

**WORKERS COMPENSATION  
NOTICE TO HOMEOWNER  
JUNE 2005**

***WHEN THE HOMEOWNER PULLS THE PERMIT:***

**HOMEOWNER DOING WORK THEMSELVES:**

You may be exempt from Workers Compensation Insurance as long as the only helpers you have are immediate family members.

**HIRING A CONTRACTOR:**

Homeowner must provide the contractor's name and/or State Contractor's License Number so that the Building Division can verify that the license is valid and that they do have current worker's comp. If the contractor is exempt from worker's comp, we can issue the permit as long as the contractor is working alone and not hiring any sub-contractors to help him.

**HIRING SOMEONE "OTHER THAN A CONTRACTOR":**

The homeowner must have a separate Workers Compensation Insurance policy for construction work. The homeowner's insurance policy does not cover workers doing construction at their home.

**NOTE: *IT IS ALWAYS BEST TO HAVE THE CONTRACTOR PULL THE PERMIT***

***SEE ATTACHED FOR OWNER BUILDER INFORMATION***

**Subject: Owner Builder Information**

**19830. HEALTH AND SAFETY CODE**

Every city or county, whether general law or chartered, which required the issuance of a permit as a condition precedent to the construction, alteration, improvement, demolition, or repair of any building or structure, shall, in addition to any other requirements, prepare and give notice to the owner of the building or structure whenever an application for a building permit is submitted in the owner's name as builder of such improvements. Such notice shall be given by mail; or such notice may be given to the applicant at the time the application for the permit is made, provided that the applicant presents identification sufficient to identify himself or herself as the owner. The notice shall be in substantially the following form:

"OWNER-BUILDER INFORMATION"

"Dear Property Owner:

"An application for a building permit has been submitted in your name listing yourself as the builder of the property improvements specified.

"For your protection you should be aware that as "owner-builder" you are the responsible party of record on such a permit. Building permits are not required to be signed by property owners unless they are personally performing their own work. If your work is being performed by someone other than yourself, you may protect yourself from possible liability if that person applies for the proper permit in his or her name.

"Contractors are required by law to be licensed and bonded by the State of California and to have a business license from the city or county. They are also required by law to put their license number on all permits for which they apply.

"If you plan to do your own work, with the exception of various trades that you plan to subcontract, you should be aware of the following information for your benefit and protection:

"If you employ or otherwise engage any persons other than your immediate family, and the work (including materials and other costs) is \$200 or more for the entire project, and such persons are not licensed as contractors or subcontractors, then you may be an employer.

If you are an employer, you must register with the state and federal government as an employer and you are subject to several obligations including state and federal income tax withholding, federal social security taxes, workers' compensation insurance, disability insurance costs, and unemployment compensation contributions.

“There may be financial risks for you if you do not carry out these obligations, and these risks are especially serious with respect to workers’ compensation insurance.

“For more specific information about your obligations under federal law, contact the Internal Revenue Service (and, if you wish, the U.S. Small Business Administration). For more specific information about your obligations under state law, contact the Department of Benefit Payments and the Division of Industrial Accidents.

“If the structure is intended for sale, property owners who are not licensed contractors are allowed to perform their work personally or through their own employees, without a licensed contractor or subcontractor, only under limited conditions.

“A frequent practice of unlicensed persons professing to be contractors is to secure an “owner-builder” building permit, erroneously implying that the property owner is providing his or her own labor and material personally. Building permits are not required to be signed by property owners unless they are performing their own work personally.

“Information about licensed contractors maybe obtained by contacting the Contractors’ State License Board in your community or at 1020 N Street, Sacramento, California 95814.

*“Please complete and return the enclosed owner-builder verification form so that we can confirm that you are aware of these matters. The building permit will not be issued until the verification is returned.*

Very truly yours,

Stephen Jensen  
Chief Building Official  
City of Napa Building Division

**Owner's Name:** \_\_\_\_\_ **Permit #:** \_\_\_\_\_

**Site Address:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_

**19831. HEALTH AND SAFETY CODE**

A city or county, which is required to give notice pursuant to Section **19830**, shall attach to such notice, and, as a condition precedent to issuing a building permit, require the completion and require the return of, an owner-builder verification in substantially the following form:

“Attention Property Owner:

“An “owner-builder” building permit has been applied for in your name and bearing your signature.

“Please complete and return this information at your earliest opportunity to avoid unnecessary delay in processing and issuing your building permit. No building permit will be issued until this verification is received.

1. I personally plan to provide the major labor and materials for construction of the proposed property improvement (yes or no) \_\_\_\_\_.

2. I (have/have not) \_\_\_\_\_ signed an application for a building permit for the proposed work.

3. I have contracted with the following person (firm) to provide the proposed construction:

Name \_\_\_\_\_  
Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Contractors License No. \_\_\_\_\_

City of Napa Business License #: \_\_\_\_\_

4. I plan to provide portions of the work, but I have hired the following person to coordinate, supervise, and provide the major work:

Name \_\_\_\_\_  
Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Contractors License No. \_\_\_\_\_

City of Napa Business License #: \_\_\_\_\_

5. I will provide some of the work but I have contracted (hired) the following persons to provide the work indicated:

Name	Address	Phone	Type of Work
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**19832. HEALTH AND SAFETY CODE**

A city or county, whether general law or chartered, shall transmit the notice required pursuant to Section **19830** and the owner-builder verification required pursuant to Section 19831 by mail to the property owner applying for the owner-builder building permit or may provide the notice or the verification in person to the person applying for the building permit only if that applicant presents identification sufficient to identify himself or herself as the property owner. The return of the owner-builder verification shall be a condition precedent to issuance of the building permit.

However, no city or county or its employees shall be responsible for determining the truth or accuracy of the declarations in the owner-builder verification, and no monetary liability on the part of, and no cause of action for damages against them, shall arise from their failure to verify the truth or accuracy of the declarations.

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