

Assignment and Report

| | |
|---|---|
| 1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Cimbridge Group I LLC Smartgear 1417 E Main Street Eaton, OH 45320, Preble | 2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) <p style="text-align: center;">773015-2018-0297-B1B</p> 3. PERMIT/LICENSE NUMBER 4a. TARGET DATE 4b. TARGET HOURS <p style="text-align: center;">431135018K03954 9/30/2018</p> 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, 02/26/2018

8. PURPOSE/SPECIAL INSTRUCTIONS
 Conduct Firearms Disposition Emphasis Inspection. Refer to IOI Manual, Chapter C – Firearms Inspections and FY 18 Domain Assessment. Conduct 100% inventory and ATF Form 4473 review unless authorized in advanced by Area Supervisor and DIO.

| 9. INSPECTION RESULTS | | <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC | 10. TRAVEL EXPENSES (OPTIONAL) | |
|------------------------|-----|---|--------------------------------|---------------------|
| NO. OF VIOLATIONS | 13 | NO. OF REFERRALS | | 2111 - PER DIEM |
| NO. OF TECS CHECKS | 116 | 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: 05/30/2018
 Licensee is currently in the process of changing control from Cimbridge Group I LLC to Smartgear Outdoors LLC. IOI **(b)(6)** recommends a recall on the new FFL.
 Viols WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA

| | |
|---|---------------|
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) | (b)(6) |
| MAY 2018 | 93.00 |
| ATF OFFICER'S SUBTOTAL | 93.00 |
| TOTAL HOURS | 93.00 |

ATF OFFICER'S SIGNATURE

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 05/31/2018 |
|--|---------------------------|

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 Cimbridge Group I LLC Smartgear | Street Address 1417 E Main Street | City Eaton | State OH | Zip Code 45320- | County Preble | Page 1 of 6 Pages |
| License/Permit/Registry Number <i>(If any)</i> 431135018K03954 | | Expiration Date 10/1/2018 | Date(s) or Period of Inspection 05/01/2017 through 05/01/2018 | | | |

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:
 Failure to ensure transferee correctly completed ATF Forms 4473 (b)(3) - 112 occasions:
 - Box 11a "No" on forms (b)(3) - 112 Public Law 55 125 Stat 552
 - Boxes 22/23 blank on forms (b)(3) - 112 Public Law 55 125
 - Use of obsolete forms (b)(3) - 112 Public Law 55 125 Stat 552.

Citation: 27 CFR 478.21(a)

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

Corrective Action to be Taken: Ensure that all ATF Form 4473 transactions are completed as prescribed by the form.
(If not corrected immediately)

Number: 2

Nature of Violation:
 Failure to ensure transferee correctly completed ATF Forms 4473 (b)(3) - 112 occasions:
 - Box 11b-11i erroneous on (b)(3) - 112 Public La
 - Box 11d erroneous on (b)(3) - 112 Public Law 55 125 Stat 552
 - Box 11i erroneous on (b)(3) - 112 Public La
 - Boxes 12b, 12c, and/or 12d1 erroneous on (b)(3) - 112 Public Law 55 125 Stat 552
 - Boxes 14 and/or 15 blank on (b)(3) - 112 Public Law 55 125 Stat 552
 (b)(3) - 112 Public Law 55 125

Citation: 27 CFR 478.124(c)(1)

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

Corrective Action to be Taken: Ensure that the transferee properly completes future ATF Form 4473 transactions.
(If not corrected immediately)

Report of Violations

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| | | | | | | |
|---|--------------------------------------|------------------------------|--|--------------------|------------------|----------------------|
| Name of Proprietor Cimbridge Group I LLC Smartgear | Street Address 1417 E Main Street | City Eaton | State OH | Zip Code 45320- | County Preble | Page 2 of 6 Pages |
| License/Permit/Registry Number <i>(If any)</i> 431135018K03954 | | Expiration Date 10/1/2018 | Date(s) or Period of Inspection 05/01/2017 through 05/01/2018 | | | |

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:**
 Failure to correctly record the transferee's identification information on ATF Form 4473 (b)(3)-1 occasions:
 - Box 18a blank on (b)(3) - 112 Public Law
 - Box 18b blank on (b)(3) - 112 Public Law
- Citation:** 27 CFR 478.124(c)(3)(i)
- Date Corrections to be Made:**
(If not corrected immediately)
- Corrective Action to be Taken:** Ensure that the transferee's identification information is properly completed in all ATF Form 4473 transactions.
(If not corrected immediately)
-
- Number:** 4
- Nature of Violation:**
 Failure to complete the NICS contact information correctly (b)(3)-112 ATF Form 4473 transactions:
 - Boxes 19a, 19b, 19c, and/or 19d erroneous on forms (b)(3) - 112 Public Law 55 125 Stat 552
 (b)(3) - 112 Public Law 55 125 Stat 552
- Citation:** 27 CFR 478.124(c)(3)(iv)
- Date Corrections to be Made:**
(If not corrected immediately)
- Corrective Action to be Taken:** Ensure that transferor's information is properly completed in future ATF Form 4473 transactions. Licensee was instructed to make a copy of the ATF Form 4473 and correct the error on the copy, where applicable.
-
- Number:** 5
- Nature of Violation:**
 Failure to properly complete the transferor information (b)(3)-112 ATF Form 4473 transaction. Box 26 erroneous on (b)(3) - 112 Public Law
- Date Corrections to be Made:**
(If not corrected immediately)
- Corrective Action to be Taken:** Ensure that transferor's information is properly completed in future ATF Form 4473 transactions. Licensee was instructed to make a copy of the ATF Form 4473 and correct the error on the copy.

Report of Violations

Instructions

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| | | | | | | |
|---|--------------------------------------|--|-------------|--------------------|------------------|----------------------|
| Name of Proprietor Cimbridge Group I LLC Smartgear | Street Address 1417 E Main Street | City Eaton | State OH | Zip Code 45320- | County Preble | Page 3 of 6 Pages |
| License/Permit/Registry Number <i>(If any)</i> 431135018K03954 | Expiration Date 10/1/2018 | Date(s) or Period of Inspection 05/01/2017 through 05/01/2018 | | | | |

Inspection Results

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

Citation: 27 CFR 478.124(c)(4)

Number: 6

Nature of Violation:

Failure to complete the transferor information correctly ATF Form 4473 transaction. Box 37 erroneous

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Ensure transferor information is properly completed on all ATF Form 4473 transactions. Licensee was instructed to make a copy of the ATF Form 4473 and correct the error on the copy, where applicable.

Citation: 27 CFR 478.124(c)(5)

Number: 7

Nature of Violation:

Licensee sold, delivered, and/or transferred firearms to unlicensed individuals without first completing a NICS background check occasion. Licensee accepted a non-qualifying state permit as an alternative for completing a NICS background check

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Ensure to complete a NICS background check (during execution of ATF Form 4473) prior to transferring any firearm to an unlicensed individual. Ensure that only licenses issued pursuant to Ohio Revised Code Section 2923.125 on or after March 23, 2015, are used as alternatives to the NICS background check.

Citation: 27 CFR 478.102(a)

Report of Violations

Instructions

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| | | | | | | |
|---|--------------------------------------|------------------------------|--|--------------------|------------------|----------------------|
| Name of Proprietor Cimbridge Group I LLC Smartgear | Street Address 1417 E Main Street | City Eaton | State OH | Zip Code 45320- | County Preble | Page 4 of 6 Pages |
| License/Permit/Registry Number <i>(If any)</i> 431135018K03954 | | Expiration Date 10/1/2018 | Date(s) or Period of Inspection 05/01/2017 through 05/01/2018 | | | |

Inspection Results

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

Number: 8

Nature of Violation:

Licensee sold, delivered, and/or transferred firearms to unlicensed individuals without first completing a NICS background check ^{(b)(3)-1} occasions. Licensee failed to initiate a new NICS check after 30 days on forms ^{(b)(3) - 112 Public Law 55 125 Stat 552}.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Ensure to complete a NICS background check (during execution of ATF Form 4473) prior to transferring any firearm to an unlicensed individual. A NICS check may be relied upon by the licensee only for use in a single transaction and for a period not to exceed 30 calendar days from the date that NICS was initially contacted. If the transaction is not completed within the 30-day period, the licensee shall initiate a new NICS check prior to completion of the transfer.

Citation: 27 CFR 478.102(c)

Number: 9

Nature of Violation:

Failure to complete ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) ^{(b)(3)-112} occasions. ^{(b)(3) - 112 Public Law 55 125 Stat 552}
^{(b)(3) - 112 Public Law 55 125 Stat 552}

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Ensure that all multiple sales of handguns are properly reported using ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, whenever more than 1 handgun is transferred in a five business day period.

Citation: 27 CFR 478.126a

Report of Violations

Instructions

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| | | | | | | |
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| Name of Proprietor Cimbridge Group I LLC Smartgear | Street Address 1417 E Main Street | City Eaton | State OH | Zip Code 45320- | County Preble | Page 5 of 6 Pages |
| License/Permit/Registry Number <i>(If any)</i> 431135018K03954 | Expiration Date 10/1/2018 | Date(s) or Period of Inspection 05/01/2017 through 05/01/2018 | | | | |

Inspection Results

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

Number: 11

Nature of Violation:

Licensee transferred ^{(b)(3)} receiver to an individual under the age of 21: ^{(b)(3) - 112 Public Law}

Citation: 27 CFR 478.99(b)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Do not sell or otherwise dispose of any firearm other than a shotgun or rifle to any person knowing or having reasonable cause to believe such person is less than 21 years of age.

Number: 12

Nature of Violation:

Licensee transferred ^{(b)(3)} firearm to an individual knowing or having reasonable cause to believe the individual was a prohibited category of person. ^{(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)}

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

Citation: 27 CFR 478.99(c)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Do not sell or otherwise dispose of firearms to any person knowing or having reasonable cause to believe such person is a prohibited category of person. Do not initiate a new NICS background check after a denial unless the individual provides appeals documentation from the FBI NICS.

Report of Violations

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| Name of Proprietor Cimbridge Group I LLC Smartgear | Street Address 1417 E Main Street | City Eaton | State OH | Zip Code 45320- | County Preble | Page 6 of 6 Pages |
| License/Permit/Registry Number (If any) 431135018K03954 | Expiration Date 10/1/2018 | Date(s) or Period of Inspection 05/01/2017 through 05/01/2018 | | | | |

Inspection Results

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

Number: 13

Nature of Violation:

Licensee failed to properly record the acquisition and/or disposition into the bound book record

on (b)(3) - 112 occasions:
- There were (b)(3) - 112 firearms in inventory that had not been recorded as an acquisition prior to inspection (b)(3) - 112 Public Law 55 125 Stat 552

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

- There was (b)(3) - 112 firearm that was recorded as logged out but were found to be in inventory (bound

- There were (b)(3) - 112 firearms that had not been logged out/disposed properly which was reconciled after review of records (bound book lines (b)(3) - 112 Public Law 55 125 Stat 552

(b)(3) - 112).
firearm was missing from inventory and could not be reconciled (bound book line (b)(3) - 112

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

Citation: 27 CFR 478.125(e)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Ensure all acquisitions and dispositions are properly

(If not corrected immediately) recorded into the bound book.

| | |
|--|------|
| I Have Received a Copy of This Report of Violations (Proprietor's signature and title) | Date |
| Signature and Title of ATF Officer | Date |

Address: 1417 E Main Street
Eaton, OH 45320

1 - Introduction

Inspection Profile:

Industry Operations Investigator (IOI) (b)(6) conducted a full firearms compliance inspection beginning 5/1/2018 at the above business premises of Type 01/Dealer Federal Firearms Licensee Cimbridge Group I LLC dba Smartgear. The review of records and inventory concluded on 5/21/2018. Advanced notification was not provided. Responsible person Julie Chrismer was interviewed during the course of the inspection at the licensed business premises, and licensee gave record/inventory access to IOI (b)(6) during the course of the compliance inspection. The inspection covered the period of 5/1/2017-5/1/2018. The scope of the inspection was a Firearms Disposition Emphasis Inspection. IOI (b)(6) confirmed the identity of Julie Chrismer (OH DL (b)(6)), expires 10/25/2019) by viewing a valid state of Ohio Drivers License. No other federal, state, or local agencies participated in the investigation.

Business Profile:

The licensed business premises is a storefront outside the city of Eaton, Preble County, Ohio. IOI (b)(6) contacted (b)(6) the City of Eaton (328 N. Maple Street Eaton, OH 45320; (b)(6) confirmed the business premises meets all zoning requirements.

The licensee mainly uses the FFL to buy and sell new and used handguns and long guns to the general public in Preble County, Ohio. Licensee also provides transfer services to the public. This store location retails firearms, firearms accessories, ammunition, and other sporting goods supplies and equipment. The licensee does not conduct internet sales. The licensee does attend gun shows, specifically OGCA in Wilmington, Ohio. The licensee acquires the majority of inventory by consignment with other FFLs and/or the public as well as by buying from estates and auctions. (b)(4) are the primary suppliers for new firearms. The licensee advertises by word of mouth and business cards. There is no off-site storage of firearms. A Type 01/Dealer Federal Firearms License remains appropriate for the business.

The licensee acquired approximately (b)(4) firearms and transferred approximately (b)(4) firearms during the inspection period. At the time of inspection, the licensee had (b)(4) firearms in inventory. Approximately (b)(4) of sales are new firearms and approximately (b)(4) of sales are used firearms.

Ownership and Control:

Cimbridge Group LLC is registered as a Domestic Limited Liability Company (LLC) with the state of Ohio with an original filing date of 8/16/1999. Responsible person Julie Chrimer is the active, registered agent effective since 8/16/1999. No unreported changes in business structure or hidden ownership were noted. All responsible persons are correctly listed in the Federal Licensing System (FLS) database.

Variance:

The licensee does not maintain a variance from the Bureau of ATF; no need for a variance was discovered.

2 - Recommendation

Violations, Warning Letter Only and Recall

NOTE: Licensee is currently in the process of changing control from Cimbridge Group I LLC to Smartgear Outdoors LLC. Smartgear Outdoors LLC has submitted an ATF Form 7 (See Exhibit 1); once qualified/issued, Cimbridge Group I LLC intends to go out of business (reference UI 773015-2018-0402). (b)(6) owns Smartgear Outdoors LLC; however, (b)(6) is currently an employee working for Cimbridge Group I LLC and there will be no changes in daily operations due to this change in control. (b)(6) intends to remain a responsible person on the new FFL. IOI (b)(6) recommends a recall on the new FFL.

3 - Inspection History

Inspection history is listed below:

| | |
|-------------------------------------|---------------------------------------|
| Date and Type of Inspection: | August 2012, Qualification Inspection |
| UI#: | 773015-2012-0625 |
| Inspection Results: | Approve Application |
| Cited Violations: | N/A |

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

IOI (b)(6) conducted an inventory by comparing the firearms in inventory at the licensed premises to the open dispositions in the bound book. There were (b)(6) open dispositions in the licensee's bound book record and 494 firearms in inventory. The licensee was cited a violation (Violation 13) under Title 27 CFR 478.125(e) for failure to properly record the acquisition and/or disposition of a firearm into the bound book record (b)(6) occasions. Further details of this violation can be found in Section 13 -

Violations. Also see Worksheet 1 and reference Violation 13 (b)(3) - 112 Pub firearm was missing from inventory and could not be reconciled (bound book (b)(3) - 112 Public Law 55 125 Stat 552 (b)(3) - 112 Public Law 55 125 Stat 552). The licensee submitted an ATF Form 3310.11 Theft/Loss Report on 5/21/2018. See **Exhibit 2** and reference ATF Incident (b)(3) - 112 Public Law 55 125 Stat 552. Another theft was reported by licensee during the inspection period due (b)(3) - 112 Pub firearm being stolen at a gun show. See **Exhibit 3** and reference ATF Incident (b)(3) - 112 Public Law 55 125 Stat 552. No trafficking issues relating to acquisition and disposition of firearms, firearms containing obliterated serial numbers, or illegal firearms were found.

5 - ATF Forms 4473 – NICS & Other Dispositions

IO (b)(6) reviewed all (b)(3) - 112 Pub ATF Form 4473 transactions completed by the licensee during the inspection period. After reviewing the licensee's ATF Forms 4473 and verifying NICS Transaction Numbers through use of the NICS FFL audit log, no fraudulent use of NICS was found. There were 7 denials during the inspection period. The NICS FFL audit log is attached as **Exhibit 4**.

During the inspection of the licensee's ATF Forms 4473, (b)(3) - 112 Pub violations were found regarding Federal Firearms Regulations as described below. There were (b)(3) - 112 Pub ATF Forms 4473 containing errors, accounting (b)(3) - 112 Pub violations:

Violation #1 (b)(3) - 112 Pub ATF Forms 4473 contained errors in boxes 11a or 22/23 and (b)(3) - 112 Pub ATF Forms 4473 were an obsolete version of the form resulting in violation of 27 CFR 478.21(a).

Violation #2 (b)(3) - 112 Pub ATF Forms 4473 contained errors in box 11b-12d1 or 14/15 resulting in violation of 27 CFR 478.124(c)(1).

Violation #3 – (b)(3) - 112 Pub TF Forms 4473 contained errors in box 18a or 18b resulting in violation of 27 CFR 478.124(c)(3)(i).

Violation #4 (b)(3) - 112 Pub TF Forms 4473 contained errors in box 19a, 19b, 19c, and/or 19d resulting in violation of 27 CFR 478.124(c)(3)(iv).

Violation #5 (b)(3) - 112 Pub TF Form 4473 contained errors in box 26 resulting in violation of 27 CFR 478.124(c)(4).

Violation #6 – (b)(3) - 112 Pub TF Form 4473 contained errors in box 37 resulting in violation of 27 CFR 478.124(c)(5).

Violation #7 (b)(3) - 112 Pub TF Form 4473 was executed using a non-qualifying state permit as a NICS alternative resulting in violation of 27 CFR 478.102(a).

Violation #8 [REDACTED] TF Forms 4473 were executed without initiating a new NICS check after 30 days resulting in violation of 27 CFR 478.102(c).

Violation #9 – [REDACTED] unreported multiple sales were found on ATF Forms 4473 resulting in violation of 27 CFR 478.126a.

Violation #10 – [REDACTED] ATF Form 4473 contained error(s) in box 21 resulting in violation of 27 CFR 478.131(a)(2).

Violation #11 [REDACTED] TF Form 4473 indicated transfer of a receiver to an individual under the age of 21 resulting in violation of 27 CFR 478.99(b).

Violation #12 [REDACTED] ATF Form 4473 indicated transfer of a firearm with reasonable cause to believe the individual was a prohibited category of person resulting in violation of 27 CFR 478.99(c). NOTE: IOI (b)(6) queried the individual through NCIC/III resulting in no hits.

Further details of these Violations can be found in Section 13 – Violations; also see Worksheet 2. Erroneous forms are attached as **Exhibit 5**.

6 – Multiple Sales

There were [REDACTED] multiple sale transactions reported by the licensee during the inspection period. After reviewing all [REDACTED] ATF Form 4473 transactions completed by the licensee during the inspection period, IOI (b)(6) discovered that the licensee failed to complete ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) [REDACTED] occasions. The licensee was cited a violation under Title 27 CFR 478.126a. The licensee completed and submitted the ATF Form 3310.4 during inspection. See **Exhibit 6**. Reference Worksheet 2 and Violation 9.

7 – Suspicious/Prohibited Purchasers

No straw purchases were found. No suspicious purchasing habits of transferees were discovered.

8 – Trace Activity

According to the Firearm Trace History provided by the Electronic Tracing System (eTrace), the licensee [REDACTED] firearm trace during the inspection period. [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552 by the ATF National Tracing Center prior to inspection.

9 - NFA/Importer/Collector/Manufacturer

The licensee does not possess any NFA Special Occupational Tax Stamp.

10 - Referrals

No referrals were created.

11 - Other

Deconfliction was conducted by IOI (b)(6) on 2/26/2018 through NFORCE, NCIC, as well as ATF CE and Intel with negative results.

12 - Closing Actions

A closing conference was held on 5/21/2018 with Julie Chrismer regarding the findings of the compliance inspection. The licensee was reminded of the Gun Control Act requirements for maintaining a Federal Firearms License. IOI (b)(6) reviewed the Report of Violations, concluding with the signing of the Report of Violations by Julie Chrismer. An overview concerning Federal Firearms Rules and Regulations was then given to the licensee, concluding with the signing of the Acknowledgement of Federal Firearms Regulations by Julie Chrismer. See **Exhibit 7**.

13 - Violations

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

Nature of Violation:

Failure to ensure transferee correctly completed ATF Forms 4473 (b)(3) - 112 Public Law 55 125 Stat 552 occasions:

- Box 11a "No" on forms (b)(3) - 112 Public Law 55 125 Stat 552.
- Boxes 22/23 blank on forms (b)(3) - 112 Public Law 55 125 Stat 552.
- Use of obsolete forms (b)(3) - 112 Public Law 55 125 Stat 552.

Licensee Response:

Licensee indicated these errors were an oversight.

Corrective Action:

Ensure that all ATF Form 4473 transactions are completed as prescribed by the form.

NOTE: IOI (b)(6) queried the transferees through NCIC/III resulting in no hits.

*Erroneous ATF Forms 4473 are attached as **Exhibit 5**. Also reference **Worksheet 2**.*

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

Nature of Violation:

Failure to ensure transferee correctly completed ATF Forms 4473 [REDACTED] occasions:

- Box 11b-11i erroneous on [REDACTED].
- Box 11d erroneous on [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552.
- Box 11i erroneous on [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552.
- Boxes 12b, 12c, and/or 12d1 erroneous on [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552.
- Boxes 14 and/or 15 blank on forms [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552, [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552.

Licensee Response:

Licensee indicated this error was an oversight.

Corrective Action:

Ensure that the transferee properly completes future ATF Form 4473 transactions.

NOTE: IO [REDACTED] (b)(6) queried the transferees through NCIC/III resulting in no hits.

Erroneous ATF Forms 4473 are attached as Exhibit 5. Also reference Worksheet 2.

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

Nature of Violation:

Failure to correctly record the transferee's identification information on ATF Form 4473 [REDACTED] occasions:

- Box 18a blank on [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552.
- Box 18b blank on [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552.

Licensee Response:

Licensee indicated these errors were an oversight and/or lack of employee training.

Corrective Action:

Ensure that the transferee's identification information is properly completed in all ATF Form 4473 transactions.

Erroneous ATF Forms 4473 are attached as Exhibit 5. Also reference Worksheet 2.

4. **27 CFR 478.124(c)(3)(iv)**

Nature of Violation:

Failure to complete the NICS contact information correctly [REDACTED] ATF Form 4473 transactions:

- Boxes 19a, 19b, 19c, and/or 19d erroneous on forms [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552, [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552.

Licensee Response:

Licensee indicated this error was an oversight.

Corrective Action:

Ensure that transferor's information is properly completed in future ATF Form 4473 transactions. Licensee was instructed to make a copy of the ATF Form 4473 and correct the error on the copy, where applicable.

NOTE: IOI (b)(6) queried the transferees through NCIC/III resulting in no hits.

Erroneous ATF Forms 4473 are attached as Exhibit 5. Also reference Worksheet 2.

5. **27 CFR 478.124(c)(4)**

Nature of Violation:

Failure to properly complete the transferor information with [REDACTED] ATF Form 4473 transaction. Box 26 erroneous on [REDACTED] (b)(3) - 112 Public Law 55 125

Licensee Response:

Licensee indicated these errors were an oversight.

Corrective Action:

Ensure that transferor's information is properly completed in future ATF Form 4473 transactions. Licensee was instructed to make a copy of the ATF Form 4473 and correct the error on the copy.

Erroneous ATF Forms 4473 are attached as Exhibit 5. Also reference Worksheet 2.

6. **27 CFR 478.124(c)(5)**

Nature of Violation:

Failure to complete the transferor information correctly [REDACTED] ATF Form 4473 transaction. Box 37 erroneous on [REDACTED].

Licensee Response:

Licensee indicated these errors were an oversight.

Corrective Action:

Ensure transferor information is properly completed on all ATF Form 4473 transactions. Licensee was instructed to make a copy of the ATF Form 4473 and correct the error on the copy, where applicable.

*Erroneous ATF Forms 4473 are attached as **Exhibit 5**. Also reference **Worksheet 2**.*

7. **27 CFR 478.102(a)**

Nature of Violation:

Licensee sold, delivered, and/or transferred firearms to unlicensed individuals without first completing a NICS background check [REDACTED] occasion. Licensee accepted a non-qualifying state permit as an alternative for completing a NICS background check on [REDACTED].

Licensee Response:

Licensee indicated these errors were an oversight and/or lack of employee training.

Corrective Action:

Ensure to complete a NICS background check (during execution of ATF Form 4473) prior to transferring any firearm to an unlicensed individual. Ensure that only licenses issued pursuant to Ohio Revised Code Section 2923.125 on or after March 23, 2015, are used as alternatives to the NICS background check.

NOTE: IOI [REDACTED] queried the transferees through NCIC/III resulting in no hits.

*Erroneous ATF Forms 4473 are attached as **Exhibit 5**. Also reference **Worksheet 2**.*

8. **27 CFR 478.102(c)**

Nature of Violation:

Licensee sold, delivered, and/or transferred firearms to unlicensed individuals without first completing a NICS background check [REDACTED] occasions. Licensee failed to initiate a new NICS check after 30 days on (b)(3) - 112 Public Law 55 125 Stat 552

Licensee Response:

Licensee indicated these errors were an oversight and/or lack of employee training.

Corrective Action:

Ensure to complete a NICS background check (during execution of ATF Form 4473) prior to transferring any firearm to an unlicensed individual. A NICS check may be relied upon by the licensee only for use in a single transaction and for a period not to exceed 30 calendar days from the date that NICS was initially contacted. If the transaction is not completed within the 30-day period, the licensee shall initiate a new NICS check prior to completion of the transfer.

NOTE: IOI (b)(6) queried the transferees through NCIC/III resulting in no hits.

Erroneous ATF Forms 4473 are attached as Exhibit 5. Also reference Worksheet 2.

9. **27 CFR 478.126a**

Nature of Violation:

Failure to complete ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) on [REDACTED] occasions: (b)(3) - 112 Public Law 55 125 Stat 552 ; (b)(3) - 112 Public Law 55 125 Stat 552 [REDACTED].

Licensee Response:

Licensee indicated this error was an oversight.

Corrective Action:

Ensure that all multiple sales of handguns are properly reported using ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, whenever more than 1 handgun is transferred in a five business day period. IOI (b)(6) verified all multiple sales were properly completed by licensee via ATF Form 3310.4.

Erroneous ATF Forms 4473 are attached as Exhibit 5. Also reference Worksheet 2.

10. **27 CFR 478.131(a)(2)**

Nature of Violation:

Failure to record (or retain/attach a copy) on the ATF Forms 4473 any identifying number, the date of issuance, and the expiration date when accepting a qualifying state license or permit as an alternative to the NICS background check [REDACTED] occasion. Box 21 blank on [REDACTED].

Licensee Response:

Licensee indicated this error was an oversight.

Corrective Action:

Ensure to either retain a copy of the purchaser's qualifying state license or permit and attach it to the ATF Form 4473, or ensure to appropriately record on the ATF Form 4473 any identifying number, the date of issuance, and the expiration date from the qualifying state license or permit.

*Erroneous ATF Forms 4473 are attached as **Exhibit 5**. Also reference **Worksheet 2**.*

11. **27 CFR 478.99(b)**

Nature of Violation:

Licensee transferred [REDACTED] receiver to an individual under the age of 21 [REDACTED].

Licensee Response:

Licensee indicated this error was an oversight.

Corrective Action:

Do not sell or otherwise dispose of any firearm other than a shotgun or rifle to any person knowing or having reasonable cause to believe such person is less than 21 years of age.

*Erroneous ATF Forms 4473 are attached as **Exhibit 5**. Also reference **Worksheet 2**.*

12. 27 CFR 478.99(c)

Nature of Violation:

Licensee transferred (b)(3) firearm to an individual knowing or having reasonable cause to believe the individual was a prohibited category of person. (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

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

Licensee Response:

Licensee indicated this error was caused by ignorance.

Corrective Action:

Do not sell or otherwise dispose of firearms to any person knowing or having reasonable cause to believe such person is a prohibited category of person. Do not initiate a new NICS background check after a denial unless the individual provides appeals documentation from the FBI NICS.

Erroneous ATF Forms 4473 are attached as Exhibit 5. Also reference Worksheet 2.

13. 27 CFR 478.125(e)

Nature of Violation:

Licensee failed to properly record the acquisition and/or disposition into the bound book record (b)(3) - 112 Pub occasions:

- There were (b)(3) firearms in inventory that had not been recorded as an acquisition prior to inspection.

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

- There was (b)(3) firearm that was recorded as logged out but were found to be in inventory (bound book line (b)(3) - 112 Public Law 55
- There were (b)(3) - 112 Pub firearms that had not been logged out/disposed properly which was reconciled after review of records (bound book line (b)(3) - 112 Public Law 55 125 Stat 552 (b)(3) - 112 Public Law 55 125 Stat 552
- (b)(3) - 112 Pub firearm was missing from inventory and could not be reconciled (bound book line (b)(3) - 112 Public Law 55 125 Stat 552

Licensee Response:

Licensee indicated these errors were an oversight.

Corrective Action:

Ensure all acquisitions and dispositions are properly recorded into the bound book.

Reference Worksheet 1.

Respectfully submitted,

(b)(6)

/30/2018


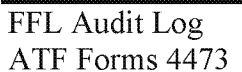
Industry Operations Investigator

Index of Worksheets and Exhibits

Worksheets

- 1) Information Page
- 2) Worksheet 1, Inventory and A&D Review
- 3) Worksheet 2, ATF Form 4473 (2012 and 2016) Review
- 4) Statistical Page

Exhibits

- 1) ATF Form 7 – Smartgear Outdoors LLC
- 2) (b)(3) - 112 Public Law 55-125 Stat 552

- 3) 
- 4) FFL Audit Log
- 5) ATF Forms 4473
- 6) ATF Forms 3310.4
- 7) The Acknowledgement of Federal Firearms Rules and Regulations



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
550 Main Street
Cincinnati, OH 45202

www.atf.gov

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May 31, 2018

WARNING LETTER

Cimbridge Group I LLC
Smartgear
1417 E Main Street
Eaton, OH 45320

FFL# 4-31-135-01-8K-03954

Dear Ms. Chrismer:

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 45 Phillips Ave., Saint Bernard, Ohio 45217 from 5/1/2018 through 5/21/2018, 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.

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

Cimbridge Group I LLC
4-31-135-01-8K-03954

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)

Sincerely,

(b)(6)

Area Supervisor

cc: Federal Firearms Licensing Center
Cincinnati II (IO) Area Office

Attachment