



Informal Interpretation Report Number 9498



Date February 20, 2026

Edition 2023

Section 105.5

Question:

According to FBC 105.5 section 3, it states expired permits that have been substantially completed can be closed out without obtaining a new building permit. If the foundation, structural walls and roof system have been installed, would that be considered substantially completed?

Answer

This will depend on the interpretation of "substantially complete" as it applies in this case. Although this term leaves the decision up to the Building Official, the American Institute of Architects A 201 document and the Engineers Contract Documents Committee C-700 both define substantially complete as being sufficiently complete in accordance with the contract documents so that the owner can occupy and/or utilize the work for its intended purpose. A new permit is required per 105.4.1.1 for the completion of the work, however, the project is not required to meet new codes unless it has been over 180 days from the date it became null and void per 105.4.1.2

Commentary:

There may be other factors as well, such as framing, electrical, mechanical, plumbing and other requirements of the governing codes that need to be considered.

Notice:

The Building Officials Association of Florida, in cooperation with the Florida Building Commission, the Florida Department of Business & Professional Regulation, ICC, and industry and professional experts offer this interpretation of the Florida Building Code in the interest of consistency in their application statewide. This interpretation is informal, non-binding and subject to acceptance and approval by the local building official.