



## What happened to the old form?

The State of New Mexico Construction Industries Division (C.I.D) recently made changes to the Homeowner Permit Affidavit form in order to address several issues related to residential homeowner construction across the state. The requirements of the amended affidavit form are intended to ensure residential construction is performed in a manner that is safe, and protects the interest of the homeowner, his employees, and the general public.

## What has changed on the new form?

### New Requirements for Proof of Ownership & Proof of Residency

The Homeowner must provide proof of identity, such as a valid driver's license; and proof of ownership of the property, such as a warranty deed or real estate contract.

### Homeowner Permit Only Valid for Homeowner's Primary Residence

A Homeowner Permit is only applicable to the applicant's primary residence. It does not cover any commercial construction, or other residential dwellings owned by the applicant, including rental dwellings. A single-family primary residence built by the Homeowner must be owned and occupied by the same Homeowner for (2) years after the Certificate of Occupancy is issued.

### Homeowners Permit Does Not Cover Electrical, Mechanical, or Plumbing Work

Any Electrical, Mechanical, or Plumbing work must be permitted separately pursuant to the Construction Industries Licensing Act. This includes either passing all homeowner testing and requirements, or hiring a licensed contractor to obtain the necessary permits (and call for the required inspections). Under no circumstances can the homeowner perform HVAC, natural gas, or liquid propane (LP) gas work under a Homeowner Permit.

### Licensed General Contractors May Not be Used or Consulted

The Homeowner may not hire a GB-02 or a GB-98 to supervise or act in the capacity of a general contractor or project manager. Doing so will VOID the Homeowner Permit, and a licensed contractor will be required to obtain the necessary permit(s) under his/her license.

### Homeowner Must Call For and Pass All Appropriate Inspections

The Homeowner must call for and pass all appropriate inspections, including a final inspection, to obtain a Certificate of Occupancy. A CO must be issued prior to occupation of the dwelling unit. Failure to call for final inspection can result in a penalty of up to \$500. Failure to obtain a Certificate of Occupancy may present issues when trying to sell or refinance the home. If a code violation is discovered during an inspection, the Homeowner has (90) days to remedy the violation. Failure to do so can result in a penalty up to \$200.

### Clarification on Hiring of Employees and Sub-Contractors

The Homeowner may hire anyone who is not a licensed contractor to assist in the construction of the proposed work. The Homeowner shall pay employees strictly hourly wages and be responsible for complying with all tax and worker's compensation legal requirements including obtaining appropriate employer tax numbers, withhold and report all state, federal, and social security taxes and carry workers compensation insurance as required.