

OWNER'S DISCLOSURE STATEMENT

The Owner's Disclosure Statement is a legal acknowledgement form that allows a homeowner to act as their own contractor even though they are not a licensed contractor through the South Carolina Department of Labor, Licensing and Regulation. This document must be signed, notarized and registered with the property deed. Once registered, it will need to be submitted to the City of York Planning and Development Services Department before a building permit can be issued.

REQUIREMENTS

In order to qualify for this state exemption, you must legally own the property and plan on using the property for your own use and occupancy. The property cannot be in the company name or trust. You cannot rent or sell the building you built yourself within two years after construction is complete. You cannot hire any unlicensed or not properly licensed people to do the work for you. You must file the Owner's Disclosure Statement as a matter of public record with the Register of Deeds Office. (SC Code of Laws Title 40, Chapter 59, Article 1, Section 40-59-260)

ACKNOWLEDGEMENTS – Please initial each statement below.

_____ 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 South Carolina and to list his or her license numbers on permits.

_____ I understand that, as the owner-builder, I must provide direct, onsite supervision of all construction associated with the project for which the permit is issued.

_____ 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. 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.

_____ 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.

_____ Licensed contractors are regulated by laws designed to protect the public. If you contract with a person who does not have a license, the City of York and the South Carolina Department of Labor, Licensing and Regulation may be unable to assist you with any financial loss that you may 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 hire a licensed contractor, you will be responsible for verifying whether the contractor is properly licensed.

_____ I understand that once this document is registered with the Register of Deeds Office, it cannot be un-registered. This document may appear in deed searches and will be made available to any potential future buyer of the property/home.

Address: _____ Signature: _____ Date: _____

Any information provided on this document may be subject to the South Carolina Freedom of Information Act and may not be disclosed to third parties in accordance with applicable law.



OWNER'S DISCLOSURE STATEMENT

Property Owner Name: _____

Property Address: _____

Parcel Number: _____

Codes of Laws of the State of South Carolina, as amended Title 40, Chapter 59, Article 1, Section 40-59-260 requires residential construction to be done by licensed residential builders and specialty contractors.

"You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own builder even though you do not have a license. You must supervise the construction yourself. You may build or improve a one-family or two-family residence. **The building must be for your own use and occupancy. It may not be built for sale or rent. If you sell or rent a building you have built yourself within two years after the construction is complete, the law will presume that you built it for sale or rent, which is a violation of this exemption. You may not hire an unlicensed person as your residential builder or specialty contractor.** It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances. Your construction must comply with all applicable laws, ordinances, building codes, and zoning regulations."

If a residential building or structure has been constructed by an owner under this exemption, the owner of the residential building or structure must promptly **file as a matter of public record a notice with the register of deeds**, indexed under the owner's name in the grantor's index stating that the residential building or structure was constructed by the owner as an unlicensed builder.

Failure to do so revokes the statutory exemption.

Signature of Owner

Date

Signature of Witness

Witness (Printed)

Signature of Witness

Witness (Printed)

STATE OF SOUTH CAROLINA, County of York

I, _____, Notary Public for the State of South Carolina, do hereby certify that

_____ personally appeared before me the ____ day of _____,
(Property Owner Name)

20_____ and acknowledged the due execution of the foregoing instrument.

Notary Public Signature

My Commission Expires: _____

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