



CITY OF BATTLE CREEK
10 N. Division Street, Room 117
Battle Creek, MI 49014
269.966.3387

HOMEOWNER AFFIDAVIT

This Affidavit must be completed by each homeowner / occupant of the subject property who wishes to perform work without hiring a licensed contractor.

Notice to homeowner, this is to make you aware of the practice of unlicensed contractors requiring the homeowner to obtain a building permit in order to circumvent the licensing law and from being liable for any injuries on the jobsite, nonpayment (which may result in liens), and local code requirements. Licensed contractors must provide proof of insurance, financial solvency and pass exams.

The Michigan Licensing Law gives the homeowner an exemption to act as the general contractor if the homeowner is building his own residence for his own use. This means that in the case of his own single-family residence (not a duplex or apartment building) the homeowner may act as the general contractor, even though a licensed builder may be significantly involved. 339.2403 of Michigan Occupational Codes states:

- A person may engage in the business of or act in the capacity of a residential builder without having a license if the person is:
- An owner of property with reference to a structure on the property for the owner's own use and occupancy.

If the homeowner acts as the general contractor and obtains the permit they should be made aware of the following:

- That as the permit holder, the homeowner incurs all of the liability and all of the responsibility that the licensed contractor would normally assume.
- It will be the homeowner's responsibility to correct any code violations even if the contractor or any other persons did that work.
- The homeowner can be held liable for any injury which occurs on the job, whether it is to a builder's or subcontractor's employee.
- The homeowner is responsible for workers compensation, all withholding taxes, both federal and state, and fica taxes for all persons on the job. In the event of an occurrence beyond the builder's control (lawsuit etc) which causes the builder to be unable to complete the work, the homeowner will be legally responsible for completion of the job.

I understand and agree to the following statements:

1. In acting as my own contractor, I shall be responsible for the supervision and management of all work on this project and I accept the inherent responsibilities for the work authorized by the approved permit.
2. The Building Department shall NOT mitigate any contract disputes that may arise with subcontractors.
3. The construction shall comply with all applicable laws, ordinances, building codes, and zoning regulations.
4. I shall be responsible for notifying the Building Department to schedule all required inspections.
5. The Building Official and the inspectors are NOT to provide design assistance and/or professional building advice for this construction project.
6. I shall be responsible for providing the necessary insurance coverages for this construction project (workers compensation, general liability, property damage, etc.).
7. The residential construction project (referenced above) is NOT being built and/or altered to subsequently be offered for sale or lease, nor is the residential building structure being used by the general public.
8. A permit issued under the provisions of the code may be revoked for false statements or misrepresentation as to the material facts in the application and submittals on which the permit was based.
9. I further agree to indemnify City of Battle Creek and its employees from any liability for damages and/or loss of property, if the work performed has not been installed in accordance with the construction codes and ordinances.

I, _____, am the owner and have read and understood the above information.
Please print

Signature: _____

Date: _____

Driver license/ID number: _____

Date of Birth _____

Sworn before me this ____ day of _____, 20____

Notary Public

Expiration Date: _____