

APPENDIX F

OWNER EXEMPTION AFFIDAVIT

Instructions:

- 1. Enter the Project Address in the designated space. (location where construction is to take place).*
- 2. Enter Your Full Name in the designated space. (You are acting as your own general contractor).*
- 3. Read both sections of section 1 and choose the one that best describes your situation and INITIAL next to the appropriate statement. If you are acting on behalf of a corporation or other entity, enter their name in the space provided.*
- 4. Read section 2 and initial that you have read and understood the statement.*
- 5. Read section 3 and initial that you have read and understood the statement.*
- 6. Read section 4 and initial that you have read and understood the statement.*
- 7. Sign and Date form IN FRONT OF A NOTARY PUBLIC.*
- 8. FORM MUST BE NOTARIZED.**
- 9. Read questionnaire on last page of this document and check Yes or No as answers to each question. Your Completed Appendix F must be accompanied by this completed questionnaire.*

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APPENDIX F

STATE OF NORTH CAROLINA

OWNER EXEMPTION AFFIDAVIT
PURSUANT TO G.S. 87-14(a)(1)

COUNTY OF Camden

Planning & Community Development Department, Building Inspections Section

Address and Parcel Identification of Real Property Where Building is to be Constructed or Altered:

Project Address: _____

I, _____ (Your Name),

(Print Full Name)

hereby claim an exemption from licensure under G.S. 87-1(b)(2) by initialing the relevant provision in paragraph 1 and initialing paragraphs 2 – 4 below and attesting to the following:

1. _____ I certify that I am the owner of the property set forth above on which this building is to be constructed or altered;

OR

_____ I am legally authorized to act on behalf of the firm or corporation which is constructing or altering this building on the property owned by the firm or corporation as set forth above (name of firm or corporation:

_____);

2. _____ I will personally superintend and manage all aspects of the construction or alteration of the building and that duty will not be delegated to any person not duly licensed under the terms of Article 1 of Chapter 87 of the General Statutes of North Carolina;

3. _____ I will be personally present for all inspections required by the *North Carolina State Building Code*, unless the plans for the construction or alteration of the building were drawn and sealed by an architect licensed pursuant to Chapter 83A of the General Statutes of North Carolina;

4. _____ I understand that a copy of this AFFIDAVIT will be transmitted to the North Carolina Licensing Board for General Contractors for verification that I am validly entitled to claim an exemption under G.S. 87-1(b)(2) for the building construction or alteration specified herein. I further understand that, if the North Carolina Licensing Board for General Contractors determines that I was not entitled to claim this exemption, the building permit issued for the building construction or alteration specified herein shall be revoked pursuant to G.S. 153A-362 or G.S. 160A-422.

(Signature of Affiant)

Date

Sworn to (or affirmed) and Subscribed before me this the ___ day of _____, 20____

Signature of Notary Public

Printed Name of Notary Public

My Commission Expires: _____ (Notary Stamp or Seal)

(NOTE: It is a Class F felony to willfully commit perjury in any affidavit taken pursuant to law—G.S. 14-209)

APPENDIX F

To: All NC Building Code Enforcement Jurisdictions

The North Carolina Licensing Board for General Contractors is currently implementing procedures to comply with recently enacted changes to NC General Statute 87-14. Effective June 27, 2011 for projects costing \$30,000 or more, property owners claiming exemption to the general contractor licensing requirement when applying for a building permit are required, before being entitled to the permit, to execute a verified affidavit attesting:

- a. That the person is the owner of the property on which the building is being constructed or, in the case of a firm or corporation, is legally authorized to act on behalf of the firm or corporation.
- b. That the person will personally superintend and manage all aspects of the construction of the building and that the duty will not be delegated to any other person not duly licensed.
- c. That the person will be personally present for all inspections required by the *North Carolina State Building Code*, unless the plans for the building were drawn and sealed by an architect licensed pursuant to Chapter 83A of the General Statutes.

The statute further requires that a copy of the affidavit be transmitted to the North Carolina Licensing Board for General Contractors for the purpose of verifying the applicant was validly entitled to claim the exemption. If during the permitting process any irregularities are detected that call in to question whether a permit applicant is fully complying with all applicable laws, the person issuing the permit should make note of the circumstances when forwarding information to the Board and provide a copy of the building permit application, including contact information for any subcontractors listed. **Please be aware the new requirements are not intended to delay the issuance of the building permit. When the person applying for the building permit reasonably satisfies the permitting authority that the applicable laws are being complied with, and executes all required documents, the building permit should be issued without delay.** Upon review of the documents, should any irregularities be detected that require further action, the Board's staff will contact the code enforcement authority.

Whenever possible, the most practical method of submitting affidavits to the Board is to scan the documents and transmit them as PDF email attachments to the appropriate Field Investigator serving the various code enforcement jurisdictions throughout the state. Specific email addresses have been set up for this purpose. Alternately, the documents may be faxed or sent via US Mail. Attached to this email are pages with the assigned territories, email addresses for affidavit transmittal, fax numbers and contact information for the Board's field staff. Please contact the staff member serving your area with any questions you may have. Also attached to this email is a model affidavit developed by the NC Home Builders Association in conjunction with the UNC School of Government. You may use this model affidavit or develop your own, as long as all the required information is provided. Additional information is available on the UNC School of Government website using the following link: <http://www.sog.unc.edu/node/767>.

Thank you for your assistance in this matter. The Board sincerely appreciates your cooperation in implementing these new requirements.

Questions for anyone serving as their own General Contractor

Instructions: Check beside Yes or No for each question.

1. **Do you own the land on which the building will be constructed?**
 Yes NO

2. **Have you hired, or do you intend to hire an individual to superintend and manage construction of the project?**
 Yes NO

3. **Do you intend to directly control and supervise construction activities?**
 Yes NO

4. **Do you intend to personally schedule, contract with, and directly pay for all phases of construction work to be done?**
 Yes NO

5. **Do you intend to personally order building materials for the project for which the building permit is sought?**
 Yes NO

6. **Do you intend to schedule and be present for the scheduled inspections?**
 Yes NO

7. **Do you understand that you are responsible for compliance with all applicable federal, state, and local laws and requirements, including but not limited to: state building code, sedimentation control act requirements, and solid and hazardous waste disposal requirements?**
 Yes NO

8. **Do you intend to personally occupy the building for at least 12 consecutive months following completion of construction and do you understand that if you do not do so; it creates the presumption under law that you fraudulently secured the building permit?**
 Yes NO

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