



NEVADA STATE CONTRACTORS BOARD

5390 KIETZKE LANE, SUITE 102, RENO, NV, 89511 (775) 688-1141 FAX (775) 688-1271, INVESTIGATIONS (775) 688-1150
8400 WEST SUNSET ROAD, SUITE 150, LAS VEGAS, NV, 89113 (702) 486-1100 FAX (702) 486-1190, INVESTIGATIONS (702) 486-1110
www.nscb.nv.gov

NRS 624.031(5) Applicability of chapter: Exemptions. The provisions of this chapter do not apply to:

An owner of property who is **building or improving a residential structure on the property for his own occupancy and not intended for sale or lease**. The sale or lease, or the offering for sale or lease, of the newly built structure within 1 year after its completion creates a rebuttable presumption for the purposes of this section that the building of the structure was performed with the intent to sell or lease that structure. An owner of property who requests an exemption pursuant to this subsection must apply to the board for the exemption. The board shall adopt regulations setting forth the requirements for granting the exemption.

If you are seeking an exemption from licensure pursuant to NRS 624.031(4) you must complete the following affidavit, obtain the required signatures, and submit the original to the building department with your application for a building permit.

OWNER BUILDER AFFIDAVIT OF EXEMPTION

I hereby certify that I am the owner of the property listed below, and that I am building or improving a residential structure on this property for my own occupancy and do not intend to sell or lease the property.

Parcel Number: _____ Description of Work: _____ Type of Permit _____

Please initial acknowledging the following obligations and duties:

- _____ I may not sell or lease this property. If I sell or lease, or offer to sell or lease this property within 1 year after completion, it may be presumed that I have violated the provisions of this exemption and Chapter 624 of NRS.
- _____ I may not hire an unlicensed person to act as my contractor, agent, or construction manager.
- _____ I must directly supervise the construction.
- _____ Any subcontractor(s) working on this project must be properly licensed by the Nevada State Contractors Board.
- _____ Any person working on my project who is not a licensed contractor must work under my direct supervision and must be employed by me. I must comply with all State and Federal laws as an employer in the State of Nevada, including payroll deductions (FICA and income tax withholding), provide industrial insurance coverage, and pay the required unemployment compensation for that employee.
- _____ If my project requires the repair, restoration, improvement or construction of a pool or spa, I acknowledge my obligation and duty to comply with the provisions of NRS 624.900 through NRS 624.930 (inclusive).
- _____ I acknowledge that I have received copies of NRS 624.900 through NRS 624.930 (inclusive) and NRS 278.573.
- _____ I acknowledge that the failure to comply with any of the above may result in cancellation of the permit.

I have read the above owner builder affidavit of exemption and certify that the information provided is true and correct to the best of my knowledge.

Dated this _____ day of _____, _____

Legal Owner of Residential Property (Signature)

Location of Single Family Residence

(Print Name)

City State Zip

Witness: _____



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DISCLOSURES

NRS 278.573 Statement of restrictions: Duty of building official to deliver to owner who is issued permit for construction on his residence; owner to acknowledge receipt in writing; text.

1. A building official who issues a permit to the owner of a residence to construct, alter, repair, add to, subtract from, improve, move, wreck or demolish the residence shall, at the same time, deliver to him a statement. The owner of the residence shall acknowledge in writing receipt of the statement.

2. The statement delivered by the building official must include the following text:

State law requires construction to be done by licensed 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 contractor with certain restrictions although you do not have a license.

You must directly supervise the construction, on the job, yourself. The building or residence must be for your own use or occupancy. It may not be built or substantially improved for sale or lease. If you sell or lease a building you have built or substantially improved yourself within 1 year after the construction is complete, it is presumed that you built or substantially improved it for sale or lease, which is a violation of this exemption and a violation of [chapter 624](#) of NRS.

You may not hire an unlicensed person to act as your contractor or to supervise people working on your building. It is your responsibility to make sure that people employed by you have the licenses required by state law and by county or municipal licensing ordinances. You may not delegate the responsibility for supervising work to a contractor unless he is licensed to perform the work being done. Any person working on your building who is not licensed must work under your direct supervision and must be employed by you, which means that you must deduct FICA and withholding tax and provide industrial insurance and pay the required contribution for unemployment compensation for that employee, and comply with other state and federal laws relating to employment. Your construction must comply with all applicable laws, ordinances, building codes and zoning regulations.

RESIDENTIAL SWIMMING POOLS AND SPAS

NRS 624.900 Definitions. As used in [NRS 624.900](#) to [624.965](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 624.905](#), [624.910](#) and [624.915](#) have the meanings ascribed to them in those sections.
(Supplied in revision)

NRS 624.905 “Contract” defined. “Contract” means any contract or agreement in which a contractor agrees to perform work concerning a residential pool or spa.

NRS 624.910 “Contractor” defined. “Contractor” means a person licensed pursuant to the provisions of this chapter who performs work concerning a residential pool or spa.

NRS 624.915 “Work concerning a residential pool or spa” defined.

1. “Work concerning a residential pool or spa” means any of the following acts, if performed for a fee:

(a) The design, construction, repair, maintenance, restoration, alteration or improvement of any residential swimming pool or spa, regardless of use, including the repair or replacement of existing equipment or the installation of new equipment, as necessary; or

(b) Any consultation or supervision concerning such work.

2. The scope of such work includes layout, excavation, operation of construction pumps for removal of water, steelwork, construction of floors, installation of gunite, fiberglass, tile and coping, installation of all perimeter and filter piping, installation of all filter equipment and chemical feeders of any type, plastering of the interior, construction of decks, installation of housing for pool equipment and installation of packaged pool heaters.

3. The scope of such work also includes the installation of plumbing, including, without limitation, connections to potable water, and the installation of gas lines if the contractor holds classifications for such work pursuant to [NRS 624.925](#).



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NRS 624.920 License or other authorization required to perform work concerning residential pool or spa. A person shall not, directly or indirectly, perform or offer to perform, for a fee, any work concerning a residential pool or spa or any consultation or supervision concerning such work or otherwise hold himself out as being able to perform such acts for a fee, unless the person holds:

1. A license as a contractor or subcontractor under state law which authorizes the person to perform such acts for a fee; or
2. Any other license, certificate, registration or permit under state law which authorizes the person to perform such acts for a fee.

NRS 624.925 Classifications of licensing.

1. The Board shall adopt regulations to provide for classifications of licensing that authorize a contractor who performs work concerning a residential pool or spa to perform, in connection with such work, the installation of:

- (a) Plumbing, including, without limitation, connections to potable water; and
- (b) Gas lines.

2. The regulations adopted by the Board must include, without limitation, regulations establishing the qualifications, training and examinations that are required for such classifications.

NRS 624.930 Contractor and subcontractor required to obtain permits and meet certain requirements; certain owner-builders required to submit information regarding bonds and insurance; supervision and control of work; license or other authorization required to perform certain acts for owner-builder.

1. Any contractor or subcontractor who performs work concerning a residential pool or spa shall, regardless of whether the work is performed under the direction of a builder who is also the owner of the property being improved:

- (a) Apply for and obtain all applicable permits for the project; and
- (b) Meet all applicable requirements imposed pursuant to this chapter and any regulations adopted by the Board with respect to contracts for work concerning a residential pool or spa.

2. If a contractor or subcontractor performs work concerning a residential pool or spa and the work is performed under the direction of a builder who is also the owner of the property being improved, the owner shall comply with all state and local laws and ordinances for the submission of names, licenses and information concerning any required bonds and insurance with respect to the contractors and subcontractors working on the project.

3. With respect to a contract for work concerning a residential pool or spa, the work performed pursuant to such a contract must be supervised and controlled directly by the qualified employee or qualified officer of the contractor.

4. If work concerning a residential pool or spa is performed under the direction of a builder who is exempt from having to obtain a license as a contractor because the builder is also the owner of the property being improved, a person shall not, directly or indirectly, perform or offer to perform, for a fee, any act as a consultant, adviser, assistant or aide to the builder for the purposes of the project, including, without limitation, any act associated with obtaining permits for the project, or otherwise hold himself out as being able to perform such acts for a fee, unless the person holds:

- (a) A license as a contractor or subcontractor under state law which authorizes the person to perform such acts for a fee; or
- (b) Any other license, certificate, registration or permit under state law which authorizes the person to perform such acts for a fee.