

Western Washtenaw Construction Authority

Building and Trade Permits and Inspections

Homeowner Affidavit

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 the Michigan Occupational Code states:

A person may engage in the business of or act in the capacity of a Residential Builder or a residential maintenance and alteration contractor or salesperson in this state without having a license, if the person is 1 of the following:

- (a) An owner of property, with reference to the maintenance and alteration of a structure on the property for the owner's own use and occupancy.
- (b). An owner of rental property, with reference to the maintenance and alteration of that rental property.

If the homeowner acts as the general contractor and pulls the permit he 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.

This means that:

IT WILL BE THE HOMEOWNER'S RESPONSIBILITY TO CORRECT ANY CODE VIOLATIONS, EVEN IF THE BUILDER OR ANY OTHER PERSONS ACTUALLY DID THE 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, OR EVEN TO A TRESPASSER WHO GETS HURT WHILE TRESPASSING.

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.

These are only a few of the responsibilities a homeowner can incur when acting as the general contractor. These are by no means all of the responsibilities.

I _____ have read and understand the above.

Please print name

Signature

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