



## Wycliffe Modification Application Procedures Form 1

No exterior modifications, additions or alterations, such as screen enclosures, swimming pools, hot tubs, shutters, roofing. **Exception:** (*Planting, including removal of plants, trees or shrubs are a district's responsibility only*) irrigation wells, walkways, patios, driveways, awnings, doors, windows, mail boxes, exterior painting (excepting district painting), solar panels, generators, gutters, fencing, walls, lighting, underground propane tanks and built in generators, satellite dishes or other exterior modifications or replacements shall take place in Wycliffe unless they are in compliance with Articles XII, XIII and XIV of the Wycliffe Golf & Country Club Homeowner's Association, Inc. (HOA, Inc.) Declaration of Covenants. The District, the Club (if property is adjacent to a golf course) and the Wycliffe Golf & Country Club Homeowner's Association, Inc. Modification Committee (MC) must approve any and all proposed exterior modifications prior to beginning work.

Should a Building Permit be required, a copy of the permit must be delivered to the Administration Offices prior to starting work. Contact the Administration Offices at 561.472.6521 for additional information or clarification.

### Approval Process:

- 1) Homeowner must obtain a Wycliffe Modification Application from the Administration Offices.
- 2) Homeowner must submit completed Application Forms and all required documents and samples to the Administration Offices.
- 3) The Administration Offices will contact the appropriate District for its review and action. The District will act expeditiously and return the Application and all required documents and samples to the Administration Offices.
- 4) If applicant's property is located adjacent to Golf Course property, the Administration Offices will contact the Club for its review and action. The Club will act expeditiously and return the Application and all required documents and samples to the Administration Offices.
- 5) The Administration Offices will then contact the MC for its review and action. The MC will act expeditiously and return the Application and all required documents and samples to the Administration Office. Homeowner will be advised in writing of District, Club and MC actions.

I understand the requirements for making modifications at Wycliffe and know that approval of the requested modification by the District, Club and MC does not waive my responsibility to obtain a building permit when required nor does it guarantee the workmanship of any contractor I may hire. I understand that the District, Club and MC assumes no responsibility for safety, structural adequacy, mechanical, electrical or other requirements or whether the modification is free from flood hazards, unstable soil or complies with building codes, laws and regulations.

By signing this Form the Applicant agrees to the above requirements, accepts all liability and holds the Association harmless for any and all damages caused by this modification.

\_\_\_\_\_ Signature

\_\_\_\_\_ Date

4650 Wycliffe Country Club Boulevard  
Wellington, FL 33449  
Tel: 561.472.6521  
Fax: 561.964.5350



**Form 2**  
**Modification application form to be filled out by homeowner**

District \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Mobile \_\_\_\_\_

**General description of modification or alteration**

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Does your property abut or is it immediately adjacent to the golf course? Please specify East or West course including the hole number \_\_\_\_\_

Will the proposed improvements be visible from the golf course? \_\_\_\_\_

How will contractor gain access to modification site? (*i.e. through common area, golf course, your property, etc.*) \_\_\_\_\_

**The following contractor information must be provided**

A. Contractor's Name \_\_\_\_\_

B. Address \_\_\_\_\_

C. Phone \_\_\_\_\_ Fax \_\_\_\_\_

D. Certificate of liability and workman's compensation insurance along with proof of a valid current active Florida Contractor's License attached to this application

E. Tentative commencement and completion dates \_\_\_\_\_



**Wycliffe Golf & Country Club Homeowner's Association, Inc.**

**Form 3  
Request for Hurricane Shutters**

District \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Mobile \_\_\_\_\_

1. How would you best describe the exterior color of your home?  
 Crème       Light Beige    Brown       Pink    Other \_\_\_\_\_
2. Color of Shutters  
 Beige       Ivory       White       Other \_\_\_\_\_
3. Are you closing off an alcove in the read for storage during a hurricane?  
 Yes       No

I certify that all of the above information is correct.

Homeowner's Signature \_\_\_\_\_

Date \_\_\_\_\_



**Wycliffe Golf & Country Club Homeowner's Association, Inc.**

**Form 4  
Screen Enclosure Worksheet**

District \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Mobile \_\_\_\_\_

1. Submit a copy of the engineered plan and elevation drawing from your screen contractor showing the height of the screen at its peak in relation to the height of the home's roof including the location of all doors.
2. Color of Aluminum Framing \_\_\_\_\_ Color of Screening \_\_\_\_\_

**Landscaping**

1. Will any landscaping be removed in order to install the screen enclosure?  
 Yes     No
2. Will the removed landscaping be transplanted? If yes, this and any new landscaping must be shown on the plot plan.  
 Yes     No
3. Will the existing patio or walkway be extended with new pavers and a footer (required by code) to support the new screening?  
 Yes     No
4. If no, is there an existing footer (required by code) to support the new screening?  
 Yes     No

Homeowner's Signature \_\_\_\_\_

Date \_\_\_\_\_



**Wycliffe Golf & Country Club Homeowner's Association, Inc.  
District, Club and WCA Modification Committee Actions**

District \_\_\_\_\_ Is Club approval required? \_\_\_\_\_  
Name of Homeowner \_\_\_\_\_  
Address \_\_\_\_\_

**District Architectural Review Board**

Approved                       Disapproved

Approved/Disapproved – Subject to the following

\_\_\_\_\_

Signature of District Authorized Representative \_\_\_\_\_

Date \_\_\_\_\_

**Modification Committee**

Approved                       Disapproved

Approved/Disapproved – Subject to the following

\_\_\_\_\_

Signature of MC Chairman \_\_\_\_\_

Date \_\_\_\_\_

You may also visit our website at [www.pbcgov.com/pzb/building](http://www.pbcgov.com/pzb/building)

Permit Center or One Stop permitting to view and download Building Division's most used forms, applications, variances, links and additional resources for your permitting needs.

Fees - To view the current construction permit fee schedule for permit fees.

Codes - To view the currently adopted technical standards for construction in Palm Beach County.

Contractor Tracking - To track particular contractors who are certified within Palm Beach County.

Product Approval - Statewide and local information.

Permit Tracking - After issuance or to request or review inspection history, you may select Permit Tracking or Plan Review Tracking. You will need your permit number or a plans review to track.

Inspection information - To find inspection codes and phone numbers to schedule your inspection.

Flood Information - How to find your flood zone. Flood Damage Prevention Ordinance

Technical Amendments - Shed Prescriptive Design

Surge Area Mapping Systems - Hurricane evacuation zone and evacuation information.

The Permit Center hours are Monday through Friday from 8:00 a.m. to 5:00 p.m., except holidays. The last sign in for Permit Application is 4:30 p.m.

The South County Office is open for pick up and drop off services only. The hours of operation are Monday and Thursday 8:00 a.m. - 12:00p.m. and 1:00p.m. -5:00 p.m.



**Palm Beach County  
Board of County Commissioners**

**Main County Office**  
2300 N. Jog Road  
West Palm Beach, Florida 33411  
561-233-5101

**South County Office**  
345 S. Congress Avenue, Suite 102  
Delray Beach, Florida 33445  
561-276-1284

Revision January 2014

# ITEMS NOT REQUIRING A PERMIT



**Planning, Zoning &  
Building Department**

**Building Division**  
561-233-5100

Section 105 of the Palm Beach County Amendments to the Florida Building Code requires permits for most construction-related work. Various improvements to real property may not require a Building permit or Zoning review. Some may require only a Zoning review, and are exempt from inspection and Building Code review. These improvements are termed Type 1- Site Plan Review Permits. The work exempted must still be constructed in accordance with minimum code standards. Other improvements for certain structures on actively functioning farms are subject to agricultural exemption from Building Code enforcement by Florida Statute.

### **ITEMS NOT REQUIRING A PERMIT**

**A/C** – Replacement of an existing window unit with an existing dedicated electrical outlet.

**AC/Heating** – Repair of existing system and/or replacement of any part that does not alter the system listing or make it unsafe.

**Ceiling Fan** – Replacement of existing fan using existing fan box and wiring.

**Ceramic Tile** – Remove and replace (not on fire-rated assemblies).

**Dishwasher** – Exact replacement; same wattage.

**Door** – Replacement of any exterior door (excluding overhead doors) within the existing jam; once in a 12-month period (1 and 2 family dwellings only).

**Door** – Remove and replace any interior residential door within the individual unit in the same location.

**Driveway** – Sealcoat asphalt (1 and 2 family dwellings only).

**Drywall** – Minor repairs if value of work is under \$1,000 (1 and 2 family dwellings only, not involving fire-rated assemblies).

**Faucet** – Replace existing (not involving removal of drywall).

**Fence** – Minor repair or exact replacement of a permitted fence up to \$1,000 fair market value, excluding pool barriers.

**Gutters and Leaders** – On 1 and 2 family dwellings.

**Kitchen cabinet** - Exact replacement only with no change in configuration of electrical or plumbing (1 and 2 family dwellings).

**Light Fixtures** – Replace “like for like” in existing lighting outlet (1 and 2 family dwellings only).

**Outlet or switch** – Replace existing outlet or switch with appropriate type within existing junction box.

#### **Painting**

**Pavers** – Sand set that are not a pool/spa deck or within five feet of a pool (1 and 2 family dwellings only), excluding driveways or turnouts.

**Playground equipment, Manufactured** - Site-built play enclosures less than 6' x 6' x 6'H (1 and 2 family dwellings only). (Uses must still meet accessory setback requirements.)

**Portable/Manufactured Pool or Spa** – Less than 24 inches deep.

**Roof** – Minor repair of existing roof covering less than \$1,000 fair market value.

**Satellite Dish Antennas** – Residential 1 meter or less in diameter. Commercial 2 meters or less in diameter.

**Screen room** – Rescreening to \$1,000 value.

**Siding** – Minor repair to existing under \$1,000 value.

**Sink** – Exact replacement in same location only.

**Soffit or Fascia** – Minor repair or replacement up to \$1,000 in value, which does not involve structural members.

**Stucco** – Minor repair of existing stucco finish, if value of work is under \$1,000.

**Water Closet** – Replacement in same location.

**Water Heater** – Repair or replace heating elements.

**Window** – Repair within existing frame, if value of work is under \$1,000.

**Wood Deck** – Minor replacement of existing decking under \$1,000 (1 and 2 family dwelling only).

## **AGRICULTURAL EXEMPTIONS**

Non-residential Buildings on Farms – Zoning Approval is required.

For additional information refer to PZB-PPM MD-RI-002.

## **SITE PLAN REVIEW PERMITS**

- Court Surfaces – (1 and 2 family dwellings).
- Driveway, Parking, Resurfacing, Repaving (1 and 2 family dwelling only). No expansion of paved area, or in R.O.W.
- Fence – (1 and 2 family dwelling), except zero lot line, safe site corners and pool barriers.
- Flag Poles – Less than 20 feet high.
- Painted Walls Signs
- Slab – (1 and 2 family dwelling) – Not for future structure, and not including footers or located within 5 feet of a pool.
- Planters – Less than 3 feet in height.
- Accessory Enclosure (sheds) – Max. 6' x 6' x 6'H for single-family dwelling only.

This list is a concise guide to Palm Beach County Building Division Policies and local Building Codes. In the event of a conflict between this document and a specific rule or regulation, the law shall control. **All work must meet current code standards.**

### **NOTE:**

If you are proposing any other type of improvement or replacement to your home that is not identified on this list, please contact the Building Division, Permit Center Help Desk at 561-233-5120.

## REQUIRED APPLICATION SUBMITTALS

	Forms 1 & 2 are Required for all Applications Forms 3 or 4 are also Required for Screens & Shutters	Site Plan (Plot Plan)	Drawings or Product Specifications Prepared by an Architect, Engineer or Other Professionals	Color Samples	Contractor's License	Contractor's Liability & Workman's Compensation Insurance
Bldg Additions & Alterations	YES	YES	YES	YES	YES	YES
Roofing	YES	YES	YES	YES	YES	YES
Sun or Florida Room	YES	YES	YES	YES	YES	YES
Screen Enclosures	YES	YES	YES	YES	YES	YES
Swimming Pools & Hot Tubs	YES	YES	YES	NO	YES	YES
Shutters	YES	NO	YES	YES	YES	YES
Landscaping	YES	YES	YES	NO	YES	YES
Irrigation Wells	YES	YES	YES	NO	YES	YES
Walkways & Patios	YES	YES	YES	paver sample	YES	YES
Driveways	YES	YES	YES	paver sample	YES	YES
Awnings	YES	YES	YES	fabric sample	YES	YES
Exterior Doors	YES	NO	YES	YES	YES	YES
Windows	YES	NO	YES	YES	YES	YES
Exterior Painting	YES	NO	NO	YES	YES	YES
Exterior Lighting	YES	YES	YES	YES	YES	YES
Exterior Low Voltage Lighting by Homeowner	YES	YES	NO	YES	NO	NO
Generators	YES	YES	product specs	YES	YES	YES
Underground Propane Tanks	YES	YES	product specs	NO	YES	YES
Solar Panels	YES	roof plan	YES	YES	YES	YES
Gutters	YES	NO	product specs	YES	YES	YES
Fencing	YES	YES	product specs	YES	YES	YES
Walls	YES	YES	YES	YES	YES	YES
Satelite Dishes	YES	YES	product specs	NO	YES	YES
Other Modifications	YES	----- as required by District -----			YES	YES

**If a Building permit is required, a copy of the Permit must be delivered to the Administrative prior to starting work**

See attached sheet for Palm Beach County Building Permit Requirements and Exceptions

For Further Clarification Call the Administrative Office at 561.472.6521.



FEE SIMPLE TITLEHOLDER, BONDING COMPANY, ARCHITECT/ENGINEER AND MORTGAGE LENDER INFO IS REQUIRED WHEN THE AGGREGATE VALUE (TOTAL COST OF ALL IMPROVEMENTS & NOT JUST WORK AUTHORIZED BY THE INDIVIDUAL PERMIT) IS \$2,500 OR MORE (EXCEPT HVAC REPAIR /REPLACEMENT < \$7500). PLEASE ADDRESS ALL ITEMS.

<sup>9</sup>  
**Fee Simple Titleholder's Name** (If other than owner): \_\_\_\_\_  
\_\_\_\_\_  
**Fee Simple Titleholder's Address** (If other than owner): \_\_\_\_\_  
\_\_\_\_\_  
**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_  
 Same as Owner

<sup>10</sup>  
**Bonding Company:** \_\_\_\_\_  
\_\_\_\_\_  
**Bonding Company Address:** \_\_\_\_\_  
\_\_\_\_\_  
**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_  
 Not Applicable

<sup>11</sup>  
**Architect/Engineer's Name:** \_\_\_\_\_  
\_\_\_\_\_  
**Architect/Engineer's Name Address:** \_\_\_\_\_  
\_\_\_\_\_  
**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_  
 Not Applicable

<sup>12</sup>  
**Mortgage Lender's Name:** \_\_\_\_\_  
\_\_\_\_\_  
**Mortgage Lender's Address:** \_\_\_\_\_  
\_\_\_\_\_  
**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_  
 Not Applicable

**WARNING TO OWNER:** YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION.

**NOTICE TO CONTRACTOR:** FOR A DIRECT CONTRACT GREATER THAN \$2,500 (EXCEPT FOR HVAC SYSTEM REPAIR OR REPLACEMENT LESS THAN \$7500), FLORIDA STATUTES REQUIRE THE APPLICANT TO FILE WITH THE ISSUING AUTHORITY, PRIOR TO THE FIRST INSPECTION, EITHER A CERTIFIED COPY OF THE RECORDED (BY OWNER) NOTICE OF COMMENCEMENT OR A NOTARIZED STATEMENT (BY OWNER) THAT THE NOTICE OF COMMENCEMENT HAS BEEN FILED FOR RECORDING, ALONG WITH A COPY THEREOF. IN THE ABSENCE OF A CERTIFIED COPY OF THE RECORDED NOTICE OF COMMENCEMENT, NO SUBSEQUENT INSPECTIONS CAN BE PERFORMED UNTIL THE APPLICANT FILES SUCH CERTIFIED COPY WITH THE ISSUING AUTHORITY. THE CERTIFIED COPY OF THE NOTICE OF COMMENCEMENT MUST CONTAIN THE NAME AND ADDRESS OF THE OWNER, THE NAME AND ADDRESS OF THE CONTRACTOR, AND THE LOCATION OR ADDRESS OF THE PROPERTY BEING IMPROVED.

IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

FOR APPLICATIONS SUBMITTED UNDER THE PRIVATE PROVIDER PROVISIONS OF F.S. SECTION 553.791, THIS APPLICATION IS NOT CONSIDERED COMPLETE OR SUFFICIENT FOR PURPOSES OF SUBMISSION TO THE BUILDING DEPARTMENT UNTIL THE APPLICANT SECURES ALL NECESSARY APPROVALS FROM OTHER DEPARTMENTS OR AGENCIES INCLUDING, BUT NOT LIMITED TO, PLANNING, ZONING, ENGINEERING, FIRE RESCUE, ENVIRONMENTAL, AND THE FLORIDA DEPARTMENT OF HEALTH.

**OFFICE USE ONLY BELOW THIS LINE**

<sup>13</sup>  
**CODE EDITION/NOTES:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<sup>14</sup>  
**USE (CHECK ONE):**  
 1 & 2 FAMILY     TOWNHOUSE     CONDOMINIUM  
 MULTI-FAMILY     COMMERCIAL     INDUSTRIAL  
 AGRICULTURAL - BLDG CODE EXEMPT     OTHER: \_\_\_\_\_  
\_\_\_\_\_  
 USE CHANGE: \_\_\_\_\_  
\_\_\_\_\_

PERMIT NUMBER: \_\_\_\_\_

**NOTICE OF COMMENCEMENT**

The undersigned hereby gives notice that improvement will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

1. **DESCRIPTION OF PROPERTY** (Legal description of the property & street address, if available) **TAX FOLIO NO.:** \_\_\_\_\_

**SUBDIVISION** \_\_\_\_\_ **BLOCK** \_\_\_\_\_ **TRACT** \_\_\_\_\_ **LOT** \_\_\_\_\_ **BLDG** \_\_\_\_\_ **UNIT** \_\_\_\_\_

2. **GENERAL DESCRIPTION OF IMPROVEMENT:**

3. **OWNER INFORMATION OR LESSEE INFORMATION IF THE LESSEE CONTRACTED FOR THE IMPROVEMENT:**

a. Name and address: \_\_\_\_\_

b. Interest in property: \_\_\_\_\_

c. Name and address of fee simple titleholder (if different from Owner listed above): \_\_\_\_\_

4. **a. CONTRACTOR’S NAME:** \_\_\_\_\_

Contractor’s address: \_\_\_\_\_ b. Phone number: \_\_\_\_\_

5. **SURETY** (if applicable, a copy of the payment bond is attached):

a. Name and address: \_\_\_\_\_

b. Phone number: \_\_\_\_\_ c. Amount of bond: \$ \_\_\_\_\_

6. **a. LENDER’S NAME:** \_\_\_\_\_

Lender’s address: \_\_\_\_\_ b. Phone number: \_\_\_\_\_

7. Persons within the State of Florida designated by Owner upon whom notices or other documents may be served as provided by Section 713.13 (1) (a) 7., Florida Statutes:

a. Name and address: \_\_\_\_\_

b. Phone numbers of designated persons: \_\_\_\_\_

8. a. In addition to himself or herself, Owner designates \_\_\_\_\_ of \_\_\_\_\_ to receive a copy of the Lienor’s Notice as provided in Section 713.13 (1) (b), Florida Statutes.

b. Phone number of person or entity designated by Owner: \_\_\_\_\_

9. Expiration date of notice of commencement (the expiration date will be 1 year from the date of recording unless a different date is specified): \_\_\_\_\_, 20\_\_\_\_

**WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART I, SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.**

\_\_\_\_\_  
**(Signature of Owner or Lessee, or Owner’s or Lessee’s Authorized Officer/Director/Partner/Manager)**

\_\_\_\_\_  
**(Print Name and Provide Signatory’s Title/Office)**

State of \_\_\_\_\_

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

by \_\_\_\_\_, as \_\_\_\_\_  
(name of person) (type of authority, ...e.g. officer, trustee, attorney in fact)

for \_\_\_\_\_  
(name of party on behalf of whom instrument was executed)

Personally Known \_\_\_\_\_ or Produced Identification \_\_\_\_\_ Type of Identification Produced \_\_\_\_\_

Notary

\_\_\_\_\_  
**(Signature of Notary Public)**  
(Print, Type, or Stamp Commissioned Name of Notary Public)



## Florida's Construction Lien Law

### Protect Yourself and Your Investment

According to Florida law, those who work on your property or provide materials, and are not paid-in-full, have a right to enforce their claim for payment against your property. This claim is known as a construction lien.

If your contractor fails to pay subcontractors or material suppliers, the people who are owed money may look to your property for payment, **even if you have paid your contractor in full.**

**This means that if a lien is filed against your property, your property could be sold against your will to pay for labor, materials, or other services which your contractor may have failed to pay.**

This document provides information regarding Florida Statute 713, Part 1, as it pertains to home construction and remodeling, and provides tips on how you can avoid construction liens on your property.

#### Protecting Yourself

If you hire a contractor and the improvements cost more than \$2,500, you should know the following:

- You may be liable if you pay your contractor and he then fails to pay his suppliers or contractors. There is a way to protect yourself. A Release of Lien is a written statement that removes your property from the threat of lien. Before you make any payment, be sure you receive this waiver from suppliers and subcontractors covering the materials used and work performed on your property.
- Request from the contractor, via certified or registered mail, a list of all subcontractors and suppliers who have a contract with the contractor to provide services or materials to your property.
- If your contract calls for partial payments before the work is completed, get a Partial Release of Lien covering all workers and materials used to that point.
- Before you make the last payment to your contractor, obtain an affidavit from your contractor that specifies all unpaid parties who performed labor, services or provided services or materials to your property. Make sure that your contractor provides you with final releases from these parties before you make the final payment.
- Always file a Notice of Commencement before beginning a home construction or remodeling project. The local authority that issues building permits is required to provide this form. You must record the form with the Clerk of the Circuit Court in the county where the property being improved is located. Also post a certified copy at the job site. (In lieu of a certified copy, you may post an affidavit stating that a Notice of Commencement has been recorded. Attach a copy of the Notice of Commencement to the affidavit.)
- In addition, the building department is prohibited from performing the first inspection if the Notice of Commencement is not also filed with the building department. You can also supply a notarized statement that the Notice has been filed, with a copy attached.

The Notice of Commencement notes the intent to begin improvements, the location of the property, description of the work and the amount of bond (if any). It also identifies the property owner, contractor, surety, lender and other pertinent information. Failure to record a Notice of Commencement or incorrect information on the Notice could contribute to your having to pay twice for the same work or materials.

### **Notice To Owner**

Prior to filing a lien, a lienor who does **not** have a direct contract with the owner, must serve the owner with a Notice to Owner. The Notice to Owner must state the lienor's name and address, and a description of the real property and the nature of the services or materials being furnished. The Notice to Owner must be served before commencing, or within 45 days of commencing, to furnish the services or materials (but before owner's final payment to the contractor). A lien cannot be enforced unless the lienor has served the Notice to Owner as described above.

### **Whose Responsibility is it To Get These Releases?**

You can stipulate in the agreement with your contractor that he must provide all releases of lien. If it is not a part of the contract, however, or you act as your own contractor, **YOU** must get the releases.

If you borrow money to pay for the improvements and the lender pays the contractor(s) directly without obtaining releases, the lending institution may be responsible to you for any loss.

### **What Can Happen If I Don't Get Releases Of Lien?**

You will not be able to sell your property unless all outstanding liens are paid. Sometimes a landowner can even be forced to sell his property to satisfy a lien.

### **Who Can Claim A Lien On My Property?**

Contractors, laborers, materials suppliers, subcontractors and professionals such as architects, landscape architects, interior designers, engineers or land surveyors all have the right to file a claim of lien for work or materials. **Always require a release of lien from anyone who does work on your home.**

### **Contesting A Lien**

A lien is valid for one year, unless a lienor files a lawsuit to enforce the lien prior to the expiration of the year. An owner has a right to file a Notice of Contest of Lien during the one-year period. Upon the filing of a Notice of Contest of Lien, a lienor must file a lawsuit to enforce the lien within 60 days. Failure of the lienor to timely file a lawsuit renders the lien invalid.

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**THE CONSTRUCTION LIEN LAW IS COMPLEX AND CANNOT BE COVERED COMPLETELY IN THIS DOCUMENT. WE RECOMMEND THAT WHENEVER A SPECIFIC PROBLEM ARISES, YOU CONSULT AN ATTORNEY.**

**To register a complaint (or learn if complaints have been filed against a prospective contractor), contact the Florida Department of Business and Professional Regulation's Customer Contact Center at: 850.487.1395 or <http://www.myfloridalicense.com/contactus/>**

**Or write to:** Florida Department of Business and Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1027

**Or visit online at: [www.MyFloridaLicense.com](http://www.MyFloridaLicense.com)**

License verification is available 24 hours a day and 7 days a week by calling our Customer Contact Center at 850.487.1395 or going online to [www.MyFloridaLicense.com](http://www.MyFloridaLicense.com) Search for a Licensee.

You may also contact your local building department or the Better Business Bureau.