

Plans for Oneself Exemption “Checklist”

This Document Has been prepared, adopted and issued by the North Carolina Board of Architecture pursuant to N.C.G.S. 150B-2(8a)(c) as a nonbinding interpretative statement. It is intended to offer informal guidance to code officials, licensees and others.

Although the applicable statutes and rules have not changed, the Board has clarified certain aspects of the “plans for oneself” exemption. Design plans prepared by an individual for himself/herself may be exempt, in accordance with G.S. 83A-13 (d) and 21 NCAC 2 .0211(b), from the requirement of an architectural seal subject to the following conditions:

- 1) The individual claiming the exemption is a record owner of the land upon which the building is to be constructed.
- 2) The individual must personally prepare the plan. This individual cannot claim authorship of plans prepared for him by another person.
- 3) The individual must sign the plans and legibly print his/her name and current address on the plans.
- 4) The individual must maintain a possessional interest in the premises after construction. "Possessional interest" may be actual occupancy of the building by the owner or the possessional interest of a landlord; however, it is not considered a building for oneself if an individual intends to build under this exemption for the purpose of immediately transferring legal title of the building to another.
- 5) The “plans for oneself” exemption does **not** exempt the preparation of specifications required to obtain a building permit in the construction of a building not exempt under G.S. 83A-13(c). “Specifications” means a description of the quality, size and strengths of the materials being used in a building.” [Quoting from Rule .0211(b)]. Thus, the preparation of specifications required to obtain a building permit for the construction of a commercial building which exceeds \$90,000 (excluding the value of the land) or exceeds 2,500 square feet of gross floor area is **not** exempt under the “plans for oneself” exemption.
- 6) The “plans for oneself” exemption is only available for *individuals*. Thus, for example, a corporation cannot use this exemption. [N.C. General Statutes define “individual” as “a natural person,” whereas a “person” includes a corporation. This difference was pointed out in *NCBOA v. Lee*, 264 N.C. 602; 142 S.E.2d 643 (1965).]