

## Instructions for Obtaining a Homeowner Permit

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- **The legislative intent of the exemption allowing a homeowner to obtain permits for constructing or altering their primary residence without becoming a licensed contractor is strictly to construct or alter a primary residence. Any other use of a homeowner's permit shall result in cancellation of the current homeowner permit and denial of any subsequent request for a homeowner permit**
- **Allows Homeowner to construct or perform work that requires a permit on primary residence only**
- **Homeowner to complete work themselves with or without W-2 employees, or subcontract out work.**
- **Homeowner responsible for obtaining permits & calling for inspections, including corrections of code violations and required re-inspections to obtain Certificate of Occupancy or final inspection as applicable**
- **If contracts out portion of work, must be to licensed contractor who applies for appropriate permits and inspections, which provides recourse to homeowner for issues with contracted work**
- **Homeowner must apply for the permit with the authority having jurisdiction (AHJ) which is either CID or the local permitting authority, whichever is applicable**

A homeowner may apply for a permit as the general contractor to build, construct, alter, repair, demolish or make installations to a single-family dwelling only at the location of the homeowner's primary residence. The homeowner must comply with all provisions of CILA, regulations, standards and codes including requirements for workers compensation insurance. The homeowner permit covers general residential construction only and is limited to a single family residential dwelling unit or an appurtenant structure/free standing storage unit. A homeowner permit does not cover any commercial construction, as defined in the applicable codes, or any other residential dwellings owned by the homeowner including rental dwellings. A homeowner can work alone, hire employees to assist as long as they are paid only wages and receive no other compensation, as defined in CILA 60-13-2 (I.), or hire subcontractors. If hiring employees the homeowner shall comply with all Taxation & Revenue Department reporting requirements. All subcontractors under a homeowner permit must be licensed and shall permit their own work.

A homeowner cannot apply for, or have issued to him/her a homeowner's permit if he/she is not acting as the general contractor for a project but is merely the customer of a contractor as any homeowner would be for a particular scope of work. For example, hiring a licensed contractor to re-roof your residence requires the contractor to obtain permits and inspections without your involvement or liability in the process.

In order to qualify, there are specific requirements that must be met in order to comply with the statutory and regulatory mandates of the Construction Industries Licensing Act ("CILA"). 14.5.2.18 NMAC requires the homeowner sign a "Homeowner Permit Responsibility & Liabilities Acknowledgement" before obtaining such a permit explaining the Homeowner responsibilities and liabilities when assuming primary residence construction. This Instruction form must also be signed

In order for AHJ employees or local planning & zoning department to verify that a homeowner has properly completed the Acknowledgement Form and in order to fully understand his/her responsibilities and liabilities in assuming the project, the homeowner must appear in person either at the appropriate AHJ office or to a local planning and zoning department and provide the following to CID or the local permitting authority:

1. This Acknowledgement and Instruction sheet must be signed and acknowledged as accepting all responsibilities and liabilities by homeowner in person at the CID office or a local planning and zoning department prior to presenting the application packet to CID or local permitting authority.
2. Proof of identity and proof of ownership of the property for which a permit is sought. Proof of identity may include current driver's license; Proof of ownership of the property may include a deed, real estate contract or such other proof as acceptable to the division.
3. Approval of documentation from local planning and zoning office if applicable.

**THE HOMEOWNER PERMIT RESPONSIBILITIES AND LIABILITIES  
ACKNOWLEDGEMENT FORM MUST BE SIGNED AND NOTARIZED!!**

I, \_\_\_\_\_ state and certify that I have read this instruction sheet completely, that I understand what I must do in order to obtain a homeowner's permit, and agree that I shall comply with the requirements.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone No.

\_\_\_\_\_  
Email address