

## Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) DYER'S COATING AND FIREARMS LLC  67 Long Leaf Dr. HUFFMAN, TX 77336, HARRIS - 201	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 782050-2018-0123-B1B		
	3. PERMIT/LICENSE NUMBER 576201010L04587	4a. TARGET DATE	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

6. ATF OFFICER(S) ASSIGNED  
(b)(6) - Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)  
(b)(6), Area Supervisor, 11/07/2017

8. PURPOSE/SPECIAL INSTRUCTIONS

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	8	NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	2	NO. OF TECS HITS		2112 - P.O.A.	
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2113 - COMM. AIR	
		\$ VALUE OF TAX DECREASES		2114 - RENTAL CAR	
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2115 - GPV EXPENSES	
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2116 - MISC.	
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		TOTAL \$ FOR INSP.	

11. ATF OFFICER'S RECOMMENDATION  
Submitted by (b)(6) - Industry Operations Investigator  
  
Submitted on: 05/21/2018  
The Federal Firearms Licensing Center should update the FLS system with the following information:  
  
•Please change the address for Mr. and Mrs. Dyer to (b)(6).  
Violts WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
FEB 2018	17.00		
MAR 2018	7.00		
APR 2018	5.00		
ATF OFFICER'S SUBTOTAL	29.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	29.00		

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION  
The Federal Firearms Licensing Center should update the FLS system with the following information:  
  
•Please change the address for Mr. and Mrs. Dyer to (b)(6).  
Violts WL ONLY and Recall Inspection

<input checked="" type="checkbox"/> REVIEWED	<input checked="" type="checkbox"/> CONCUR	<input checked="" type="checkbox"/> SEE COMMENTS	<input checked="" type="checkbox"/> FINAL DISPOSITION
SIGNATURE AND TITLE (b)(6) - Area Supervisor		REVIEW DATE 05/21/2018	

## Assignment and Report

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	3. PERMIT/LICENSE NUMBER 576201010L04587	4a. TARGET DATE	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

ROUTING SEQUENCE AND DATE

- ☐ 1. \_\_\_\_\_  
☐ 2. \_\_\_\_\_  
☐ 3. \_\_\_\_\_  
☐ 4. \_\_\_\_\_

CONTROL FILE POSTED DATE \_\_\_\_\_

## Report of Violations

### Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor DYER'S COATING AND FIREARMS LLC	Street Address 67 Long Leaf Dr.	City HUFFMAN	State TX	Zip Code 77336-	County HARRIS - 201	Page 1 of 6 Pages
License/Permit/Registry Number (If any) 576201010L04587	Expiration Date 11/1/2020	Date(s) or Period of Inspection 02/22/2017 through 02/22/2018				

### Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 1

#### Nature of Violation:

27 CFR 478.21(a)- Failure to provide information as called for on the headings and instructions on (b)(3) 112 ATF Forms 4473. Specifically:

Question 20, No NICS check required because a background check was completed during the NFA approval process. Question 29, Total number of firearms transferred. Question 33, Trade/corporate name, and FFL#. Question 34, Seller's name. Question 36, Date transferred.

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:  
(If not corrected immediately)

Corrective Action to be Taken: The licensee shall ensure that forms in the future are properly completed as prescribed by the instructions on the form and the regulation.  
(If not corrected immediately)

## Report of Violations

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License/Permit/Registry Number (If any) 576201010L04587	Expiration Date 11/1/2020	Date(s) or Period of Inspection 02/22/2017 through 02/22/2018				

### Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 2

#### Nature of Violation:

27 CFR 478.124(c)(1)- Failure to obtain a complete response from a transferee prior to the transfer of a firearm on (b)(3) 112 ATF Forms 4473. Specifically:

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

Date Corrections to be Made:  
(If not corrected immediately)

Corrective Action to be Taken: The licensee shall ensure that forms in the future are properly completed as prescribed by the instructions on the form and the regulation.  
(If not corrected immediately)

Citation: 27 CFR 478.124(c)(1)



## Report of Violations

### Instructions

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Name of Proprietor DYER'S COATING AND FIREARMS LLC	Street Address 67 Long Leaf Dr.	City HUFFMAN	State TX	Zip Code 77336-	County HARRIS - 201	Page 3 of 6 Pages
License/Permit/Registry Number (If any) 576201010L04587	Expiration Date 11/1/2020	Date(s) or Period of Inspection 02/22/2017 through 02/22/2018				

### Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 3

#### Nature of Violation:

27 CFR 478.124(c)(3)(i)- Failure to record any, or completely record the information from the identification document on <sup>(b)(3)</sup> ATF Forms 4473. Specifically:

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

#### Date Corrections to be Made:

(If not corrected immediately)

#### Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall ensure that forms in the future are properly completed as prescribed by the instructions on the form and the regulation.

Citation: 27 CFR 478.124(c)(3)(i)

## Report of Violations

### Instructions

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Name of Proprietor DYER'S COATING AND FIREARMS LLC	Street Address 67 Long Leaf Dr.	City HUFFMAN	State TX	Zip Code 77336-	County HARRIS - 201	Page 4 of 6 Pages
License/Permit/Registry Number (If any) 576201010L04587	Expiration Date 11/1/2020	Date(s) or Period of Inspection 02/22/2017 through 02/22/2018				

### Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 4

#### Nature of Violation:

27 CFR 478.124(c)(4)- Failure to record the Model and/or Type of the firearm transferred on  
(b)(3) 112 Public Law 55 125 STAT 552 (b)(6) ATF Forms 4473. Specifically:

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

Citation: 27 CFR 478.124(c)(4)

#### Date Corrections to be Made:

(If not corrected immediately)

#### Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall make a copy of the ATF Form 4473, make corrections to the copy and attach it to the original form. Additionally, the licensee shall ensure that forms in the future are properly completed as prescribed by the instructions on the form and the regulation.

Number: 5

#### Nature of Violation:

27 CFR 478.124(c)(5)- Failure to sign and date (b)(3) 112 Public Law 55 125 STAT 552 (b)(6) ATF Form 4473 with the seller's signature and the firearm transfer date as per ATF Regulations. Specifically:

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

Citation: 27 CFR 478.124(c)(5)

#### Date Corrections to be Made:

(If not corrected immediately)

#### Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall ensure that forms in the future are properly completed as prescribed by the instructions on the form and the regulation.

## Report of Violations

### Instructions

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### Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 6

#### Nature of Violation:

27 CFR 478.126a- Failure to submit an ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, after disposing two or more pistols and/or revolvers to a non-licensee within five consecutive business days, in <sup>(b)(3)</sup> instance. Specifically:

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

Citation: 27 CFR 478.126a

#### Date Corrections to be Made:

(If not corrected immediately)

#### Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall report the multiple sales on an ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers.

Number: 7

#### Nature of Violation:

27 CFR 478.131(a)(2)- Failure to record any, or completely record the information from the purchaser's firearm license on <sup>(b)(3) 112 P</sup> ATF Forms 4473. Specifically:

Question 21, Issuing State and Permit Type, Expiration and Permit Number

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

#### Date Corrections to be Made:

(If not corrected immediately)

#### Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall ensure that forms in the future are properly completed as prescribed by the instructions on the form and the regulation.

## Report of Violations

### Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor DYER'S COATING AND FIREARMS LLC	Street Address 67 Long Leaf Dr.	City HUFFMAN	State TX	Zip Code 77336-	County HARRIS - 201	Page 6 of 6 Pages
License/Permit/Registry Number (If any) 576201010L04587	Expiration Date 11/1/2020	Date(s) or Period of Inspection 02/22/2017 through 02/22/2018				

### Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Citation: 27 CFR 478.132(a)(2)

Number: 8

#### Nature of Violation:

27 CFR 478.125(e)- Failure to completely and/or accurately record required acquisition and disposition information for every firearm, a total of **0637** firearms, in the Gunsmith A&D Book. Specifically:

Failure to record the acquisition and disposition address for every firearm entry. Additionally, every entry is incomplete or inaccurate in one or more of the following: Manufacturer, Importer, Model, Serial Number, Type, Caliber/Gauge, Acquisition date, Acquisition name, Disposition date, and Disposition name.

Citation: 27 CFR 478.125(e)

Date Corrections to be Made:  
(If not corrected immediately)

Corrective Action to be Taken: The licensee shall make name and address corrections to the Acquisition and Disposition Book. Additionally, the licensee shall ensure in the future that all firearms identification markings are properly recorded in the A&D Book from the firearm.

I Have Received a Copy of This Report of Violations (Proprietor's signature and title)

*Sammye Press*

Date  
3-15-18

Signature: **(b)(6)** 701

Date  
3-15-2018



## Report of Violations

### Instructions

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### Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Citation: 27 CFR 478.132(a)(2)

Number: 8

#### Nature of Violation:

27 CFR 478.125(e)- Failure to completely and/or accurately record required acquisition information for every firearm, a total of <sup>(b)(6)</sup> firearms, in the Gunsmith A&D Book. Specifically:

Failure to record the acquisition address for every firearm entry. Additionally, every entry is incomplete or inaccurate in one or more of the following: Manufacturer, Importer, Model, Serial Number, Type, Caliber/Gauge, Acquisition date, Acquisition name.

Failure to completely and/or accurately record required disposition information for every firearm, a total of <sup>(b)(6)</sup> firearms, in the Gunsmith A&D Book. Specifically:

Failure to record the disposition address for every firearm entry. Additionally, every entry is incomplete or inaccurate in one or more of the following: Disposition date, and Disposition name.

Citation: 27 CFR 478.125(e)

#### Date Corrections to be Made:

(If not corrected immediately)

#### Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall make name and address corrections to the Acquisition and Disposition Book. Additionally, the licensee shall ensure in the future that all firearms identification markings are properly recorded in the A&D Book from the firearm.

I have Received a Copy of This Report of Violations (Proprietor's signature and title)

Date

4-11-2018

(b)(6)

Date

4-11-2018



**U.S. Department of Justice**

Bureau of Alcohol, Tobacco,  
Firearms and Explosives  
5825 N. Sam Houston Parkway West, Suite 300  
Houston, Texas 77086

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[www.atf.gov](http://www.atf.gov)

May 21, 2018

782050 (b)(6)  
5370

**WARNING LETTER**

Mr. Jerry C. Dyer  
Dyer's Coating and Firearms LLC  
52 Long Leaf Dr.  
Huffman, Texas 77336

Re: Federal Firearms License Number: 5-76-201-01-0L-04587

Dear Mr. Dyer:

As a result of a recent compliance inspection conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) at your firearms business located at 67 Long Leaf Dr, Huffman, Texas 77336 on February 22, 2017 through February 22, 2018, you were cited for violations of 27 Code of Federal Regulations, Part 478. The violations were discussed with you during the inspection. A copy of the Report of Violations, ATF Form 5030.5, issued at the time of the inspection is enclosed.

All violations were fully explained to you by ATF Industry Operations Investigator (b)(6) (b)(6). You indicated that you understood the requirements of the firearms laws and regulations as a licensee. You further indicated that corrective actions would be taken to eliminate future violations.

Mr. Jerry C. Dyer  
Dyer's Coating and Firearms LLC

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing efforts to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business. ATF appreciates the efforts you and other industry members make in this area, and we look forward to continuing to work with you in that regard.

You are reminded that retention of your Federal firearms license is conditional upon compliance with Federal laws and regulations. Because the violations cited in this most recent inspection were fully explained to you and you stated you understood your compliance responsibilities as a licensee, any future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license. Please ensure that future compliance is achieved.

Should you have any questions regarding this matter, please contact Industry Operations Investigator (b)(6) at (b)(6)

Sincerely,

(b)(6)

Area Supervisor

cc: Federal Firearms Licensing Center  
Houston Group VI Area Office

Attachment

# FIREARMS INSPECTION REPORT

**Name:** Dyer's Coating and Firearms LLC  
**Trade Name:**

**UI#:** 782050-2018-0123-B1B  
**FFL#:** 5-76-201-01-OL-04587

**Address:** 67 Long Leaf Dr.  
Huffman, Texas 77336

## 1 - Introduction

### Inspection Profile:

Industry Operations Investigator (IOI) (b)(6), of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), met with (b)(6) President, on February 22, 2018, to conduct a Southwest Border Compliance Inspection of a Type 01 Federal Firearms Licensee, Dealer of Firearms Other Than Destructive Devices. The on-site inspection commenced on February 22, 2018, and the closing conference was held on March 15, 2018. The period of the inspection was from February 22, 2017 to February 22, 2018. No other agencies were involved with this inspection. Prior notice of inspection was provided as Mrs. Dyer was home but unavailable for inspection during IOI (b)(6) initial visit on February 21, 2018. Mrs. Dyer was unavailable due to a conference call being held with her full time employer, Texas Children's Health Plan.

### Business Profile:

Dyer's Coating and Firearms LLC is a licensed firearms dealer primarily in the business of providing gunsmith services, such as cleaning, parts replacement, and applying Cerakote coatings to customize customer's firearms. Mrs. Dyer stated the coatings are only applied to firearms belonging to individuals, and not to firearms for sale. The licensee also fills special orders for customers, and facilitates the transfer of firearms ordered online. Individuals are the primary suppliers of firearms. The licensee maintains a website, dyerscf.com, from which firearms parts are sold, and gunsmith services are advertised. The licensee does not sell firearms online, and does not conduct business at gun shows.

There were (b)(4) firearms acquired, and (b)(4) firearms disposed of during the inspection period. Of these totals, (b)(4) of the acquisitions and (b)(4) of the dispositions consisted of firearms taken in for gunsmithing, and (b)(4) of the acquisitions and (b)(4) of the dispositions were sales and transfers. All sale and transfer firearms acquired and disposed during the inspection period were new.

The business premises are located on a residential property owned by Jerry and Tammi Dyer. IOI (b)(6) utilized the Harris County Appraisal District (HCAD) website to verify property ownership (**Exhibit 1**). The business is operated from a free standing building (oversized garage) located adjacent to



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**Name:** Dyer's Coating and Firearms LLC  
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Mrs. Dyer's residence. The property is located in a rural area of Harris County. Harris County does not have any restrictions which would prohibit this business, and there is no homeowner's association or civic clubs which impose restrictions. The licensee does not conduct any additional business, and does not hold any other ATF licenses. (b)(6)

(b)(6)  
There are no other businesses on the premises. This license was originally issued in October 2014, and this was the first compliance inspection. There are no off-site storage locations.

## Ownership and Control:

Dyer's Coating and Firearms LLC is a domestic limited liability company in which Tammi Dyer is the 100% owner of the company, and the only member of the LLC (**Exhibit 2**). There have been no unreported changes, and no hidden ownership is suspected. Mrs. Dyer and her husband, Jerry Dyer, are the only responsible persons, and there are no additional responsible persons at this time. A background check was conducted on Mr. and Mrs. Dyer with no disabling factors revealed.

The licensee holds an active Texas Sales and Use Tax Permit, taxpayer number 32054532570 (**Exhibit 3**). IO (b)(6) discovered the street number is incorrect on the permit, and instructed Mrs. Dyer to update the business premises address. A query of the Texas Comptroller of Public Accounts taxable entity search revealed the licensee as "Active" in regards to the Franchise Tax Account Status (**Exhibit 4**).

The Federal Firearms Licensing Center should update the FLS system with the following information:

- Please change the address for Mr. and Mrs. Dyer to "(b)(6) (b)(6)".

## Variance:

The licensee does not hold any variances.

## **2 - Recommendation**

Violations, Warning Letter Only, and Recall Inspection

# FIREARMS INSPECTION REPORT

**Name:** Dyer's Coating and Firearms LLC  
**Trade Name:**

**UI#:** 782050-2018-0123-B1B  
**FFL#:** 5-76-201-01-0L-04587

## 3 - Inspection History

**Date of Inspection:** October 3, 2017  
**Type of Inspection:** Amended Application Inspection  
**UI#:** 782050-2017-0160-B1B  
**Inspection Results:** Application Approved  
**Cited Violations:** None

**Date of Inspection:** October 9, 2014  
**Type of Inspection:** Qualification Inspection  
**UI#:** 782050-2013-0500-B1B  
**Inspection Results:** Application Approved  
**Cited Violations:** None

## 4 - Acquisition & Disposition (A&D) Record - Inventory

The licensee maintains two manual A&D Books. One book is for firearm sales and transfer, and the other is for gunsmith firearms. A full physical gun to book inventory was conducted. There was a total of six firearms in inventory, and six open entries in the sales/transfer A&D Book. There were zero gunsmith firearms in inventory, and zero open entries in the gunsmith A&D Book. The A&D Books are in the proper format with the required headings. There were no errors discovered in the sales/transfer A&D Book. However, every entry in the gunsmith A&D Book was missing the acquisition and disposition address. Many of these entries also had incomplete acquisition and/or disposition dates, and there were errors involving firearm identification markings. The licensee was cited under 27 CFR 478.125(e) with regard to A&D Book discrepancies. Please note, the licensee was cited for every firearm entry regardless of the acquisition and disposition date. The licensee was recording firearms parts, such as "slide" or "barrel" in the A&D Book. IOI (b)(6) explained only firearms should be recorded in the book.

IOI (b)(6) traced six firearms through the licensee's required records from acquisition through disposition by comparing the A&D Book to the ATF Forms 4473. The trace did not reveal any discrepancies with the A&D Book. No trafficking indicators were found. There was no discovery of obliterated serial numbers or any illegal firearms during the inspection. There were no theft/loss reports submitted during the inspection period, or as a result of this inspection.

Mrs. Dyer is responsible for maintaining the A&D Books. Mrs. Dyer stated firearms are logged into and out of the A&D Book the same day they are received and disposed. Mrs. Dyer is aware the firearm information entered into the A&D Book should be taken directly from the firearms rather than a box or an invoice. IOI (b)(6) discussed recording importers when applicable.

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**See Report of Violations, A&D Review Worksheet, and Exhibit 5- Copies of A&D Record.**

## **5 - ATF Forms 4473 – NICS & Other Dispositions**

The licensee had four ATF Forms 4473, with zero denials, for the inspection period. The forms are filed in chronological order. IOI (b)(6) reviewed all four ATF Forms 4473 which were found to have errors resulting in seven violations. The licensee was cited under 27 CFR 478.21(a), 27 CFR 478.124(c)(1), 27 CFR 478.124(c)(3)(i), 27 CFR 478.124(c)(4), 27 CFR 478.124(c)(5), 27 CFR 478.126a, and 27 CFR 478.131(a)(2).

Transfers to other licensees were documented properly. No sales to law enforcement officers were conducted by the licensee. No evidence of firearms trafficking was detected. IOI (b)(6) obtained a FFL Audit Report, which reflected zero responses for this FFL.

Mr. and Mrs. Dyer both complete the ATF Forms 4473 customers. Mrs. Dyer stated the forms are reviewed once prior to the transfer of the firearm, and once after the transfer prior to filing. The licensee completes the NICS background checks electronically and attaches the NICS response to the forms. IOI (b)(6) provided Mrs. Dyer with the ATF Federal Firearms Licensee Quick Reference and Best Practices Guide, and encouraged her to review it as well as the ATF Form 4473 instructions.

**See Report of Violations, ATF Forms 4473 Review Worksheets, and Exhibits 6, 7, 8, 9, 10, 11, and 12- Copies of ATF Forms 4473**

## **6 - Multiple Sales**

The Violent Crime Analysis Branch (VCAB) trace history report listed zero multiple sales for the last 12 months. The licensee failed to submit one ATF Forms 3310.10, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, involving two handguns. The licensee was cited under 27 CFR 478.126a. Mrs. Dyer provided the completed ATF Forms 3310.4 to IOI (b)(6). IOI (b)(6) forwarded the forms to the ATF National Tracing Center, and received acknowledgment of receipt (**Exhibit 11A**).

## **7 - Suspicious/Prohibited Purchasers**

No Suspicious/Prohibited Purchasers were disclosed during this inspection period. No referrals were generated as a result of this inspection.

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## 8 - Trace Activity

IOI (b)(6) received a firearms trace history report of the licensee from Violent Crime Analysis Branch, and there were no results for traces for the last 12 months. There were (b)(3)-(1) used firearms acquired, and (b)(3)-(1) used firearms disposed during the inspection period. There were no used firearms in inventory. Therefore, no secondary market analysis was conducted.

## 9 - NFA/Importer/Collector/Manufacturer

The licensee is not an NFA dealer, importer, collector, or manufacturer.

## 10 - Referrals

No referrals were generated as a result of this inspection.

## 11 - Other

IOI (b)(6) explained gunsmithing occurs when a firearm is customized for an individual which is returned to the individual, and manufacturing occurs when a firearm is customized and sold. Mrs. Dyer is aware that a manufacturing license would be required should the business customize for sales purposes.

IOI (b)(6) spoke to Mr. Dyer subsequent to the inspection. Mr. Dyer stated Mrs. Dyer (b)(6)

## 12 - Closing Actions

A closing conference was held on March 15, 2018, conducted by (b)(6). Tammi Dyer, President, was present for the conference. Inspection results were discussed. IOI (b)(6) then issued the ATF Form 5030.5, Report of Violations, for eight Gun Control Act violations. The violations were discussed in depth at the conference. The ROV was signed by Mrs. Dyer, and a copy was provided for her records. The Acknowledgement of Federal Firearms Regulations was then completed and signed by Mrs. Dyer (**Exhibit 13**). Mrs. Dyer was afforded the opportunity to ask any questions, and was provided with a copy of the Acknowledgement. IOI (b)(6) then reviewed the Important Notice; Selling Firearms AFTER Revocation, Expiration, or Surrender of an FFL Memo with Mrs. Dyer. Mrs. Dyer has not attended any ATF dealer seminars. Mrs. Dyer does receive the ATF alert messages.

IOI (b)(6) made a change to the final page of the ROV subsequent to the inspection. IOI (b)(6) reviewed the change telephonically with Mr. Dyer. Mr. Dyer signed and



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**FFL#:** 5-76-201-01-0L-04587

dated the revised ROV. Mr. Dyer stated Mrs. Dyer (b)(6) therefore, she was unavailable to sign the ROV. IOI (b)(6) provided the complete ROV to include the original signature page, and the revised signature page to both Mr. and Mrs. Dyer via email.

Mrs. Dyer was provided with the following: (1) online link to the ATF Publication 5300.4, Federal Firearm Regulations Reference Guide, Revised 2014; (2) ATF P 5380.1, Loss Prevention for Firearms Retailers; (3) ATF Federal Firearms Licensee Quick Reference and Best Practices Guide; (4) a contact sheet with pertinent ATF telephone numbers; and (5) business card for IOI (b)(6)

### **13 - Violations**

#### **1. 27 CFR 478.21(a)**

##### **Nature of violation:**

Failure to provide information as called for on the headings and instructions on (b)(3) - 112 P ATF Forms 4473. Specifically:

Question 20, No NICS check required because a background check was completed during the NFA approval process. Question 29, Total number of firearms transferred. Question 33, Trade/corporate name, and FFL#. Question 34, Seller's name. Question 36, Date transferred.

**(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)**

##### **Licensee's response:**

Mrs. Dyer stated these errors occurred because she was more focused on the customer sections of the form than the seller sections. Mrs. Dyer stated she didn't know Question 33 was required. Mrs. Dyer stated she is now educated, and will complete all form questions in the future.

##### **Corrective action:**

The licensee shall ensure that forms in the future are properly completed as prescribed by the instructions on the form and the regulation.

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**See Report of Violations, ATF Form 4473 Review Worksheet, and Exhibit 6- Copies of ATF Forms 4473**

2. **27 CFR 478.124(c)(1)**

**Nature of violation:**

Failure to obtain a complete response from a transferee prior to the transfer of a firearm on three ATF Forms 4473. Specifically:

**(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)**

**Licensee's response:**

Mrs. Dyer stated these errors occurred due to human error. Mrs. Dyer stated she will review the forms prior to the transfer, and Mr. Dyer will review the forms after the transfer has occurred.


**Corrective action:**

The licensee shall ensure that forms in the future are properly completed as prescribed by the instructions on the form and the regulation.

**See Report of Violations, ATF Form 4473 Review Worksheet, and Exhibit 7- Copies of ATF Forms 4473**

3. **27 CFR 478.124(c)(3)(i)**

**Nature of violation:**

Failure to record any, or completely record the information from the identification document on  ATF Forms 4473. Specifically:

**(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)**

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**(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)**

**Licensee's response:**

Mrs. Dyer stated these errors occurred due to human error. Mrs. Dyer stated she will review the forms prior to the transfer, and Mr. Dyer will review the forms after the transfer has occurred.

**Corrective action:**

The licensee shall ensure that forms in the future are properly completed as prescribed by the instructions on the form and the regulation.

**See Report of Violations, ATF Form 4473 Review Worksheet, and Exhibit 8- Copies of ATF Forms 4473**

4. **27 CFR 478.124(c)(4)**

**Nature of violation:**

Failure to record the Model and/or Type of the firearm transferred on **(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)** ATF Forms 4473. Specifically:

**(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)**

**Licensee's response:**

Mrs. Dyer stated these errors occurred due to human error. Mrs. Dyer stated she will review the forms prior to the transfer, and Mr. Dyer will review the forms after the transfer has occurred.

**Corrective action:**

The licensee shall make a copy of the ATF Form 4473, make corrections to the copy and attach it to the original form. Additionally, the licensee shall ensure that forms in the

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future are properly completed as prescribed by the instructions on the form and the regulation.

Please note, the form corrections were verified by IOI (b)(6)

**See Report of Violations, ATF Form 4473 Review Worksheet, and Exhibit 9- Copies of ATF Forms 4473**

5. **27 CFR 478.124(c)(5)**

**Nature of violation:**

Failure to sign and date one ATF Form 4473 with the seller's signature and the firearm transfer date as per ATF Regulations. Specifically:

(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

**Licensee's response:**

Mrs. Dyer stated these errors occurred due to human error. Mrs. Dyer stated she will review the forms prior to the transfer, and Mr. Dyer will review the forms after the transfer has occurred.

**Corrective action:**

The licensee shall ensure that forms in the future are properly completed as prescribed by the instructions on the form and the regulation.

**See Report of Violations, ATF Form 4473 Review Worksheet, and Exhibit 10- Copy of ATF Form 4473**

6. **27 CFR 478.126a**

**Nature of violation:**

Failure to submit an ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, after disposing two or more pistols and/or revolvers to a non-licensee within five consecutive business days, (b)(3)-112 P.L. 55-125 instance. Specifically:

(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)



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### Licensee's response:

Mrs. Dyer stated this error occurred due to human error. Mrs. Dyer stated she will submit the multiple sale report(s) by the end of the business day when a multiple sale occurs in the future.

### Corrective action:

The licensee shall report the multiple sales on an ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers.

Mrs. Dyer provided the completed ATF Form 3310.4 to IOI (b)(6). IOI (b)(6) forwarded the form to the ATF National Tracing Center, and received acknowledgment of receipt (**Exhibit 11A**).

**See Report of Violations, ATF Form 4473 Review Worksheet, and Exhibit 11- Copies of ATF Forms 4473**

### 7. **27 CFR 478.131(a)(2)**

#### Nature of violation:

Failure to record any, or completely record the information from the purchaser's firearm license on (b)(3) ATF Forms 4473. Specifically:

Question 21, Issuing State and Permit Type, Expiration and Permit Number

**(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)**

### Licensee's response:

Mrs. Dyer stated these errors occurred due to human error. Mrs. Dyer stated she will review the forms prior to the transfer, and Mr. Dyer will review the forms after the transfer has occurred.

### Corrective action:

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The licensee shall ensure that forms in the future are properly completed as prescribed by the instructions on the form and the regulation.

**See Report of Violations, ATF Form 4473 Review Worksheet, and Exhibit 12-  
Copies of ATF Forms 4473**

8. **27 CFR 478.125(e)**

**Nature of violation:**

Failure to completely and/or accurately record required acquisition information for [REDACTED] firearm, a total [REDACTED] firearms, in the Gunsmith A&D Book. Specifically:

Failure to record the acquisition address for every firearm entry. Additionally, [REDACTED] entry is incomplete or inaccurate in one or more of the following: Manufacturer, Importer, Model, Serial Number, Type, Caliber/Gauge, Acquisition date, Acquisition name.

Failure to completely and/or accurately record required disposition information for [REDACTED] firearm, a total [REDACTED] firearms, in the Gunsmith A&D Book. Specifically:

Failure to record the disposition address for [REDACTED] firearm entry. Additionally, [REDACTED] entry is incomplete or inaccurate in one or more of the following: Disposition date, and Disposition name.

**Licensee's response:**

Mrs. Dyer stated she did not realize the gunsmith A&D Book was as important as the sales A&D Book. She stated the book was kept for internal purposes rather than as an official ATF record. Mrs. Dyer now understands all A&D information must be recorded for gunsmith firearms.

**Corrective action:**

The licensee shall make name and address corrections to the Acquisition and Disposition Book. Additionally, the licensee shall ensure in the future that all firearms identification markings are properly recorded in the A&D Book from the firearm.

Please note, Mrs. Dyer made the address additions to the acquisition side of the book only as there was no space available on the disposition side.

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**See Report of Violations, A&D Review Worksheet, and Exhibit 5- Copies of A&D Book**

 Expired certificate

X(b)(6)

Industry Operations Investigator  
Signed by: ATF

## Index of Worksheets and Exhibits

ATF Form 5030.5, Report of Violations

Worksheets

Exhibit 1, HCAD Real Property Account Information

Exhibit 2, Business Organizations Inquiry

Exhibit 3, Sales Taxpayer Search

Exhibit 4, Franchise Tax Account Status

Exhibit 5, Copies of A&D Record, Violation 27 CFR 478.125(e)

Exhibit 6, Copies of ATF Forms, Violation 27 CFR 478.21(a)

Exhibit 7, Copies of ATF Forms, Violation 27 CFR 478.124(c)(1)

Exhibit 8, Copies of ATF Forms, Violation 27 CFR 478.124(c)(3)(i)

Exhibit 9, Copies of ATF Forms, Violation 27 CFR 478.124(c)(4)

Exhibit 10, Copy of ATF Form, Violation 27 CFR 478.124(c)(5)

Exhibit 11, Copy of ATF Form, Violation 27 CFR 478.126a

Exhibit 11A, Email, Receipt of Multiple Sale Form

## **FIREARMS INSPECTION REPORT**

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Exhibit 12, Copies of ATF Forms, Violation 27 CFR 478.131(a)(2)

Exhibit 13, Acknowledgement of Federal Firearms Regulations