

WFG Underwriting Bulletin



To: All Connecticut Policy Issuing Agents of WFG National Title Insurance Company

From: WFG Underwriting Department

Date: September 22, 2023

Bulletin No.: CT 2023-02

Subject: Affidavit Regarding Smoke and Carbon Monoxide Detectors

Public Act 23-164 becomes effective October 1, 2023 and amends C.G.S. § 29-453 requirements for the smoke and carbon monoxide detector affidavit required to be signed by sellers of one-two family residential properties. You can view the full text of the statute at this link: [Public Act 23-164](#).

The prior statute required the seller to swear under oath that the home was equipped with smoke and carbon monoxide detection systems that complied with the State Fire and Building Codes. Most sellers and even some experts do not have the requisite knowledge to swear to those statements. As a result, the majority of practitioners utilized the opt out provisions and provided buyers a \$250.00 credit in lieu of the affidavit. Public Act 23-164 simplified the representations required in the affidavit. However, the revised statute no longer allows sellers to opt out of providing the affidavit. As of October 1, 2023, the affidavit will be required for all closings involving 1-2 family residential property.

The form affidavit developed by the Connecticut Bar Association, Connecticut Association of Realtors and the Association of Fire Marshals to comply with the statute can be found here: [Smoke Detector Affidavit](#)

The template is not mandatory and practitioners are free to develop their own form affidavit. The attachment to the template sets forth where the detectors must be located, whether they must be interconnected and the type of power supply required, all based on the age of the property.

If you have any questions or concerns, please don't hesitate to reach out to your local underwriter.

NOTE: The information contained in this Bulletin is intended solely for the use of employees of WFG National Title Insurance Company, its title insurance agents and approved attorneys. Disclosure to any other person is expressly prohibited unless approved in writing by the WFG National Title Insurance Company's Underwriting Department.

The Agent may be held responsible for any loss sustained as a result of the failure to follow the standards set forth above.