



HOMEOWNER'S RESPONSIBILITIES FOR ANY TYPE OF ALTERATION OR CONSTRUCTION OF A RESIDENTIAL BUILDING

A Homeowner's Permit carries serious responsibilities and is not appropriate for everyone. Please read each of the following statements. If you agree with a statement and your answer to it is "yes", then place a check mark in the blank.

If you do not answer, "yes" to every statement, you should **seriously reconsider** applying for a Homeowner's Permit.

You are required to submit this checklist (signed, with each item marked) with your Building Permit application package. (Call or visit your State or local office as to other required submittals.) This signed checklist will be kept on record with the permit application as proof of your assumption of the risks and liabilities associated with a Homeowner's Permit.

Thank you,
Mauro Rosales
NM Certified Building Official

Please check the appropriate blank:

- I plan to build a single-family home that will be owned and occupied by myself.
- I plan to alter, repair or make improvements to a home owned and occupied by me.
- I plan to build or improve a free-standing storage building 200 sq ft or more located on my residential property.

- I understand I must apply for my Homeowner's Permit by myself and cannot delegate this task to anyone.

- I am familiar with the construction process and know enough about building to be my own homeowner-builder.

- I am familiar with the 2006 New Mexico Building Code, the Construction Industries Licensing Act, the Construction Industries Division Rules and Regulations, and the building and zoning requirements of the jurisdiction in which I plan to build my home or in which my home is located.

- I will comply with all applicable building and zoning codes and requirements.

- I will call for inspections at appropriate times and will make my premises accessible to the inspector.

___I understand that a re-inspection and a re-inspection fee will be required if any work does not meet code and/or I call for an inspection when work is not ready and/or the work to be inspected is not accessible to the inspector.

___I understand that, by taking out a Homeowner's Permit, I am acting as my own homeowner-builder.

___I understand that, as the homeowner-builder, I can hire subcontractor(s) to perform all or any portion of the work.

___I understand that before I hire any subcontractor, I must verify with the Construction Industries Division that he is duly licensed in New Mexico to perform the type of work for which I intend to hire him. I understand that, as the homeowner-builder, I may physically do the work myself and/or hire employees.

___If I hire anyone (besides a licensed subcontractor) to assist me in building, altering or repairing, I understand that person will be my employee and under my direction.

___I will pay hourly wages to my employee(s) and will offer no other form of compensation.

___If I hire any employee(s), I understand I must have, or must secure, my own State and federal employer tax numbers.

___I will make my State and federal employer tax numbers available to the Construction Industries Division upon request.

___I will withhold all required State and federal taxes, Social Security, etc. from the wages I pay to my employee(s).

___I will make my payroll records available to my inspector upon his request.

___I understand that I must carry Workers' Compensation insurance if I employ a total of three or more persons (not including subcontractors)

___I understand that if I have less than three employees, I may carry Workers' Compensation insurance but am not required to do so.

___I understand that if I do not carry Workers' Compensation insurance, I may be financially responsible if any of my employees are injured while working on my premises. This financial liability will include employee(s) for whom I was not required to carry Workers' Compensation insurance.

___If I hire a subcontractor and he does not carry Workers' Compensation, I understand I may be financially responsible if any of his workers are injured while working on my premises.

___ If I hire a "construction manager" or "superintendent" or "foreman" to oversee my work, I understand such person will be my employee, and I will pay him hourly wages and no other form of compensation.

___ If I hire a "construction manager" or "superintendent" or "foreman" to oversee my work, I understand that, as the homeowner-builder, I am still the responsible party for compliance with all building codes and construction requirements and for the quality and completion of all contracting work performed under my Homeowner's Permit by my subcontractor(s), employee(s), and me.

___ If I hire a GB-2 or GB-98 licensed contractor to supervise my work, I must void my Homeowner's Permit. The licensed contractor must permit the project under his own license.

___ I understand that if I do not want to be responsible for the quality and completion of all work on my home and for compliance with all building codes and construction requirements, I should not obtain a Homeowner's Permit. Rather, I should hire a licensed general contractor to take over those responsibilities.

___ If I am building my own home and during the process of building, I decide not to own and/or occupy the home when it is completed, I understand I am no longer eligible for a Homeowner's Permit. At that time, I will immediately cancel my Homeowner's Permit and hire a licensed general contractor to complete the work.

___ I understand my Homeowner's Permit is only for general construction building. Any electrical, mechanical or plumbing work must be permitted separately.

___ I understand a properly licensed electrical and/or plumbing contractor must perform electrical and/or plumbing work unless I have demonstrated my ability to do such work by passing a homeowner's examination administered by the electrical or plumbing inspector for the jurisdiction in which I am building my home. This includes: (1) Having my submitted plans approved and (2) obtaining all required permits and calling for all required inspections.

___ I understand that, under no circumstances, can I perform HVAC or natural gas work under my Homeowner's Permit, and I must hire an appropriately licensed subcontractor who will obtain his own permit for performing such work.

___ I understand that if I hire a subcontractor to do the electrical and/or plumbing work, that subcontractor must obtain his own permit for his portion of the work.

___ I understand that if I do not cure any cited code violation within ninety (90) days, the Construction Industries Commission may assess a penalty of up to Two Hundred Dollars (\$200.00) against me.

___ I understand that if I fail to call for a final inspection, the Construction Industries Commission may assess a penalty of up to Five Hundred Dollars (\$500.00) against me.

___ I understand that I must call for and pass all required inspections, including a final Inspection, in order to obtain a Certificate of Occupancy.

___ I understand the law requires I may not occupy my home (or addition to my home) until a Certificate of Occupancy has been issued; by my general construction inspector.

___ I understand that if I disregard the law and occupy my home (or addition) prior to final inspection, no Certificate of Occupancy will be issued to me after final inspection or at any time in the future.

___ I understand that I may have difficulty in closing on a construction loan, refinancing my home or selling my home in the future if I do not follow all laws and procedures and obtain a Certificate of Occupancy.

___ **I understand the Certificate of Occupancy will clearly state my home (or addition) was built under a Homeowner's Permit.**

___ **I understand that I will have limited remedies available to me through the Construction Industries Division and/or the Construction Industries Commission because I have assumed the responsibilities for this project that would have normally been assumed by a licensed general contractor.**

I _____ certify that I have read the above statements and understand the requirements and responsibilities that accompany a Homeowner's Permit, and I agree to be bound by all applicable codes, law, rules, regulations, requirements and responsibilities. I understand I cannot perform any electrical, mechanical or plumbing work under this permit, If I hire a licensed contractor to do any portion of this project; the contractor will apply for his own permit for this portion of the work. I understand I am required to substantiate my construction knowledge to the satisfaction of the Division.

X _____
Homeowner Signature (must be signed in front of notary for witness)

NOTARY

Sworn to before me this _____ of _____, _____.

Notary signature

My Commission Expires: _____

NOTE: This signed copy is to be attached to the Homeowner's Permit application. A photocopy is to be given to the homeowner named above.