

**DECLARATIONS**

**RECORD NUMBER:**

**1. LICENSED CONTRACTOR DECLARATION:**

I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the California Business and Professions Code, and my license is in full force and effect.

License No. and Class \_\_\_\_\_ Expiration \_\_\_\_\_ Contractor's Signature \_\_\_\_\_

**2. OWNER / BUILDER DECLARATION:**

I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the reason(s) indicated below by the check mark(s) I have placed next to the applicable items(s) [Business and Professions Code Section 7031.5: 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 Contractors' 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 do all or portions of the work, and the structure is not intended or offered for sale (Business and Professions Code Section 7044: The Contractor's State License Law does not apply to an owner of a 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 exclusively contracting with licensed contractors to construct the project (Business and Professions Code Section 7044: The Contractors' State License Law does not apply to an owner of property who builds or improves thereon, and who contracts for the project(s) with a licensed contractor pursuant to the Contractors' State License Law.)

I certify that, in the performance of the work from licensure under the Contractors' State License Law for the following reason(s): \_\_\_\_\_

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

Property Owner or Authorized Agent signature \_\_\_\_\_ Date: \_\_\_\_\_

**3. WORKERS' COMPENSATION DECLARATION:**

**WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.**

I hereby affirm under penalty of perjury one of the following declarations:

I have and will maintain a certificate of consent to self-insure for workers' compensation, issued by the Director of Industrial Relations as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. Policy No. \_\_\_\_\_

I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier \_\_\_\_\_ Policy No. \_\_\_\_\_ Expiration Date \_\_\_\_\_

I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that, if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

**4. CONSTRUCTION LENDING AGENCY DECLARATION:**

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Civil Code Section 3097).

Lender's Name \_\_\_\_\_ Address \_\_\_\_\_

**5. HAZARDOUS MATERIALS DECLARATION:**

Will the applicant or future building occupant handle a hazardous material or a mixture containing a hazardous material equal to or greater than the amounts specified on the hazardous materials guide?  Yes  No

Will the intended use of the building by the applicant or future building occupant require a permit for construction or modification from the South Coast Air Quality Management District (see SCAQMD permitting checklist for guidelines)?  Yes  No

I have read the hazardous materials information guide and the SCAQMD permitting checklist. I understand my requirements under the Los Angeles County Code Title 2, Chapter 2.28, Sections 2.20.100 through 2.20.140 concerning hazardous materials reporting and for obtaining a permit from the SCAQMD.

\_\_\_\_\_  
**Print Owner or Agent Name**

**6. PERMIT APPLICANT DECLARATION:**

By my signature below, I certify to each of the following:

I am a California licensed contractor, or

I am the property owner, or

I am authorized to act on behalf of the property owner\*

I have read this construction permit application and the information I have provided is correct. I agree to comply with all applicable city and county ordinances and state laws relating to building construction and by my signature below further indicate that I understand said code requirements for the work to be performed. I authorize representatives of the City of Whittier to enter the property subject to this permit for inspection purposes. I understand that application to the Building Official for a permit is subject to the conditions and restriction hereon and including:

- Each person upon whose behalf this application is made and each person at whose request for whose benefit work is performed under or pursuant to any permit issued as a result of this application agrees to and shall, indemnify and hold harmless the City of Whittier, its officers, agents and employees.
- Any permit issued as a result of this application becomes null and void if work is not commenced within, or has become inactive for a period of, ONE YEAR (365) DAYS.
- The issuance or granting of a permit or approval as a result of inspection shall not be construed to be an approval or a violation of the provisions of any state or local codes or ordinances. Plan review or inspection approvals presuming to give authority to violate or cancel the provisions of any state or local codes or ordinances shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Print Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

\* Requires separate authorization form



## NOTICE TO PROPERTY OWNER - OWNER-BUILDER ACKNOWLEDGEMENT FORM

Dear Property Owner:

We have received a building permit application listing your name as the owner and builder of improvements to be located at .  
As required by State Law (H&S Code 19825), we are providing you with this acknowledgment form to make you aware of your responsibilities and possible risk you may incur by having this permit to be issued in your name as the Owner-Builder. **We will not issue the building permit until you have read, initialed your understanding of each provision, signed, and returned this form to us at our address listed above.** An agent of the Owner cannot execute this notice unless you, the property owner, obtain the prior approval of the Building Official (authorization form on reverse side).

### OWNER'S ACKNOWLEDGMENT AND VERIFICATION OF INFORMATION

**DIRECTIONS: Read and initial each statement below to signify that you understand and / or verify the information.**

\_\_\_1. I understand a frequent practice of unlicensed persons is to have the property owner obtain an "Owner-Builder" building permit that erroneously implies that the property owner is providing his or her own labor and material personally. I, as an Owner-Builder, may be held liable and subject to serious financial risk for any injuries sustained by an unlicensed person and 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.

\_\_\_2. I understand building permits are not required to be signed by property owners unless they are *responsible* for the construction and are not hiring a licensed Contractor to assume this responsibility.

\_\_\_3. I understand as an "Owner-Builder" I am the responsible party of record on the 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.

\_\_\_4. I understand Contractors are required by law to be licensed and bonded in California and to list their license numbers on permits and contracts.

\_\_\_5. I understand if I employ or otherwise engage any persons, other than California licensed Contractors, and the total value of my construction is at least five hundred dollars (\$500), including labor and materials, I may be considered an "employer" under state and federal law.

\_\_\_6. I understand if I am considered an "employer" under state and federal law, I must register with the state and federal government, withhold payroll taxes, provide workers' compensation disability insurance, and contribute to unemployment compensation for each "employee." I also understand my failure to abide by these laws may subject me to serious financial risk.

\_\_\_7. I understand under California Contractors' State License Law, an Owner-Builder who builds single-family residential structures cannot legally build them with the intent to offer them for sale, unless *all* work is performed by licensed subcontractors and the number of structures does not exceed four within any calendar year, or all of the work is performed under contract with a licensed general building Contractor.

\_\_\_8. I understand as an Owner-Builder if I sell the property for which this permit is issued, I may be held liable for any financial or personal injuries sustained by any subsequent owner(s) that result from any latent construction defects in the workmanship or materials.

\_\_\_9. I understand I may obtain more information regarding my obligations as an "employer" from the Internal Revenue Service, the United States Small Business Administration, the California Department of Benefit Payments, and the California Division of Industrial Accidents. I also understand I may contact the California Contractors' State License Board (CSLB) at 1-800-321-CSLB (2752) or www.cslb.ca.gov for more information about licensed contractors.

\_\_\_10. 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 proposed construction activity at the following address:

\_\_\_11. 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.

\_\_\_12. I agree to notify the issuer of this form immediately of any additions, deletions, or changes to any of the information I have provided on this form.

Licensed contractors are regulated by laws designed to protect the public. If you contract with someone who does not have a license, the Contractors' State License Board may be unable to assist you with any financial loss you may sustain as a result of a complaint. Your only remedy against unlicensed Contractors may be in civil court. It is also important for you to understand that if an unlicensed Contractor or employee of that individual or firm 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 Contractors, you will be responsible for verifying whether or not those Contractors are properly licensed and 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 agency responsible for issuing the permit.**

**Note: A copy of the property owner's driver's license, form notarization, or other verification acceptable to the Building & Safety Division is required to be presented when the permit is issued to verify the property owner's signature.**

\_\_\_\_\_  
Property Owner's Name (please print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## AUTHORIZATION OF AGENT TO ACT ON PROPERTY OWNER'S BEHALF

**Note:** *The following Authorization Form is required to be completed by the property owner only when designating an agent of the property owner to apply for a construction permit for the Owner-Builder.*

Excluding the Notice to Property Owner, the execution of which I understand is my personal responsibility, I hereby authorize the following person(s) to act as my agent(s) to apply for, sign, and file the documents necessary to obtain an Owner-Builder Permit for my project.

Project Location or Address:

Scope (description) of Work:

Name of Authorized Agent:

Tel No

Address of Authorized Agent:

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's Name:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Note:** *A copy of the owner's driver's license, form notarization, or other verification acceptable to the agency is required to be presented when the permit is issued to verify the property owner's signature. This form is only valid when fully executed by the property owner and approved by the Building Official, or his designee, as evidenced by the signature below. FAXED COPIES ARE NOT ACCEPTABLE.*

Evidence of Property Owner's signature verified by:

- Valid California Driver's License #
- Public Notary Form
- Other

FORM APPROVED FOR PERMIT ISSUANCE:

\_\_\_\_\_  
By

\_\_\_\_\_  
Date

We, at the City of Whittier, appreciate your timely cooperation in this matter. Please feel free to contact our Senior Permit Technician, Cora Castillo, at (562) 567-9320 if you have any questions.

Respectfully,

\_\_\_\_\_  
Adam Tekunoff  
Building Services Manager/Building Official