

**AFFIDAVIT AND APPLICATION FOR  
ADMINISTRATIVE SEARCH WARRANT**

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C.G.S. § 54-33c et seq.

**STATE OF CONNECTICUT  
SUPERIOR COURT**

**TO: A Judge of the Superior Court**

The undersigned, being duly sworn, complains on oath that the undersigned has probable cause:

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- 1. to inspect based on reasonable legislative and/or administrative standards for conducting an area inspection.
- 2. to believe that statutes, regulations, codes and/or ordinances pertaining to fire safety, housing and/or buildings have been violated, based on complaint, as described below.

**And that the certain place to be searched is a:**

*TYPE OF OCCUPANCY AND ALL AREAS TO BE SEARCHED, INCLUDING BASEMENT, ATTIC CRAWL SPACE AND AREAS AND OTHER FACTORS RELEVANT TO THE SEARCH*

**And is situated at and described as:**

*ADDRESS OF PROPERTY, DETAILED DESCRIPTION OF THE PROPERTY INCLUDING COLOR, LAYOUT, NUMBER OF FLOORS, LOCATION IN RELATION TO THE STREET, PORCH LAYOUT AND ANY OTHER DESCRIPTORS NECESSARY TO DISTINGUISH THIS FROM SIMILAR PROPERTIES*

**AND that the facts establishing the grounds for the issuance of this Administrative Search Warrant are as follows:**

1. I *[name of First affiant, am a [title] with the [department/agency] for [# of years]. [Add statement of specialized training an experience that qualifies your 2d affiant to perform in this capacity.]*
2. I *[name of second affiant, am a [title] with the [department/agency] for [# of years]. [Add statement of specialized training an experience that qualifies your 2d affiant to perform in this capacity.]*

CITY/TOWN		DATE	SIGNATURE AND TITLE OF AFFIANT
JURAT	Subscribed and sworn to before me:	Date:	SIGNED (Judge of the Superior Court)

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The undersigned has not presented this application in any other court or to any other judge.

CITY/TOWN		DATE	SIGNATURE AND TITLE OF AFFIANT
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3. *[All the facts below should be contained separately in numbered paragraphs.]*
4. **[If you've checked Box 1 (regulatory scheme), include a statement of statutory authority and/or the regulatory scheme that establishes your authority to enter and search this particular premises, e.g. Conn. Gen. Stat. §29-305 for Yearly Fire Inspections.]**
5. **[If you've checked Box 1 (regulatory scheme), also include a description of the property establishing that it is subject to the statutory scheme: For example, for yearly fire inspections:**

\_\_\_\_\_ building is a multi-family apartment building, as classified in Chapter 3.3.36.3 of part IV of the CT State Fire Safety Code (CSFSC). Accordingly, pursuant to CGS § 29-305 and Section 107 of the 2018 CSFSC, each local fire marshal shall conduct yearly inspections as prescribed in CGS § 29-305 of buildings and facilities, regulated by the Connecticut State Fire Safety Code within their jurisdictions. Pursuant CGS § 29-292, the CSFSC applies to "all buildings and areas adjacent thereto, except in private dwellings occupied by one or two families." Section 107 also states that residential occupancies shall be inspected on an annual basis. '1

6. **[If you've checked Box 2 (probable cause to believe a violation exists) include all information which establishes probable cause to believe that the subject properly contains code or regulatory violations, i.e. it is likely to believe that the place to be searched contains evidence of code violations that come under your administrative purview. In separate paragraphs, include how you became aware of the suspected situation (e.g., a complaint, observation, or report from other official); Describe how you confirmed this information; include any attempts to gain entry and results of those attempts; include any emergency**

The undersigned has not presented this application in any other court or to any other judge.

CITY/TOWN		DATE	SIGNATURE AND TITLE OF AFFIANT
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*situations. Include the applicable regulations or code sections that apply and which are probably being violated.]*

7. *[Include what means are necessary to conduct the inspection (e.g., any special inspection equipment, etc.; and any additional investigation, or additional personnel.]*
8. *[If the warrant is based on a regulatory/statutory scheme, please cite the appropriate statute/regulation and explain what and when inspections are required and what steps have been taken to comply in the instant case; also include any attempts to gain entry to the property for the purpose of inspection and the results of those attempts.]*
9. *Lastly, be sure to identify all areas, basement, attic, and exterior that you will need to search to comply with your required inspection, and any special or invasive methods that you will need to utilize.]*

*This is the Last Page of the Affidavit. Additional paragraphs can be included here.*

The undersigned has not presented this application in any other court or to any other judge.

CITY/TOWN		DATE	SIGNATURE AND TITLE OF AFFIANT
JURAT	Subscribed and sworn to before me:	Date:	SIGNED (Judge of the Superior Court)

**STATE OF CONNECTICUT  
SUPERIOR COURT**

JD/GA COURT:	AT (Address of Court)		DATE OF SEARCH
DOCKET NO.CR-	UNIFORM ARREST NO.	AGENCY CASE NO.	COMPANION CASE NO.

**Wherefore the undersigned requests that a warrant may issue commanding a proper officer to enter into or upon and search said place as described herein:**

**D** The foregoing Affidavit and Application for an Administrative Search Warrant having been presented to and been considered by the undersigned, a Judge of the Superior Court, the undersigned (a) is satisfied therefrom that grounds exist for said application, and (b) finds that said affidavit establishes grounds and probable cause for the undersigned to issue this Administrative Search Warrant.

NOW THEREFORE, by Authority of the State of Connecticut, I hereby command any proper officer to whom these presents shall come within **ten days** after the date of this warrant to search, as described in the foregoing Affidavit and Application, of the following property, to wit:

*[FROM FIRST PAGE] TYPE OF OCCUPANCY AND ALL AREAS TO BE SEARCHED, INCLUDING BASEMENT, ATTIC CRAWL SPACE AND AREAS AND OTHER FACTORS RELEVANT TO THE SEARCH*

*[FROM FIRST PAGE] ADDRESS OF PROPERTY, DETAILED DESCRIPTION OF THE PROPERTY INCLUDING COLOR, LAYOUT, NUMBER OF FLOORS, LOCATION IN RELATION TO THE STREET, PORCH LAYOUT AND ANY OTHER DESCRIPTORS NECESSARY TO DISTINGUISHG THIS FROM SIMILAR PROPERTIES*

to determine whether there are violations of the fire safety, health, zoning and/or other building statutes, regulations, codes or ordinances, AS OUTLINED ABOVE, and upon such search, with reasonable promptness make due return of this warrant.

**DENIED**

**(Note: AFFIANT'S OATH MUST BE TAKEN PRIOR TO JUDGE/ JUDGE TRIAL REFEREE SIGNING BELOW)**

<u>Signed at:</u>	<u>Date</u>	<u>Signed (Judge/Judge Trial Referee)</u>
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**STATE OF CONNECTICUT  
SUPERIOR COURT**

JO/GA COURT:	AT (Address of Court)		DATE OF SEARCH
DOCKET NO.CR-	UNIFORM ARREST NO.	AGENCY CASE NO.	COMPANION CASE NO.

Then and there by virtue of and pursuant to the authority of the foregoing Administrative Search Warrant, I searched the place named herein, to wit:

**And that the certain place to searched is a:**

***[FROM FIRST PAGE] TYPE OF OCCUPANCY AND ALL AREAS TO BE SEARCHED, INCLUDING BASEMENT, ATTIC CRAWL SPACE AND AREAS AND OTHER FACTORS RELEVANT TO THE SEARCH***

**And is situated at and described as:**

***[FROM FIRST PAGE] ADDRESS OF PROPERTY, DETAILED DESCRIPTION OF THE PROPERTTY INCLUDING COLOR, LAYOUT, NUMBER OF FLOORS, LOCATION IN RELATION TO THE STREET, PORCH LAYOUT AND ANY OTHER DESCRIPTORS NECESSARY TO DIST/NGUISHG THIS FROM SIMILAR PROPERTIES***

I served a copy of such warrant on \_\_\_\_\_, the owner or occupant of the dwelling, structure, or place designated therein, on this

Day: \_ of Month: \_\_\_\_\_, 20\_\_ , or to \_\_\_\_\_, the person found present upon or within the premises named therein, in the following manner:

*[describe method of service, e.g. left with a named individual; left a copy on front door of property, etc.]*

\_\_\_\_\_  
DATE OF THIS RETURN

\_\_\_\_\_  
SIGNED (Officer's Signature and Department)

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## **Things to remember:**

*Omit this page from the completed search warrant*

*You cannot incorporate any extraneous information into your affidavit by reference; words like "incorporated herein" are not permissible, unless you identify the document as a numbered exhibit and attach the document to the affidavit as an exhibit. (Both affiants and the Judge will have to date and initial the exhibit, as well.) If you wish to refer to another document not attached, you MUST quote it exactly, surround the quoted text with quotation marks, and describe/identify the document quoted in your affidavit.*

*If both you and your co-affiant have statements in the affidavit, identify yourself as "I, Affiant [last name]," every time you refer yourself in the text of the affidavit, so your a/legation is attributable only to you.*

*The entire application and Search Warrant must be presented to the Prosecutor's Office BEFORE going to the judge.*

*DO NOT SIGN THE AFFIDAVIT BEFORE YOU GO TO THE JUDGE'S CHAMBERS. Both affiants are required to appear before the judge (in her/his chambers) and sign the warrant in her/his presence.*

*After everything is signed by the affiants and the Judge, the following procedures and timeline must be followed (for more info, please see Conn. Gen. Stat. §54-33c(c):*

- After the Application and Warrant are signed, copy must be made and left with clerk's office;*
- The search must be performed (i.e. executed) WITHIN TEN DAYS of signing and the original Application and Affidavit must be returned to the GA clerk's office for the court as quickly as is feasible*

*A copy of the Warrant Page only (entitled "Administrative Search Warrant"? shall be given to the owner or occupant of the dwelling, structure or place designated in the warrant.*

*If no one is at the location when the search is conducted, leave the warrant conspicuously at the point of entry;*

*Within (48) forty-eight hours of the search, a copy of The Application, Affidavit and Administrative Warrant shall be given to such owner, occupant or tenant located in the premises.*

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1. I, (name), am a(n) (title) for the (Department) and a duly authorized representative thereof, and have been continuously so employed for (length of service). In this capacity, this affiant has been involved with the enforcement of the Conn. State Fire Safety Code (hereinafter CSFSC) and the Conn. State Fire Prevention Code (hereinafter CSFPC) in the city of (city).
2. The facts and circumstances in this affidavit are the result of personal knowledge and observations of this affiant and other members of the (agency) who have reported their findings to this affiant, as represented below.
3. On (date & time) this affiant inspected the premises known as (address), which is identified by this affiant as a (describe premises in accordance with statutory authority to inspect. e.g. apartment occupancy consisting of three or more residential units.) (Add statement indicating the purpose and authority for the inspection. For example: This inspection was conducted pursuant to Conn. Gen. Stat. Sec. 29-305(b).)
4. On (date & time) this affiant determined after a review of the (city) land records that the owner of the premises known as (address) was (name of owner, i.e. individual, LLC or Corp.). This affiant obtained a certified copy of the deed for this property, thus confirming this information. ***If the property is owned by an LLC or corporation: include a statement as follows:*** I reviewed the online records for the Connecticut Secretary of State and determined that (name of accused) was the (principal or managing) member for (LLC).
5. That on (date & time), during said inspection of the property, this affiant observed 00 fire code violation(s) for the premises. On (date & time) this affiant issued a Connecticut State Fire Safety Code Abatement Order to (individual owner, LLC principal or managing member), ordering the abatement and correction of the aforementioned fire code violations by (date for the longest period of compliance given in the order), in addition to an explanation of the appropriate corrective action required for compliance. This order was served on the (individual owner, LLC principal or managing member) by (describe method and date of service).
6. On (date & time of reinspection), this affiant conducted a re-inspection of (premises) to determine the status, abatement and/or repairs of the above-referenced fire code violations. During this re-inspection of the premises, this affiant observed the following violations, originally cited in the aforementioned Abatement Order, still existed and had not been abated, as follows:



**Provide a brief description of each violation and its location. Essentially answer the question "Why was the condition cited a violation of the code?" This information can be cut and pasted from your inspection report.**

**Obviously the paragraphs below are not a complete list of all possible violations, but they're included to provide an example of the information required to describe each violation concisely. Each violation should have a statement regarding the nature of the condition, the exact location, and the section of the code that the condition violates, for example:**

**For fire doors;**

7. That on (date & time of reinspection), this affiant observed the following: that the door and door frame assembly (describe# and location of door) was not 1-hour fire-rated **and/or**, did not have a mechanism for self-closing, **and/or**, was not positive latching, in violation of CSFSC (provide the "code-flow" citation, indicating the specific section of the code that was violated.)

**For combustible material;**

8. That on (date & time of reinspection), this affiant observed the following: a large amount of combustible materials, such as wood, cardboard and other combustible materials, covering an area in excess of 100 square feet, located in the (describe area and location) in violation of CSFSC (provide the "code-flow" citation, indicating the specific section of the code that was violated.)

**For inadequate lighting;**

9. That on (date & time of reinspection), this affiant observed that the light fixture at (describe location) (describe problem. e.g. did not have a motion sensor with activation period of no less than 15 minutes) in violation of CSFSC (provide "code-flow" citation.)
10. That the violations of the CSFSC described above place the occupant(s) of this premises at risk of physical injury.
11. Wherefore, this affiant believes probable cause that *(individual owner, LLC principal or managing member)* of premises known as *(address)* did commit(*# of counts*) of Violation of the Connecticut State Fire Safety Code, in violation of Conn. Gen. Stat. Section 29-295.

**\*\*Note that any red print is for instruction only and should not be included in affidavit\*\***