

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) LEGACY COLLECTIBLES LLC 73 PLANK AVE PAOLI, PA 19301, CHESTER	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 766020-2017-0298-B1B		
	3. PERMIT/LICENSE NUMBER 823029018G05590	4a. TARGET DATE 9/15/2017	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE) N 40.02311 W 075.29327		

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

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
(b)(6), Area Supervisor, 06/07/2017

8. PURPOSE/SPECIAL INSTRUCTIONS
Conduct DE Compliance Inspection utilizing guidelines set forth in the IO Manual.

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: 07/20/2017

Viols WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
JUN 2017	29.00		
JUL 2017	32.50		
ATF OFFICER'S SUBTOTAL	61.50	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	61.50		

13. REVIEW AND ROUTING
REVIEW COMMENTS AND RECOMMENDATION
Viols WL ONLY and Recall Inspection

☒ REVIEWED ☒ CONCUR ☐ SEE COMMENTS ☒ FINAL DISPOSITION
SIGNATURE AND TITLE REVIEW DATE
(b)(6) - Area Supervisor 07/21/2017

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 LEGACY COLLECTIBLES LLC	Street Address 73 PLANK AVE	City PAOLI	State PA	Zip Code 19301-	County CHESTER	Page 1 of 2 Pages
License/Permit/Registry Number <i>(If any)</i> 823029018G05590		Expiration Date 8/1/2018		Date(s) or Period of Inspection 06/22/2017 through 07/10/2017		

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 of Federal Firearms Licensee to timely log in the purchase or other acquisition of a firearms in the firearms receipt and disposition record not later than the close of the next business day following the date of such purchase or aquisition (b)(3)-112 occasions. Failure of Federal Firearms Licensee to timely log out the sale or other disposition of a firearms in the firearms receipt and disposition record not later than than 7 days following the date of such transaction (b)(3)-112 occasions..

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 Federal Firearms Licensee logged in all receipts of firearms. The Federal Firearms Licensee logged out all dispositions of firearms.

Number: 2

Nature of Violation:

Failure of Federal Firearms Licensee to timely report the loss (b)(3)-112 firearms.

Citation: 27 CFR 478.39a

Date Corrections to be Made:

06/27/2017

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The Federal Firearms Licensee called the theft/loss hotline and subsequently submitted the theft/loss report.

Number: 3

Nature of Violation:

Failure of Federal Firearms Licensee to properly complete ATF Forms 4473 in (b)(3)-112 Public Law 9 forms examined (b)(3)-112 P instances, Section D, Items 35 and 37 were left blank, incomplete or incorrect.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The Federal Firearms Licensee completed the ATF Forms 4473.

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

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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 LEGACY COLLECTIBLES LLC	Street Address 73 PLANK AVE	City PAOLI	State PA	Zip Code 19301-	County CHESTER	Page 2 of 2 Pages
License/Permit/Registry Number <i>(If any)</i> 823029018G05590		Expiration Date 8/1/2018	Date(s) or Period of Inspection 06/22/2017 through 07/10/2017			

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)(5)

Number:

4

Nature of Violation:

Failure of Federal Firearms Licensee to properly complete ATF Forms 4473 in

§ 87(2)(b)

 instances, Section D, Items 33, 34 and 36 were left blank.

Citation:

27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

The Federal Firearms Licensee completed the ATF Forms 4473.

(If not corrected immediately)

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

Date

Signature and Title of ATF Officer

Date

For Official Use Only

May 2020 Document Production

511

ATF E-Form 5030.5

Revised April 2005

FIREARMS INSPECTION REPORT

Name: Legacy Collectibles, LLC
Trade Name: Legacy Collectibles, LLC

UI#: 766020-2017-0298
FFL#: 8-23-029-01-8G-05590

Address: 73 Plank Ave.
Paoli, PA 19301 Chester county

1 - Introduction

Inspection Profile:

On June 22, 2017, Senior IOI (b)(6) initiated an unannounced DE compliance DE investigation with Legacy Collectibles, LLC. Thomas Alan Whiteman, Organizer and sole Responsible Person on the license was identified by PA photo (b)(6). The period of inspection was from June 22, 2016 to June 22, 2017. The inspection was started on June 22, 2017 and completed on July 11, 2017. The scope of the investigation was a DE compliance investigation. Supervisory ATF&E Special Agents (b)(6) and (b)(6) confirmed that no criminal enforcement investigations of the FFL are ongoing. SIOI (b)(6) checked FLS to ensure no negative intelligence was found. IA (b)(6) ran OPENFOX and found no hits.

Business Profile:

This FFL is a type 01 Dealer in firearms other than destructive devices. The location of the premises is a residence that has been converted into a shop that is accessible to the public but that is kept locked. Legacy outsources to a gunsmith in the Pittsburgh, PA area, Nelson Porter, Washington, PA. There were 371 firearms in inventory. Legacy acquired (b)(4) firearms and disposed of approximately (b)(4) during the last twelve (12) months. (b)(6)

Legacy is in compliance with the zoning requirements of Willis Township in Paoli. Legacy members attend gun shows periodically to purchase and sell firearms. Mr. Thomas Whiteman also maintains an ATF Importer's License, FFL#8-23-029-08-9G-06370. The importer's license investigation results are under UI#766020-2017-0299. The FFL does not utilize off-site storage locations nor does he have locked storage rooms on the premises. There are locked cabinets and safes in the basement. The operation (b)(4) wholesale with C&R licensees and (b)(4) retail. The operation (b)(4) hand guns and (b)(4) long guns. Legacy does not have a primary supplier. (b)(4) of purchases are through the internet. Legacy uses www.gunbroker.com. Legacy also acquires at auctions and gun shows. Legacy maintains PA State license #10927 firearms, expiring 1/27/19. The industry member has held an ATF license since 5/2012.

Ownership and Control:

The business is a limited liability company. Thomas Alan Whiteman is the sole

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Responsible Person on the license. (b)(6) is a Sales Director. (b)(6) is a Manager. No unreported changes have occurred. No indicators of hidden ownership were disclosed. The responsible person is correctly shown on FLS. No FLS database changes are required.

Variance:

No variances are held by the licensee. No new variance were requested.

2 - Recommendation

Violations, Warning Letter only and Recall Inspection.

3 - Inspection History

Date and Type of Inspection: May 31, 2012
UI#: 766020-2012-0223-B1B
Inspection Results: Application approved, license issued.
Cited Violations: No violations were cited.

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

SIOI (b)(6) conducted a full physical inventory. She began the inventory on 6/22/17. There were 371 firearms in inventory. The licensee uses a computerized recordkeeping inventory management system with a program called Fishbowl. They printed out the acquisition and disposition information for the inventory. SIOI (b)(6) noticed that there were a lot of firearms on the floor and the licensee admitted that there were many not yet logged into the acquisition and disposition record. When SIOI (b)(6) returned on 6/25/17 to finish the inventory and the investigation the licensee printed out the acquisition and disposition information again. SIOI compared the two printouts and found that there were only (b)(6) open entries in the original A&D record. She calculated that (b)(6) firearms were not timely logged into the A&D record for which a Violation was cited, (**Reference Report of Violation 3, Workbook Worksheet 1 and Exhibit 3**). Exhibit 3 is a copy of the pages of the 2nd computerized acquisition and disposition print-out that shows the item numbers that were not on the original acquisition and disposition print-out provided to SIOI (b)(6) for the inventory.

Violations were disclosed as a result of the review of the disposition records. There were (b)(6) dispositions that were not timely made. (**Reference Report of Violations 3,**

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Workbook Worksheet 1 and Exhibit 4). Exhibit 4 is a copy of the pages of the 1st computerized acquisition and disposition print-out that shows the item numbers that were not on the 2nd print-out provided to SIOI (b)(6) and that were not in inventory. SIOI (b)(6) examined ATF Forms 4473 and other disposition documents and through discussion with the licensee determined that these (b)(3) dispositions were untimely.

The licensee did not timely submit a theft/loss report during the inspection period (b)(3) - 112 P firearms that were shipped together via the USPS on 5/2/17 and have been lost, although they did report them to the local police and USPS is still tracking them. The licensee submitted a theft/loss report as a result of this investigation for these lost firearms, ((**Reference Report of Violations 1 and Exhibit 1**). The A&D record is in the proper format, all the required information is accurate. Twenty-Five firearms were traced through the licensee's required records from acquisition through disposition with no discrepancies resulting. 27 PICS numbers were checked, (**Reference Exhibit 2**). No trafficking issues relating to acquisition and disposition of firearms as directed by guidelines and special instructions were found. No discovery of obliterated serial numbers and illegal firearms were found.

Standard Operations Procedures:

The licensee's SOP relevant to the A&D record and inventory is that (b)(6) makes all of the entries and checks them. Inventory is taken yearly. Violations were found.

Reference Report of Violations Numbers 1 and 3. Reference Workbook Worksheet 1. Reference Exhibits 1, 2 and 3.

5 - ATF Forms 4473 – NICS & Other Dispositions

Legacy primarily sells to other licensees, namely Type 3 Collectors. Of the (b)(3) - 112 P dispositions, only (b)(3) - 1 were to non-licensees. (b)(3) - 1 ATF Forms 4473 are on file for the last twelve (12) months. SIOI (b)(6) reviewed (b)(3) - 1 ATF Forms 4473 had violations whereby the licensee did not complete Items 33, 34, 35, and 36, (**Reference Report of Violations 2 & 4, Workbook Worksheet 2 and Exhibits 5 and 6**). Exhibits 5 and 6 are copies of 5 corrected ATF's Forms 4473. The licensee corrected them immediately.

27 PICS numbers were checked, (**Reference Exhibit 2**). The licensee transferred firearms to other licensees properly. Legacy did transfer to law enforcement officers and is aware how to properly document sales to law enforcement officers. No trafficking issues relating to purchasers of firearms under 7-Suspicious/Prohibited Purchasers were disclosed.

Standard Operations Procedures:

The licensee's SOP relevant to ATF Form 4473 completion and other dispositions is that (b)(6) prepares all forms when there is a sale. (b)(6)

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then reviews all forms for accuracy before filing. No violations were disclosed.

Reference Report of Violations 2 and 4. Reference Workbook Worksheet 1 and 2. Reference Exhibits 4, 5 and 6.

6 – Multiple Sales

Zero (0) multiple sales were reported during the inspection period on the Violent Crime Analysis Branch FFL Master Query, (**Reference Exhibit 7**). Zero unreported multiple sales were identified during the inspection. No violations were disclosed.

7 – Suspicious/Prohibited Purchasers

No possible traffickers, straw purchasers or any other suspicious purchasers were identified. No 10-Referrals were deemed necessary. No discrepancies were found. No violations were cited.

8 – Trace Activity

The FFL had 0 traces in the last twelve (12) months. A secondary market analysis was conducted with no disabling information resulting. No discrepancies were found. No violations were cited.

9 - NFA/Importer/Collector/Manufacturer

The FFL is an NFA dealer. The Special Tax Stamp was examined for the tax period 7/1/2017 – 6/30/2018. The Control # is (b)(3) - 26 USC 6103 Legacy is also an importer. He does not hold a collector or manufacturer license. No discrepancies relative to the NFA list were disclosed. No discrepancies were found. No violations were cited.

10 - Referrals

No referrals were made.

11 - Other

SIOI (b)(6) advised the FFL on the surging trend of FFL burglaries. She did not notice any security deficiencies, nor have to recommend any additional security measures and steps the FFL should take to prevent thefts and burglaries. Legacy has alarms, cameras and locked cabinets and safes in the basements. The access door is kept locked.

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

No violations were cited in this area.

12 - Closing Actions

On July 17, 2017, SIOI (b)(6) held the closing conference with Mr. Whiteman. She reviewed the regulatory requirements with the licensee, including completion of the Acknowledgement of Federal Firearms Regulations, (**Reference Exhibit 8**). She issued the Report of Violations, ATF Form 5030.5 as well.

13 - Violations

1. 27 CFR 478.39a

Nature of violation:

Failure of Federal Firearms Licensee to timely report a theft or loss (b)(3) - 112 firearms.

Licensee's response:

The licensee stated, "I called the local police and was waiting for information back from the USPS who found the label but not the firearm. I was remiss about calling ATF."

Corrective action:

SIOI (b)(6) instructed the licensee to call the Theft/Loss Hotline and report the lost firearms. She then instructed the licensee to obtain a Theft/Loss Report and to submit that to ATF. She instructed them that once they receive the Incident Number of the lost weapons from ATF that they should insert that number in the disposition portions of the A&D record. She instructed them to retain the report for their files. She instructed

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them to always call ATF within 48 hours of learning of a theft/loss.

Reference Worksheet 2 and Exhibits 1 and Report of Violations 1.

2. 27 CFR 478.124(c)(5)

Nature of violation:

Failure of Federal Firearms Licensee to properly complete ATF Forms 4473 in [REDACTED] forms examined. [REDACTED] instances, Section D, Items 35 and 37 were left blank, incomplete or incorrect.

Licensee's response:

The licensee stated, "I was remiss about completing the forms."

Corrective action:

SIOI (b)(6) instructed the licensee to complete the ATF Forms 4473.

Reference Worksheet 2 and Exhibits 5 and 6 and Report of Violations 2.

3. 27 CFR 478.125(e)

Nature of violation:

Failure of Federal Firearms Licensee to timely log in the purchase or other acquisition of a firearms in the firearms receipt and disposition record not later than the close of the next business day following the date of such purchase or acquisition [REDACTED] occasions and to timely log out the sale or other disposition of a firearms in the firearms receipt and disposition record not later than 7 days following the date of such transaction [REDACTED] occasions.

Licensee's response:

The FFL stated, "The individual who took care of such matters left his employment with Legacy. We have a backlog of work."

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UI#: 766020-2017-0298
FFL#: 8-23-029-01-8G-05590

Corrective action:

SIOI (b)(6) instructed the licensee to immediately log in all firearms on the premises and to commence logging them in timely in the future.

Reference Worksheet 1 and Exhibit 3 and Report of Violations 3.

4. **27 CFR 478.21(a)**

Nature of violation:

Failure of Federal Firearms Licensee to properly complete ATF Forms 4473 (b)(3) - 112 Public Law 5 forms examined. (b)(3) - 112 Public Law 5 instances, Section D, Items 33, 34 and 36 were left blank.

Licensee's response:

The licensee stated, "I was remiss about completing the forms."

Corrective action:

SIOI (b)(6) instructed the licensee to complete the ATF Forms 4473.

Reference Worksheet 2 and Exhibits 5 and 6 and Report of Violations 4.

7/18/2017

X (b)(6)

Industry Operations Investigator
Signed by: ATF

Signature

Title

Date of Report

FIREARMS INSPECTION REPORT

Name: Legacy Collectibles, LLC
Trade Name: Legacy Collectibles, LLC

UI#: 766020-2017-0298
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Index of Worksheets and Exhibits

Exhibit 1 –Federal Firearms License Firearms Inventory

Theft/Loss Report

Exhibit 2 - PICS checks

Exhibit 3 – Acquisition violations print-out

Exhibit 4 - Dispositions violations print-out

Exhibit 5 - Copies of corrected ATF Forms 4473

Exhibit 6 - Copies of corrected ATF Forms 4473

Exhibit 7 – VCAB print-out

Exhibit 8 – Acknowledgement of Federal Firearms Regulations

Report of Violations

Worksheet Workbook



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Lansdale Area Office

www.atf.gov

76602 (b)(6)
5373
8-23-05590

July 21, 2017

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Thomas Alan Whiteman
Legacy Collectables LLC
73 Plank Avenue
Paoli, Pa 19301

During a recent compliance inspection at your firearms business covering the period of June 22, 2017 through July 10, 2017, you were cited for four (4) violations: 27 CFR 478.125(e), 27 CFR 478.21(a), 27 CFR 478.39a, and 27 CFR 478.124(c)(5). These violations were discussed with you during the inspection.

All four violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Senior Industry Operations Investigator, (b)(6). You indicated that you understood the requirements of the firearms laws and regulations. You were directed to report any theft/loss of firearms within 48 hours to ATF as this is critical information involving the traceability of firearms. You were directed to ensure your acquisition and disposition records accurately reflect such acquisitions and dispositions. You were also directed to ensure the ATF Form 4473 is complete and accurately completed prior to the transfer of any firearms. It is advised that you take corrective actions that will eliminate future violations relative to these issues.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing effort 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 ensure that criminals do not gain access to firearms. 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 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.

Should you have any questions regarding this matter, please contact me, or an Industry Operations Investigator at the Lansdale Area Office at (215) 362-1840.

(b)(6)

Area Supervisor

Enclosure

cc: Federal Firearms Licensing Center