed above and I personally filled out the above information and certify its accuracy.

(Property Owner - Print name)

(Property Owner - Signature)

(Date)