

Owners Affidavit

Town of Herndon – Building Inspections

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NOTE: THIS DOCUMENT CONTAINS IMPORTANT INFORMATION CONCERNING THE VIRGINIA CONTRACTORS LICENSING LAW. PLEASE READ CAREFULLY BEFORE SIGNING.

I _____ of (address) _____

Affirm that I am the owner of a certain tract of land located at:

_____ Herndon, VA 20170

In the Town of Herndon that I have applied for a building permit to erect a structure on said land or repair or improve an existing structure on said land. I affirm that I am aware of the provisions of Title 54, Chapter 11, Code of Virginia that require a contractor to be properly licensed before he may bid or undertake a job of \$1,000.00 or more. I further certify that I am familiar with the responsibilities of an awarding authority specified in Section 54.1-1115 of the Code of Virginia, which prohibits any awarding authority from considering bids or awarding contracts to any contractor not properly licensed under the provisions of the Code, that to do so would constitute the commission of a misdemeanor. I affirm that I understand the contractor licensing requirements outlined below:

Class A: Total value of a single contract or project is \$120,000 or more OR the total value of all construction in any 12-month period is \$750,000 or more.

Class B: Total value of a single contract or project is \$10,000 - \$120,000 OR the total value of all construction in any 12-month period is \$150,000 - \$750,000

Class C: Total value of a single contract or project is more than \$1,000 but less than \$10,000 OR the total value of all construction in any 12-month period is \$150,000 or more

With my signature below I affirm that I have read and fully understand the mandate within the Code of Virginia Section 54.1-1115 Prohibited Acts. I further affirm that I am the owner, tenant, or representative of the owner and have been authorized to complete this form.

Name – Please Print

Date

Signature

Telephone Number

Code of Virginia Section 54.1-1115 Prohibited Acts

- A. The following acts are prohibited and shall constitute the commission of a Class 1 misdemeanor:
1. Contracting for, or bidding upon the construction, removal, repair or improvements to or upon real property owner, controlled or leased by another person without a license or certificate, or without the proper class of license as defined in § 54.1-1100 for the value of work to be performed.
 2. Attempting to practice contracting in the Commonwealth, except as provided for in this chapter.
 3. Presenting or attempting to use the license or certificate of another.
 4. Giving false or forged evidence of any kind to the Board or any member thereof in an application for the issuance or renewal of a license or certificate.
 5. Impersonating another or using an expired or revoked license or certificate.
 6. Receiving or considering as the awarding authority a bid from anyone whom the awarding authority known is not properly licensed or certified under this chapter. The awarding authority shall require a bidder to submit his license or certificate number prior to considering a bid.
- B. Any person who undertakes work without (i) any valid Virginia contractor's license or certificate when a license or certificate is required by this chapter or (ii) the proper class of license as defined in § 54.1-1100 for the work undertaken, shall be fined an amount not to exceed \$500 per day for each day that such person is in violation, in addition to the authorized penalties for the commission of a Class 1 misdemeanor.
- C. No person shall be entitled to assert the lack of licensure or certification as required by this chapter as a defense to any action at law or suit in equity if the party who seeks to recover from such person gives substantial performance within the terms of the contract in good faith and without actual knowledge that a license or certificate was required by this chapter to perform the work for which he seeks to recover payment.

Failure to renew a license or certificate issued in accordance with this chapter shall create a rebuttable presumption of actual knowledge of such licensing or certification requirements.