

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) ON TARGET FIREARMS LLC 5907 STATE ROAD PARMA, OH 44134-2862, CUYAHOGA	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 773030-2017-0104-B1B			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">3. PERMIT/LICENSE NUMBER 434035017M03553</td> <td style="width: 33%;">4a. TARGET DATE 9/30/2017</td> <td style="width: 33%;">4b. TARGET HOURS</td> </tr> </table>	3. PERMIT/LICENSE NUMBER 434035017M03553	4a. TARGET DATE 9/30/2017	4b. TARGET HOURS
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5. REQUESTED BY (SIGNATURE, TITLE AND DATE)				

6. ATF OFFICER(S) ASSIGNED

(b)(6) - Assigned Investigator
 (b)(6) - Assigned Investigator
 (b)(6) - Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)

(b)(6), Area Supervisor, 10/05/2016

8. PURPOSE/SPECIAL INSTRUCTIONS

CONDUCT FIREARMS DISPOSITION EMPHASIS INSPECTION FOR THIS TYPE 01 LICENSEE. REFER TO IO MANUAL, CHAPTER C, AND THE ANNUAL CLEVELAND GROUP III DOMAIN ASSESSMENT. THIS INSPECTION SHOULD BE COMPLETED DURING FY17 AS REQUIRED BY THE DOMAIN ASSESSMENT.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	4	NO. OF REFERRALS		2111 - PER DIEM
NO. OF TECS CHECKS	7	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: 10/30/2017

Viols WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA		
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)	
SEP 2017	7.00	
ATF OFFICER'S SUBTOTAL	7.00	ATF OFFICER'S SIGNATURE
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)	
SEP 2017	11.00	
ATF OFFICER'S SUBTOTAL	11.00	ATF OFFICER'S SIGNATURE
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)	
OCT 2016	1.00	
NOV 2016	1.00	
JAN 2017	1.00	
SEP 2017	8.00	
OCT 2017	15.00	
ATF OFFICER'S SUBTOTAL	26.00	ATF OFFICER'S SIGNATURE
TOTAL HOURS	44.00	

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	3. PERMIT/LICENSE NUMBER 434035017M03553	4a. TARGET DATE 9/30/2017	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

Viols WL ONLY and Recall Inspection

REVIEWED CONCUR SEE COMMENTS FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - Area Supervisor	REVIEW DATE 10/30/2017
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ROUTING SEQUENCE AND DATE

- 1. _____
- 2. _____
- 3. _____
- 4. _____

CONTROL FILE POSTED DATE _____

Address: 5907 State Road
Parma, Ohio 44134 (Cuyahoga County)

1 - Introduction

Inspection Profile:

The instructions on ATF EForm 5700.14 read in summary, "Conduct firearms disposition emphasis inspection for this Type 01 licensee." On September 8, 2017, Investigators (b)(6) & (b)(6) attempted to initiate this inspection but the licensee was not at the licensed premise. Investigator (b)(6) contacted the licensee via the telephone and an appointment was scheduled with the licensee for September 22, 2017. Investigators (b)(6) and (b)(6) met with Daniel Jambor, Owner, (Ohio driver's license (b)(6) expiring December 16, 2018), in person on September 22, 2017. The period of review for this inspection was September 22, 2016 through September 22, 2017. The onsite inspection, including final records, inventory, and report of violations review concluded on October 4, 2017.

Business Profile:

Mr. Jambor operates his Federal Firearms License (FFL) on a full time basis, from a commercial storefront located in Parma, Ohio. The licensee operates a Type-01 Dealer in Firearms License, which is correct for the type of business he is conducting. Mr. Jambor has been operating as a licensee since 2011.

The licensee stated the majority of his business is conducting face to face transfers for individuals who come into his store. He mentioned that he also conducts many internet transfers for repeat customers. The licensee maintains all documentation from the internet transfers in a separate file, which includes sales receipts. The licensee utilizes www.gunbroker.com for all of his internet transactions. Mr. Jambor stated that approximately (b)(4) of the firearms he transfers are handguns and (b)(4) are long guns. He further stated that (b)(4) of the transactions are new firearms and business is conducted at the retail level. Mr. Jambor stated that his primary suppliers are (b)(4) (b)(4).

Mr. Jambor leases the storefront location from (b)(6) where his license is located. Investigator (b)(6) verified the property ownership on the Cuyahoga County Auditor's website (**Exhibit 1**). On August 24, 2016, Investigator (b)(6) reviewed the local file regarding zoning regulations. Mr. Jambor has a Zoning Certificate on file from the City of Parma that allows him to operate his license from the premise.

Mr. Jambor holds no other licenses from ATF. He does not reload ammunition

for re-sale, but does sell new ammunition. Mr. Jambor does not maintain any off-site storage. The licensee maintains all inventory in two large safes during the overnight hours.

The licensee does participate in gun shows. He mentioned that he used to participate in numerous shows each year, but since he has young children he has cut back dramatically and only participates in the Berea Gun Shows. Mr. Jambor stated that he typically only has two tables during shows. The licensee stated that he does not advertise his business other than handing out business cards at the gun shows.

He does maintain a website for the license, <http://www.parmagunshop.com>, for informational purposes. The licensee mentioned that he does not perform any gunsmithing activity. Mr. Jambor further mentioned that he has taken firearms in on consignment in the past and that he is fully aware of the required completion of the ATF Form 4473 if the original owner wants the firearm back for any reason if it does not sell. The licensee stated this is a very small portion of his overall business.

Ownership and Control:

On Target Firearms, LLC, was established in Ohio on September 26, 2011 according to the Ohio Secretary of State's website (**Exhibit 2**). Mr. Jambor is the only individual listed as a member of the corporation. The Federal Firearms Licensing System correctly reflects this information. There have been no changes in business structure. Investigator (b)(6) does not suspect hidden ownership.

Variance:

The licensee has no variances from ATF and did not request any during the inspection.

2 - Recommendation

Violations, Warning Letter Only, and Recall Inspection.

3 - Inspection History

Date of Inspection:	November 7, 2011
Type of Inspection:	Qualification Inspection
UI#:	773030-2012-0049-B1B
Inspection Results:	Approved Application
Cited Violations:	None Cited

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

The licensee's A&D record book was in the proper format and contained the required

information. The licensee maintains multiple commercially produced bound books. Mr. Jambor is the only individual to make entries in and out of the A&D record. Mr. Jambor had 91 firearms in his inventory, but [REDACTED] open dispositions in the A&D record. The licensee failed to record the disposition of [REDACTED] firearms. CFR 478.125(e) was cited and will be detailed in section 13 (**Violations**) portion of this report. Please review the following attachments as evidence of these violations (**ROV—Violation #4, Worksheet 1, Exhibit 10**). The licensee stated that number of firearms in inventory are pretty typical. He stated that his inventory could fluctuate depending on the time of year. Mr. Jambor acquired [REDACTED] firearms and disposed of approximately [REDACTED] firearms during the inspection period (September 22, 2016 through September 22, 2017).

5 - ATF Forms 4473 – NICS & Other Dispositions

The licensee files the ATF Forms 4473 according to the bound book it was entered in. Investigators suggested the licensee files the forms chronologically by date for ease of reference. Due to his filing system it was difficult to ensure every form during the inspection period was reviewed. Mr. Jambor completes the forms and conducts the NICS background checks. The licensee mentioned that he conducts an annual audit of his forms, A&D bound book, and sales receipts. The licensee had approximately [REDACTED] ATF Forms 4473 on file from the previous year (September 22, 2016 through September 22, 2017). The NICS Audit Log (**Exhibit 3**) indicates that the licensee had 146 proceeded NICS transactions within the 60 day from January 31, 2016 through March 31, 2016. Investigators verified 113 of the 146 NTN's with the correlating ATF Form 4473 and found to discrepancies. The licensee had 14 NICS denials during the inspection period. Again, due to the filing system it was difficult to identify any possible straw purchasers using the denied ATF forms 4473. Investigator [REDACTED] verified 25 ATF Forms 4473 through the licensee's A&D record book and found no errors (**Worknote**).

While reviewing the forms, Investigators identified [REDACTED] forms that were not completed accurately or completely in accordance with the ATF Form 4473's instructions. 27 CFR 478.124(c)(3)(i) and 27 CFR 478.124(c)(3)(iv) were cited and will be detailed in section 13 (**Violations**) portion of this report. Please review the following attachments as evidence of these violations (**ROV—Violations #2 & #3, Worksheet 2, Exhibits 8 & 9**).

6 - Multiple Sales

The FFL History provided by the ATF Violent Crime Analysis Branch indicates the licensee had [REDACTED] multiple sales of handguns in the previous year (**Exhibit 4**). While reviewing the licensee's forms, it was determined Mr. Jambor did have [REDACTED] unreported multiple sales that occurred during the inspection period. 27 CFR 478.126(a) was cited and will be addressed in full detail in the section 13 (**Violations**) portion of this report. Please review the following attachments as evidence of these violations (**ROV—Violation #1, Worksheet 2, and Exhibit 7**). He mentioned that he is familiar with ATF

Form 3310.4 and when it is required to report them to both the local authorities and ATF.

7 - Suspicious/Prohibited Purchasers

On October 7, 2016, Investigator (b)(6) conducted deconfliction queries through N-Force, Open Fox (NCIC/NLETS), with negative results and emailed ATF Cleveland Group I Supervisor (b)(6) prior to initiating this inspection (Exhibit 5). There were no issues with conducting this inspection.

8 - Trace Activity

The FFL History provided by the ATF Violent Crime Analysis Branch indicates the licensee had (b)(3) traces in the previous year (Exhibit 4). The average time to crime of (b)(3) - 112 Public Law 55 125 Stat 552.

Of the (b)(3) traces, (b)(3) - 112 Public Law 55 125 Stat 552
(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6), (b)(7)(C)

Investigator (b)(6) queried an additional six used firearms using e-trace that resulted in no traces. Additionally, the same six firearms were queried using NCIC, which resulted in no hits.

9 - NFA/Importer/Collector/Manufacturer

Mr. Jambor does not maintain his Special Occupation Tax (SOT) stamp to deal in NFA firearms. He does not import, export or collect firearms and he does not manufacture firearms.

10 - Referrals

This inspection generated no referrals.

11 - Other

Mr. Jambor mentioned that his shop had a couple attempted break-ins. The licensee stated they have been unsuccessful. He mentioned they have damaged some of his property, but have not stolen any firearms. The licensee maintains all inventory in large safes during the overnight hours. His premise is equipped with numerous security cameras that are maintained by Simpli Safe.

12 - Closing Actions

On October 4, 2017, Investigator (b)(6) held a closing conference with Mr. Jambor. Investigator (b)(6) reviewed the Report of Violations (ROV) with the licensee. Both Investigator (b)(6) and Mr. Jambor signed the ROV. Investigator (b)(6) provided an updated copy to him. Investigator (b)(6) provided him an updated copy via email on

October 25, 2017, which was signed by Mr. Jambor and Investigator (b)(6). Investigator (b)(6) reviewed the Acknowledgment of Federal Firearms Regulations with Mr. Jambor, and they both signed it (**Exhibit 6**). He provided him a copy. Investigator (b)(6) provided the following to Mr. Jambor:

Information on how to obtain the new Federal Firearms Regulations Reference Guide - 2014 edition,
December 2014 Important Notice to FFLs regarding selling firearms after discontinuance of an FFL,
ATF Publication 5380.2 – How to Conduct a Firearms Inventory
Open Letter to All Ohio Federal Firearms Licensees – Permit Alternative
List of current addresses and phone numbers for various ATF offices
Business card.

13 - Violations

1. 27 CFR 478.126a

Nature of Violation:

The licensee failed to report the multiple sales of handguns in (b)(3) - 112 Public Law instances:

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

The licensee failed to submit "Copy 2 - State or Local LE Agency" to the Parma Police Department, which is the local law enforcement agency, in this instance.

The licensee failed to attach the "Copy 3 - licensee" of ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, to the ATF Forms 4473 where the multiple sales occurred in this instance.

Licensee's Response:

The licensee completed an ATF Form 3310.4, and stated that he will be more cognizant of completing the multiple sale report in the future.

Corrective Action:

In all future transactions, the licensee shall always complete and submit the Report of Multiple Sale for all sales of more than one handgun in five business days to the same non-licensed individual to ATF and to the Parma Police Department. The licensee shall always attach Copy 3 to the ATF Form 4473 representing the multiple sale.

The licensee prepared ATF Form 3310.4 for the transactions and had submitted the

form on October 4, 2017 to local authorities. Investigator (b)(6) emailed the form to the ATF National Tracing Center on October 4, 2017 and E-trace confirms the multiple sale has been reported.

Reference ROV, Worksheet 2, Exhibit 7.

2. **27 CFR 478.124(c)(3)(i)**

Nature of Violation:

The licensee failed to properly identify the transferee receiving a firearm (b)(6) ATF Forms 4473 (b)(3) - 112 Public Law 55 forms examined. The error included accepting expired identification.

Forms with errors in item 18a: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee's Response:

Mr. Jambor stated that in the future he will obtain proper documentation. He stated they will also be sure to properly complete item 18a. He believes that it was a simple oversight by him.

Corrective Action:

In all future transactions, the licensee shall examine and record valid unexpired Government-issued photo identification for the transferee in item 18a of ATF Form 4473.

Investigator (b)(6) queried the two persons with identification errors in item 18a in the Ohio Law Enforcement Gateway database. The results were as follows:

(b)(6)

Reference ROV, Worksheet 2, Exhibit 8.

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

Nature of Violation:

The licensee failed to record NICS background check information (b)(6) ATF Forms 4473 (b)(3) - 112 Public Law 55 forms examined. (b)(3) - 112 Public Law 55 125 Stat 552 forms involved the licensee not recording the final NICS response or no resolution in item 21d (2012 Edition) or 19d (2016 Edition).

Forms with item 21d blank: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)
(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee's Response:

Mr. Jambor stated that he was not aware that a response is required for "The following response(s) was/were later received from NICS or the appropriate State agency."

Corrective Action:

In all future transactions, the license shall always record the final response (if appropriate) in item 19d. This information must be recorded on the form whether calling NICS or using NICS eCheck.

For (b)(3) - 112 Public Law 55 125 Stat 552 forms where the licensee neglected to complete item 21d or 19d, final response from NICS after an initial delay, none of the transferees were found denied on the NICS Audit Log.

Reference ROV, Worksheet 2, Exhibit 9.

4. **27 CFR 478.125(e)**

Nature of Violation:

The licensee failed to account for the disposition (b)(3) - 112 Public Law 55 125 Stat 552 firearms. The first (b)(3) - 112 Public Law 55 125 Stat 552 firearms located in the table were reported as missing to the ATF Stolen Firearms Branch on October 4, 2017. The following (b)(3) - 112 Public Law 55 125 Stat 552 firearms were confirmed as being sold with documentation provided by Mr. Jambor.

Acq. Date	Type	Manufacturer	Model	Caliber/ Gauge	Serial #
(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)					

On the date of the inspection, October 4, 2017, this firearm could not be located in physical inventory. After searching ATF Forms 4473 and commercial records, the licensee could not determine the disposition of this firearm.

Licensee's Response:

The licensee searched through Forms 4473 and commercial records and could not locate the disposition of this firearm. He stated that he believed he probably transferred it to another FFL for an online buyer and forgot to record the FFL disposition information. He does not believe this firearm was stolen. Mr. Jambor reached out to www.gunbroker.com, which provided some information from his sales that were facilitated by their website. Unfortunately, the firm's ^{(b)(3) - 112 F} firearms were not able to be confirmed by the information obtained from www.gunbroker.com or any other documentation provided by the FFL.

Corrective Action:

Investigator ^{(b)(6)} prepared ATF Form 3310.11 for Mr. Jambor. He signed it during the closing conference and contacted the ATF Stolen Firearms Branch via the toll-free telephone number. The message instructed him to email the form and indicated they would email it back with an Incident Number. Mr. Jambor forwarded via email the ATF Stolen Firearms Branch incident number — ^{(b)(3) - 112 Public Law 55 125 Stat 552}

In all future transactions, the sale or other disposition of a firearm shall be recorded by the licensed dealer not later than 7 days following the date of such transaction. When such disposition is made to a non-licensee, the firearms transaction record, Form 4473, obtained by the licensed dealer shall be retained, until the transaction is recorded, separate from the licensee's Form 4473 file and be readily available for inspection.

Reference ROV, Worksheet 1, and Exhibit 10.

X

Industry Operations Investigator

Index of Worksheets and Exhibits

Worksheets

Informational Page

Inventory and A&D Review Worksheet
ATF Form 4473 Review Worksheet
Statistical Page

Exhibits

- 1 - Property Information
- 2 - State of Ohio Business Details
- 3 - NICS Audit Log
- 4 - FFL History
- 5 - Email correspondence with G/S **(b)(6)**
- 6 - Acknowledgement of Federal Firearms Regulations
- 7 - Copy of ATF Forms 4473 for 27 CFR 478.126(a) violations (Violation 1)
- 8 - Copy of ATF Forms 4473 for 27 CFR 478.124(c)(3)(i) violations (Violation 2)
- 9 - Copies of ATF Forms 4473 for 27 CFR 478.124(c)(3)(iv) violations (Violation 3)
- 10 - Copies of ATF Forms 4473 for 27 CFR 478.125(e) violations (Violation 4)



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

5005 Rockside Road, Suite 700
Independence, OH 44131

October 30, 2017

773030 (b)(6)
5440

Certified Mail – Return Receipt Requested

ON TARGET FIREARMS LLC
5907 STATE ROAD
PARMA, OH 44134-2862
RE: 434035017M03553

Dear Mr. Daniel Jambor:

During a recent inspection at your firearms business covering the period 09/22/2016 to 09/22/2017 you were cited for violations of Title 27, Code of Federal Regulations, Part 478. A copy of the Report of Violations, ATF F 5030.5, issued at the time of the inspection is enclosed.

All violations were fully explained to you or your designated responsible person by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigators. You or your responsible person indicated that you understood the requirements of the firearms laws and regulations and that corrective actions would be taken to eliminate future violations.

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. This is critical to carrying out our mission to protect the public and to ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area. We look forward to continuing to work with you in that regard.

You are reminded that retention of your Federal firearms license is conditioned upon your compliance with Federal laws and regulations. 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.

ON TARGET FIREARMS LLC

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

Sincerely yours,

(b)(6)

Area Supervisor, Cleveland III

Enclosure

cc: Federal Firearms Licensing Center
Cleveland III (IO) Field Office