



Planning, Building and Code Enforcement

ACKNOWLEDGEMENT OF RESPONSIBILITY

According to San José Ordinance 31100 and San José Municipal Code (SJMC) Section 24.02, Part 8 – Responsible Construction, I acknowledge that:

1. The owner, contractor, and subcontractors on the project will comply with all applicable provisions of this chapter and the California Labor Code, including the Labor Code Sections 210.5 and 226a.
2. The owner and contractor are responsible for verifying that the contractor and subcontractors, as defined in Section 24.02.810 of the San José Municipal code, hired on the project do not, as of the date of the building permit application, have any unpaid wage theft judgment(s) entered against them.
3. After approval of the building permit, the owner and contractor are responsible for verifying, prior to hiring any new contractor or subcontractor, that the contractor or subcontractor does not appear on the outstanding judgments list.
4. The owner is responsible for ensuring that, if a contractor or subcontractor has an unpaid wage theft judgment entered against them that appears on the outstanding judgments list, the contractor or subcontractor has provided proof demonstrating that the unpaid wage theft judgment has been satisfied prior to being hired onto the project.
5. The owner is responsible for ensuring that any unpaid wage theft judgment(s) entered against the owner, contractor, or subcontractor for labor provided to the project are satisfied prior to application for a certificate of occupancy on the project.

The Certificate of Occupancy or final building permit will be withheld if:

6. The owner has failed to submit the pay transparency certification required by [SJMC Section 24.02.850](#).
7. The Director of Public Works has sustained a complaint of an unpaid wage theft judgment pursuant to [SJMC Section 24.02.870](#), and the owner or contractor has neither cured the unpaid wage theft judgment nor reversed the Director of Public Works’ determination by appeal pursuant to [Section 24.02.880](#).

§ 2015.5. Certification or declaration under penalty of perjury

Whenever, under any law of this state or under any rule, regulation, order or requirement made pursuant to the law of this state, any matter is required or permitted to be supported, evidenced, established, or proved by the sworn statement, declaration, verification, certificate, oath, or affidavit, in writing of the person making the same (other than a deposition, or an oath of office, or an oath required to be taken before a specified official other than a notary public), such matter may with like force and effect be supported, evidenced, established or proved by the unsworn statement, declaration, verification, or certificate, in writing of such person which recites that it is certified or declared by him or her to be true under penalty of perjury, is subscribed by him or her, and (1), if executed within this state, states the date and place of execution, or (2), if executed at any place, within or without this state, states the date of execution and that it is so certified or declared under the laws of the State of California. The certification or declaration may be in substantially the following form:

If executed at any place, within or outside this state: “I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct”:

APPLICANT SIGNATURE

DATE [MM/DD/YYYY]

PRINT NAME

TITLE, IF ANY