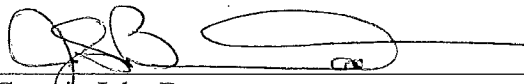


APPLICATION FOR ADMINISTRATIVE INSPECTION WARRANT

I, Captain John Brennan, being duly sworn, state the following:

1. I am a captain in the City of Portland Fire Prevention Bureau ("FPB").
2. In connection with that position, I am responsible for enforcing various state and local fire prevention laws and ordinances.
3. Also in connection with that position, I carry out and oversee probable cause and general area inspections within the City.
4. I am authorized to carry out such inspections pursuant to the City of Portland Code of Ordinances § 10-3(n) and 25 M.R.S. § 2392.
5. The City of Portland conducts routine, general area inspections of all rental properties in the City.
6. The City of Portland has probable cause to believe that violations of state and local fire prevention laws and ordinances exist in rental properties in Portland, due to the high incidence of violations found in such inspections.
7. The City of Portland has made several requests to inspect the property at 24 Mountfort Street, which is owned by Joseph Napolitano ("Owner").
8. Those requests have been made on May 5, 2017, July 7, 2017 and July 19, 2017, but the Owner has failed to respond.
9. I have given the Owner written notice at least 24 hours in advance of presenting this application by delivering a copy by certified and regular mail.
10. For all of these reasons, I request that this Court issue an administrative inspection warrant pursuant to M.R. Civ. P. 80E.

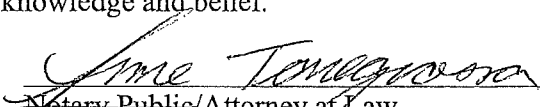
Dated: 8-2-17



Captain John Brennan
City of Portland Fire Department

STATE OF MAINE
COUNTY OF CUMBERLAND

Personally appeared the above-named Captain John Brennan, and made oath that the foregoing statements are true to the best of his knowledge and belief.



Notary Public/Attorney at Law #4374

NOTICE OF APPLICATION FOR ADMINISTRATIVE INSPECTION WARRANT

TO: Joseph Napolitano
24 Mountfort Street, #3
Portland, Maine 04101

This is to notify you as the owner of the structure at 24 Mountfort Street in Portland, Maine (the "Structure"), that on August 14, 2017 at 8:30 am, the City of Portland Fire Department intends to present an application for an Administrative Inspection Warrant to inspect the Structure. This application shall be made before the Maine District Court at 205 Newbury Street in Portland, Maine. You have the right to be present to state your opposition, if any, to the issuance of the warrant.

Dated: 7/31/17



Captain John Brennan
City of Portland Fire Department

This notice was sent by certified and regular mail to Joseph Napolitano, 24 Mountfort Street, #3, Portland, Maine 04101 on August 1, 2017..



Anne Torregrossa
City of Portland

ADMINISTRATIVE INSPECTION WARRANT

STATE OF MAINE
CUMBERLAND, ss

DISTRICT COURT
PORTLAND, MAINE

TO: Joseph Napolitano
24 Mountfort Street, #3
Portland, Maine 04101

Captain John Brennan of the City of Portland Fire Prevention Bureau has submitted an Application for Administrative Inspection Warrant swearing that he has authority to enter the structure located at 24 Mountfort Street, Portland, Maine (the "Structure") for purposes of inspecting the premises for hazards pursuant to the City of Portland Code of Ordinances ("Portland Code") § 10-3(n) and 25 M.R.S. § 2392; that the inspection is being conducted as part of a general area inspection of rental properties in the City of Portland; and that probable cause exists that there are violations of state and local fire safety laws and ordinances in rental properties in the area due to the high incidence of violations found in such inspections. Captain Brennan has also sworn that the owner of the Structure has refused to allow the City of Portland to inspect, despite requests. Having considered the Application, and the property owner having been given an opportunity to state his opposition, I find probable cause exists to believe that there are violations of the Portland Code at the Structure.

YOU ARE HEREBY COMMANDED to allow inspection of the Structure by Captain Brennan and/or his designee, when he serves this warrant and makes inspection during the daytime for the purpose of inspecting violations at the Structure and to ensure compliance with Portland Code.

Dated:

Judge, District Court