

TOFM OWNER/BUILDER DISCLOSURE STATEMENT

The Town of Fort Mill under the authority of the Codes of Laws of the State of South Carolina, 1976, as amended Title 40, Chapter 59, Article 1, Section 40-59-260, is providing the under-signed owner building this disclosure statement. South Carolina State Law requires residential construction to be done by licensed general contractors, 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 may build or improve a one-family or two-family residence. **You must supervise the construction yourself. The building must be for your own use or your family’s use and occupancy. It may not be built or improved for sale or rent. If you sell or rent a building you have built or improved yourself within two years after the construction is complete, the law will presume that you built or improved 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.

As owner/builder you are required to 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.**

I certify that I have read the above requirements for owners obtaining permits to build or improve structures and hereby declare that the structure located at:

Property Address

Tax Map ID Number

in the Town of Fort Mill is for my own use or my family’s use and occupancy and shall not be rented or sold within two years after completion of construction.

Property Owner (printed name)

Property Owner Signature

In the presence of:

Witness 1 (printed name)

Signature of Witness 1

Witness 2 (printed name)

Signature of Witness 2

ACKNOWLEDGEMENT

**STATE OF SOUTH
CAROLINA) COUNTY OF
YORK)**

I, _____, Notary Public for the State of South Carolina,
do hereby certify that _____ personally appeared before me this the
Property Owner
_____ day of _____, 20____ and acknowledged the due execution of the foregoing
instrument.

Notary Public Signature
Notary Public for: _____
My Commission Expires: _____

TOFM Owner/ Builder Disclosure Information for Homeowners

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 the construction.

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 and by municipal ordinance.

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 Town of Fort Mill 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 wish to hire a licensed contractor, you will be responsible for verifying whether the contractor is properly licensed.

Submittal Requirements: Owner/Builder Discloser Statement (Formatted July 1,2020)

P.O. BOX 159 • 200 TOM HALL STREET • FORT MILL, SC 29715
E-MAIL inpspections@fortmillsc.gov • TELEPHONE (803) 547-2034 • FAX (803) 547-2126