



# 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 Senne, Gene D. Downtown Pawn	Street Address 219 West Broadway	City Missoula	State MT	Zip Code 59802-	County Missoula	Page 1 of 5 Pages
License/Permit/Registry Number (If any) 981063028J82460	Expiration Date 9/1/2018	Date(s) or Period of Inspection 11/28/2016 through 11/29/2017				

### 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:**

Licensee failed to ensure that the ATF Forms 4473 were completely and accurately executed prior to a firearms transfer (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:** Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions.  
(If not corrected immediately)

On (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) Item 11 a (Are you the actual transferee/buyer of the firearm(s) listed on this form? Was left blank) (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

On (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) Item 16 (Type of firearm(s) to be transferred was left blank) (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

On (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) Form, Item 29 (Total Number of Firearms), (Revised October 2016) (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

On (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) Item 34 (Transferor's/Seller's Name) and Item 36 (Transferor's/Seller's Title) were left blank. (Revised October 2016) (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Citation: 27 CFR 478.21(a)

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License/Permit/Registry Number <i>(If any)</i> 981063028J82460	Expiration Date 9/1/2018	Date(s) or Period of Inspection 11/28/2016 through 11/29/2017				

### 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:

Licensee failed to ensure that the ATF Forms 4473 were completely and accurately executed prior to a firearms transfer. (b)(3) - 112 Public Law 55 125 Stat 552

On (b)(3) - 112 Public Law 55 125 Stat 552 Item 12d.1 (Are you an alien who has been admitted to the United States under a nonimmigrant visa?) was left blank. (Revised October 2016) (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

On (b)(3) - 112 Public Law 55 125 Stat 552 Item 15 (Certification Date) was left blank. (Revised October 2016) (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Citation: 27 CFR 478.124(c)(1)

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

Corrective Action to be Taken: Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions.  
*(If not corrected immediately)*

# Report of Violations

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License/Permit/Registry Number <i>(If any)</i> 981063028J82460	Expiration Date 9/1/2018	Date(s) or Period of Inspection 11/28/2016 through 11/29/2017				

## 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:**

Licensee failed to obtain or accurately document required Identification on ATF Forms 4473 prior to a firearm transfer (b)(3) - 112 Public Law 55 125 Stat 552

On (b)(3) - 112 Public Law 55 125 Stat 552 Item 18a (Identification) was left blank. (Revised October 2016) (b)(3) - 112 Public Law 55 125 Stat 552

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

**Date Corrections to be Made:**

*(If not corrected immediately)*

**Corrective Action to be Taken:**

*(If not corrected immediately)*

Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions. Obtain proper identification and document on ATF Forms 4473.

Number: 4

**Nature of Violation:**

Licensee failed to ensure ATF Forms 4473 were completely and accurately executed prior to a firearms transfer (b)(3) - 112 Public Law 55 125 Stat 552

On (b)(3) - 112 Public Law 55 125 Stat 552 Item 24 (Manufacturer and Importer), Item 25, (Model), Item 26 (Serial Number), Item 27 (Type), Item 28 (Caliber of Gauge), were blank. (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)*

Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions.

# Report of Violations

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License/Permit/Registry Number <i>(If any)</i> 981063028J82460	Expiration Date 9/1/2018	Date(s) or Period of Inspection 11/28/2016 through 11/29/2017				

## Inspection Results

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

Number: 5

### Nature of Violation:

Licensee failed to ensure that the ATF Forms 4473 were completely and accurately executed prior to a firearms transfer (two forms).

On <sup>(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)</sup> Item 35 (Transferor's/Seller's signature) and Item 37 (Date Transferred) were left blank. (Revised October 2016) <sup>(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)</sup>

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)*

Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions.

Number: 6

### Nature of Violation:

Licensee failed to complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) when two or more pistols or revolvers were transferred to a non-licensee at one time or within five consecutive business days <sup>(b)(3) - 112 Public Law 55 125 Stat 552</sup> total).

In <sup>(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)</sup> instance, for a total of <sup>(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)</sup> firearms, the licensee failed to submit ATF Form 3310.4 as required. <sup>(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)</sup>

Citation: 27 CFR 478.126a

### Date Corrections to be Made:

*(If not corrected immediately)*

### Corrective Action to be Taken:

*(If not corrected immediately)*

Licensee completed and submitted ATF Form 3310.4 for the multiple sale. Going forward, ensure the timely submission of ATF Form 3310.4 for each multiple sale.

## Report of Violations

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Name of Proprietor Serna, Gene D. Downtown Pawn	Street Address 219 West Broadway	City Missoula	State MT	Zip Code 59802-	County Missoula	Page 5 of 5 Pages
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License/Permit/Registry Number (if any) 981063028J82460	Expiration Date 9/1/2018	Date(s) or Period of Inspection 11/28/2016 through 11/29/2017
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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: 7

**Nature of Violation:**

Licensee transferred a firearm to a non-licensee without recording the transactions on an ATF Form 4473 (Firearms Transaction Record) instance (firearms).

Citation: 27 CFR 478.125(e)

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

**Corrective Action to be Taken:** (If not corrected immediately) Going forward, ensure that a firearm is not transferred to a non-licensee without recording the transaction on an ATF Form 4473. ATF Theft/Loss Report submitted.

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

Date  
12/21/17

Signature and Title of ATF

(b) (6)

Date  
12/21/17 Amended

# FIREARMS INSPECTION REPORT

**Name:** Senne, Gene D.  
**Trade Name:** Downtown Pawn

**UI#:** 788060-2018-0057-B1B  
**FFL#:** 9-81-063-02-8J-82460

**Address:** 219 West Broadway  
Missoula, MT 59802                      Missoula County

## 1 - Introduction

### Inspection Profile:

On November 28, 2017 Investigator (b) (6) began an Onsite DE Firearms Compliance Inspection for Type 02/Pawnbroker in Firearms Other Than Destructive Devices, Licensee *Gene D. Senne, dba. Downtown Pawn* — herein referred to as the “licensee” — at the business premises. The business premise is a Pawnshop, located at 219 West Broadway, Missoula, MT 59802.

Investigator (b) (6) met with Gene D. Senne, Owner, (identified by (b) (6) (b) (6) and (b) (6), Manager, (identified by (b) (6) (b) (6). IOI (b) (6) received verbal permission to have (b) (6) assist with the inspection since Mr. Senne was unavailable at the beginning of the inspection. (b) (6) was present during the inspection and interviewed concerning a Type 02/Pawnbroker in Firearms Other Than Destructive Devices.

This inspection was a full scope inspection covering the period of November 28, 2016 through November 28, 2017. A complete inventory was conducted and records were reviewed for the inspection period. The onsite end date was November 29, 2017. There was no advance notice of the inspection.

### Business Profile:

Gene Senne, dba. Downtown Pawn is a Pawnshop located in a commercial building in the town of Missoula, MT. During the past twelve months there were (b) (4) acquisitions and (b) (4) dispositions. The licensee sells approximately (b) (4) long guns versus (b) (4) handguns and (b) (4) new and (b) (4) used firearms. The licensee does not participate at gun shows. There were no other businesses on the premises. The licensee conducts sales over the internet.

Website is: No Website  
Email is: [downtownpawn@gmail.com](mailto:downtownpawn@gmail.com)

The licensee doesn't hold any other ATF licenses. The licensee has held a FFL since August 1988.

### Ownership and Control:

The FLS report lists Gene D. Senne as the only Responsible Person (RP) for Downtown Pawn. During the inspection, IOI (b) (6) asked the licensee if

# FIREARMS INSPECTION REPORT

**Name:** Senne, Gene D.  
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there were any RPs to add or remove from the Type 02, *Pawnbroker of Firearms Other Than Destructive Devices*, FFL. There were no RPs to add or remove.

On November 22, 2017 and December 11, 2017, IOI (b) (6) conducted a background check on RP Gene D. Senne using NFORCE & NCIC, these checks did not disclose any prohibitive information. No hidden ownership was discovered or suspected during this inspection.

Gene D. Senne dba. Downtown Pawn is Individually Owned. There were no unreported changes to the business structure since the last inspection.

The licensee provided a copy of the City of Missoula Business license.  
**(Refer to Exhibit #1)**

## Variance:

There were no variances on file for this licensee. No variance was requested as a result of the inspection.

## 2 - Recommendation

Inspect: Violations, Warning Letter and No Recall Inspection.

## 3 - Inspection History

This is the licensee's third inspection; the first inspection was the qualification inspection in August 1988.

<b>Date and Type of Inspection:</b>	9/12/2005- Random Inspection
<b>UI#:</b>	778035-2005-0277-B1B
<b>Inspection Results:</b>	No Violations, No Referrals, Nothing Further
<b>Cited Violations:</b>	No Violations Cited. An Acknowledgement of Federal Firearms Regulations form was reviewed.

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

IOI (b) (6) conducted a 100% inventory to bound book verification running a comparison of timely entries to recorded gun data. The licensee's A&D book reflected (b)(3)-112 FURMG Law 55 acquisitions and (b)(3)-112 FURMG dispositions over the course of this inspection period.

The comparison resulted in finding one discrepancy. The licensee had 123 firearms in inventory during the course of the inspection; compared to (b)(3)-112 FURMG in his A&D records.

# FIREARMS INSPECTION REPORT

**Name:** Senne, Gene D.  
**Trade Name:** Downtown Pawn

**UI#:** 788060-2018-0057-B1B  
**FFL#:** 9-81-063-02-8J-82460

Accordingly, the licensee was cited for **27 CFR 478.125(e)** – Licensee transferred a firearm to a non-licensee without recording the transaction on an ATF Form 4473 (Firearms transaction record). **Refer to Worksheet 1 – Inventory**

Licensee completed an ATF Form 3310.11 Inventory Theft/Loss Report. This theft/loss resulted from the inspection, indicating one firearm was missing from inventory. The licensee advised IOI (b) (6) he believes the firearm was transferred/sold on 2/20/2016 without completing an ATF Form 4473. He doesn't believe this firearm was stolen. Licensee advised IOI (b) (6) would continue looking for an ATF Form 4473 for the missing firearm and would advise ATF if he finds anything. **(Refer to Exhibit #2)**

IOI (b) (6) reviewed the acquisition records for (b)(6) firearms acquired by the licensee and found they were recorded in a timely manner as acquisitions and also compared the disposition of those firearms to the corresponding records and found no discrepancies.

The licensee's Standard Operating Procedure (SOP) included tagging and logging firearms in acquisitions and out in dispositions of the A&D book as soon as the transaction takes place. The licensee's records were somewhat disorganized which made it difficult to locate each firearm that was in inventory. The manager stated he took over the sales and dispositions of firearms for the licensee and was currently working on updating all the records into new A&D books.

There were no trafficking issues related to acquisition and disposition of firearms. There were no discovery of obliterated serial numbers and illegal firearms to report.

The licensee was interviewed for any theft or loss of firearms. The licensee had no theft or loss of firearms to report.

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

There were (b)(6) ATF Forms 4473 on file resulting in the transfer of firearms for the preceding 12 months; all (b)(6) were reviewed. The licensee transferred firearms to other licensees during the inspection period and obtained the appropriate documentation to verify ATF firearms licensee status. No firearms transfers were made to law enforcement officers. The examination resulted in the discovery of (b)(6) ATF Forms 4473 with data missing or incomplete from Sections A, B, and D of the transaction record.

Based on a review of the licensee's ATF Forms 4473, the licensee was cited as follows:

# FIREARMS INSPECTION REPORT

Name: Senne, Gene D.  
Trade Name: Downtown Pawn

UI#: 788060-2018-0057-B1B  
FFL#: 9-81-063-02-8J-82460

**ROV#1 – 27 CFR 478.21(a)** – Licensee failed to ensure that the ATF Forms 4473 were completely and accurately executed prior to a firearms transfer [REDACTED] **Refer to ATF Form 4473 (2016 Edition) Review Worksheet, and Exhibit# 3**

**ROV #2 - 27 CFR 478.124(c)(1)** – Licensee failed to ensure that the ATF Forms 4473 were completely and accurately executed prior to a firearms transfer [REDACTED] **Refer to ATF Form 4473 (2016 Edition) Review Worksheet, and Exhibit# 4**

**ROV #3 – 27 CFR 478.123(c)(3)(i)** - Licensee failed to obtain or accurately document required Identification on ATF Forms 4473 prior to a firearm transfer [REDACTED] **Refer to ATF Form 4473 (2016 Edition) Review Worksheet, and Exhibit# 5**

**ROV #4 – 27 CFR 478.124(c)(4)** – Licensee failed to ensure that the ATF Forms 4473 were completely and accurately executed prior to a firearms transfer [REDACTED] **Refer to ATF Form 4473 (2016 Edition) Review Worksheet, Exhibit #6**

**ROV #5– 27 CFR 478.124(c)(5)** – Licensee failed to ensure that the ATF Forms 4473 were completely and accurately executed prior to a firearms transfer [REDACTED] **Refer to ATF Form 4473 (2016 Edition) Review Worksheet, and Exhibit# 7**

IOI (b) (6) obtained a NICS FFL audit log for background checks completed for the time period November 28, 2016 – November 29, 2017. The report showed 75 transactions were generated from for the past ninety days which were compared to ATF Forms 4473 on file for the time period. No discrepancies were noted after cross referencing the transaction numbers. The licensee had five denied NICS transactions for the inspection period which were cross referenced with ATF Forms 4473 which were kept in a separate file by the licensee. **(Refer to Exhibit #8)**

## **6 - Multiple Sales**

Prior to the compliance inspection an Intelligence report was obtained from the ATF Violent Crimes Analysis Branch (VCAB) for the time period November 28, 2016 – November 28, 2017. The report showed the licensee was associated with no multiple sales. IOI (b) (6) discovered one unreported multiple sales upon inspection ((b) (6) (b) (6)). The licensee was directed to complete ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for each multiple sale and submit by close of business on December 12, 2017. IOI (b) (6) verified that the licensee completed the action as directed.

The licensee was cited as follows:

**ROV #6 - 27 CFR 478.126a** – Licensee failed to complete and submit ATF Form 3310.4 (Report of multiple Sale or Other Disposition of Pistols and Revolvers) when (b) (6) or more pistols or revolvers were transferred to a non-licensee at one time or within

# FIREARMS INSPECTION REPORT

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**Trade Name:** Downtown Pawn

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**FFL#:** 9-81-063-02-8J-82460

five consecutive business days (b)(3)-112 Public Law 55 125 Stat 552 total). Reference Worksheet 2 – ATF Form 4473 (2016 Edition) Exhibit 1111 ATF Forms 4473 478.126a (unreported multiple sales discovered during the review of ATF Forms 4473. **(Refer to Exhibit #9)**)

## 7 - Suspicious/Prohibited Purchasers

The licensee was asked if any suspicious or prohibited persons had attempted to make firearms purchases during the inspection period. The licensee stated that there were no suspicious or prohibited persons noted during the inspection period.

IOI (b) (6) queried Openfox/NCIC on five persons; one Responsible Person and four Purchasers. These checks did not disclose any prohibitive information. IOI (b) (6) did not identify any suspected traffickers, straw purchasers, or any other suspicious purchasers. No violations were discovered.

## 8 - Trace Activity

An Intelligence report was obtained from the (VCAB) prior to the Inspection. (b)(3)-112 Public Law 55 125 Stat 552 trace was requested or completed in the last 12 months. (b)(3)-112 Public Law 55 125 Stat 552. No secondary market analysis was completed as the inspection did not warrant such analysis. No violations were discovered. **(Refer to Exhibit #9)**

## 9 - NFA/Importer/Collector/Manufacturer

The licensee does not import, collect or manufacture firearms, nor does the Licensee deal in NFA weapons. No violations were discovered. There were no findings during this investigation which warranted a referral.

## 10 - Referrals

There were no findings during this investigation which warranted a referral.

## 11 - Other

After completing the inspection IOI (b) (6) noted the licensee was compliant with the Youth Handgun Safety Act (YHSA) poster and notice requirements. The YHSA notice is provided whenever a handgun is transferred to a non-licensee. Secure gun storage/safety devices are available to customers and included in the package with new handguns.

The licensee was provided with the following:

- Handout — *Important ATF Phone Numbers & Addresses*
- July 7, 2009 Open Letter — *Selling or delivering firearm frames or receivers*
- ATF Publication 5300.15 — *Federal Firearms Licensee Quick Reference and Best Practices Guide*

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- ATF Ruling 2001-5 — *Identification of Transferee*
- ATF Form 3310.4 — *Report of Multiple Sale or Other Disposition of Pistols and Revolvers*
- ATF Form 3310.11 — *Federal Firearms Licensee Firearms Inventory Theft/Loss Report*
- Handout — *Can and Cant's of the Gun Control Act for Licensed Dealers*
- ATF Ruling 2010-6 — *Requirements to Transfer Firearms*
- ATF Publication 3312.8 — *Personal Firearms Record*
- July 7, 2009 Open Letter — *Selling or delivering firearm frames or receivers*

## 12 - Closing Actions

On December 12, 2017, Investigator (b) (6) held a closing conference with responsible person Gene Senne, and reviewed operational sections of the GCA with the licensee, and obtained his signature acknowledging his responsibilities on the attached Acknowledgement of Federal Firearms Regulations form. The licensee received a signed copy for his records. The signed copy was retained for the office file. (b)(6) was also present for the closing conference. **(Refer to Exhibit #10)**

Investigator (b) (6) also discussed the Report of Violations (ROV) and obtained Mr. Senne's signature acknowledging the Report of Violations. IOI (b) (6) advised the licensee of the corrective actions to be taken. The licensee received a signed copy for his records and a signed copy was retained for the office file. **(Refer to ROV)**

## 13 - Violations

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

**Nature of Violation:** Licensee failed to ensure that the ATF Forms 4473 were completely and accurately executed prior to a firearms transfer (b)(3)-112 Public Law 55 125 Stat 552

On (b)(3)-112 Public Law 55 125 Stat 552 Item 11a (Are you the actual transferee/buyer of the firearm(s) listed on this form? Was left blank) [Exhibit #3: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)]

On (b)(3)-112 Public Law 55 125 Stat 552 Item 16 (Type of firearm(s) to be transferred was left blank) [Exhibit #3: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)]

On one form, Item 29 (Total Number of Firearms), (Revised October 2016). [Exhibit #3: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)];

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On <sup>(b)(3)-112 Public Law 55 125 S</sup> [redacted] Item 34 (Transferor's/Seller's Name) and Item 36 (Transferor's /Seller's Title) were left blank. (Revised October 2016). [Exhibit #3: <sup>(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)</sup> [redacted]]

**Licensee's Response:** Licensee stated he understood the errors and would ensure that the ATF Forms 4473 are properly completed going forward.

**Corrective Action:** Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions.

Refer to ATF F 5030.5 Report of Violations, ATF Form 4473 (2016 Edition) Review Worksheet, and Exhibit #3

Per ATF policy, O 5370.1C(3), this violation warrants a Report of Violations and Warning Letter.

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

**Nature of violation:** Licensee failed to ensure that the ATF Forms 4473 were completely and accurately executed prior to a firearms transfer <sup>(b)(3)-112 Public Law 55 125 Stat 552</sup> [redacted]

On <sup>(b) (6)</sup> [redacted] Item 12d.1 (Are you an alien who has been admitted to the United States under a nonimmigrant visa?) was left blank. (Revised October 2016) [Exhibit #4 <sup>(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)</sup> [redacted]]

On <sup>(b)(3)-112 Public Law 55 12</sup> [redacted], Item 15 (Certification Date) was left blank. (Revised October 2016). [Exhibit #4: <sup>(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)</sup> [redacted]]

**Licensee's Response:** Licensee stated he understood the errors and would ensure that the ATF Forms 4473 are properly completed going forward.

**Corrective Action:** Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions.

Refer to ATF F 5030.5 Report of Violations, ATF Form 4473 (2016 Edition) Review Worksheet, and Exhibit #4

Per ATF policy, O 5370.1C, this violation warrants a Report of Violations.

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**Trade Name:** Downtown Pawn

**UI#:** 788060-2018-0057-B1B  
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## 3. 27 CFR 478.124(c)(3)(i)

**Nature of Violation:** Licensee failed to obtain or accurately document required Identification on ATF Forms 4473 prior to a firearm transfer (b)(3)-112 Public Law 55 125 Stat 552

On (b)(3)-112 Public Law 55 125 Item 18a (Identification) was left blank. (Revised October 2016)  
[Exhibit #5. (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)]

**Licensee's Response:** Licensee stated he understood the errors and would ensure that the ATF Forms 4473 are properly completed going forward.

**Corrective Action:** Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions. Obtain proper identification and document on ATF Forms 4473.

Refer to ATF F 5030.5 Report of Violations, ATF Form 4473 (2016 Edition) Review Worksheet, and Exhibit #5

Per ATF policy, O 5370.1C, this violation warrants a Report of Violations.

## 4. 27 CFR 124(c)(4)

**Nature of violation:** Licensee failed to ensure ATF Forms 4473 were completely and accurately executed prior to a firearms transfer (b)(3)-112 Public Law 55 125 Stat 552

On (b)(3)-112 form, Item 24 (Manufacturer and Importer), Item 25, (Model), Item 26 (Serial Number), Item 27 (Type), Item 28 (Caliber of Gauge), were blank. [Exhibit #6: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)]

**Licensee's Response:** Licensee stated he understood the errors and would ensure that the ATF Forms 4473 are properly completed going forward.

**Corrective Action:** Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions.

Refer to ATF F 5030.5 Report of Violations, ATF Form 4473 (2016 Edition) Review Worksheet, and Exhibit #6

Per ATF policy, O 5370.1C, this violation warrants a Report of Violations.

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**Name:** Senne, Gene D.  
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**UI#:** 788060-2018-0057-B1B  
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### 5. 27 CFR 478.124(c)(5)

**Nature of Violation:** Licensee failed to ensure that the ATF Forms 4473 were completely and accurately executed prior to a firearms transfer (b)(3)-112 Public Law 55 125 Stat 552

On (b)(6) Item 35 (Transferor's/Seller's signature) and Item 37 (Date Transferred) were left blank. (Revised October 2016) [Exhibit #7: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

**Licensee's Response:** Licensee stated he understood the errors and would ensure that the ATF Forms 4473 are properly completed going forward.

**Corrective Action:** Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions.

Refer to ATF F 5030.5 Report of Violations, ATF Form 4473 (2016 Edition) Review Worksheet, and Exhibit #7

Per ATF policy, O 5370.1C, this violation warrants a Report of Violations.

### 6. 27 CFR 478.126a

**Nature of Violation:** Licensee failed to complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) when two or more pistols or revolvers were transferred to a non-licensee at one time or within five consecutive business days (b)(3)-112 F form (b)(3)-112 firearms total).

In (b)(3)-112 instance, for a total of (b)(3)-112 firearms, the licensee failed to submit ATF Form 3310.4 as required. (Exhibit #9: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

**Licensees Response:** Mr. stated that these multiple sales should have been identified and was unaware he needed to complete the form.

**Corrective Action:** Licensee completed and submitted ATF Form 3310.4 for the multiple sale. Going forward, ensure the timely submission of ATF Form 3310.4 for each multiple sale.

Refer to ATF F 5030.5 Report of Violations, ATF Form 4473 (2016 Edition) Review Worksheet, and Exhibit #9

Per ATF policy, O 5370.1C, this violation warrants a Report of Violations.

## FIREARMS INSPECTION REPORT

**Name:** Senne, Gene D.  
**Trade Name:** Downtown Pawn

**UI#:** 788060-2018-0057-B1B  
**FFL#:** 9-81-063-02-8J-82460

7. **27 CFR 478.125(e)**

**Nature of Violation:** Licensee transferred a firearm to a non-licensee without recording the transactions on an ATF Form 4473 (Firearms Transaction Record)) [REDACTED] instance [REDACTED] firearms).

Licensee's Response: Mr. stated he believes the firearm was transferred/sold on 2/20/2016 without completing an ATF Form 4473. He doesn't believe this firearm was stolen.

Corrective Action: Going forward, ensure that a firearm is not transferred to a non-licensee without recording the transaction on an ATF Form 4473. [**Exhibit #2** ATF Inventory and A&D Review Worksheet]

Refer to ATF F 5030.5 Report of Violations, Worksheet 1 - Inventory

Per ATF policy, O 5370.1C (7), this violation warrants a Report of Violations and Warning Letter.

**X**

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Industry Operations Investigator

# FIREARMS INSPECTION REPORT

**Name:** Senne, Gene D.  
**Trade Name:** Downtown Pawn

**UI#:** 788060-2018-0057-B1B  
**FFL#:** 9-81-063-02-8J-82460

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**Worksheet 2** – ATF Form 4473 (2012 Edition) Review Worksheet

**Firearms Inspection** – Statistical Page

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**Exhibit 2** – ATF E-Form 3310.11 for 27 CFR 478.125(e) violation

**Exhibit 3** – ATF Forms 4473 for 27 CFR 478.21(a) violation

**Exhibit 4** – ATF Forms 4473 for 27 CFR 478.124(c)(1) violation

**Exhibit 5** – ATF Forms 4473 for 27 CFR 478.124(c)(3)(i) violation

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**Exhibit 7** – ATF Forms 4473 for 27 CFR 478.124(c)(5) violation

**Exhibit 8** – NICS Audit Log

**Exhibit 9** – VCAB Report for 27 CFR 478.126a violation

**Exhibit 10** – Acknowledgement of Federal Firearms Regulations



**U.S. Department of Justice**

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

*Industry Operations*

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*Helena II (IO) Field Office  
10 W. 15<sup>th</sup> Street, Suite 2400  
Helena, Montana 59626*

www.atf.gov

Dec. 27, 2017

788060: (b) (6)  
5373

**CERTIFIED MAIL – RETURN RECEIPT REQUIRED**

Gene D. Senne-owner  
Downtown Pawn  
219 West Broadway  
Missoula, MT. 59802

**RE: 9-81-063-02-8J-82460**

Mr. SENNE:

During a recent compliance inspection at your business location, 219 West Broadway., Missoula, Montana, covering the period of **Nov.28, 2016 through November 28, 2017**, you were cited for violation of Title 27, Code of Federal Regulations, Part 478. A copy of the Report of Violations, Form 5030.5, issued at the time of the inspection is enclosed. You were cited for the following violations:

**Violations**

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

**Nature of Violation:** Licensee failed to ensure that the ATF Forms 4473 were completely and accurately executed prior to a firearms transfer (b)(3)-112 Public Law 85 125 Stat 552

Mr. Gene Senne-owner  
Downtown Pawn

On <sup>(b)(3)-112 Public Law 55 125</sup> Item 11a (Are you the actual transferee/buyer of the firearm(s) listed on this form? Was left blank) [Exhibit #3: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)]

On (b)(6) Item 16 (Type of firearm(s) to be transferred was left blank) [Exhibit #3: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)]

On one form, Item 29 (Total Number of Firearms), (Revised October 2016). [Exhibit #3: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)]

On <sup>(b)(3)-112 Public Law 55 125</sup> Item 34 (Transferor's/Seller's Name) and Item 36 (Transferor's /Seller's Title) were left blank. (Revised October 2016). [Exhibit #3: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)]

**Licensee's Response:** Licensee stated he understood the errors and would ensure that the ATF Forms 4473 are properly completed going forward.

**Corrective Action:** Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions.

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

**Nature of violation:** Licensee failed to ensure that the ATF Forms 4473 were completely and accurately executed prior to a firearms transfer <sup>(b)(3)-112 Public L</sup> forms).

On <sup>(b)(3)-112 P</sup> forms, Item 12d.1 (Are you an alien who has been admitted to the United States and nonimmigrant visa?) was left blank. (Revised October 2016) [Exhibit #4 (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)]

On <sup>(b)(3)-112</sup> forms, Item 15 (Certification Date) was left blank. (Revised October 2016). [Exhibit #4 (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)]

**Licensee's Response:** Licensee stated he understood the errors and would ensure that the ATF Forms 4473 are properly completed going forward.

**Corrective Action:** Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions.

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

**Nature of Violation:** Licensee failed to obtain or accurately document required Identification on ATF Forms 4473 prior to a firearm transfer (b)(3)-112 Public Law 55 125 Stat 552, (b)(6) forms).

On (b)(3)-112 Public Law 55 125 Stat 552, (b)(6) forms, Item 18a (Identification) was left blank. (Revised October 2016) [Exhibit #5. (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)]

**Licensee's Response:** Licensee stated he understood the errors and would ensure that the ATF Forms 4473 are properly completed going forward.

**Corrective Action:** Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions. Obtain proper identification and document on ATF Forms 4473.

**4. 27 CFR 124(c)(4)**

**Nature of violation:** Licensee failed to ensure ATF Forms 4473 were completely and accurately executed prior to a firearms transfer (b)(3)-112 Public Law 55 125 Stat 552, (b)(6) form).

On one form, Item 24 (Manufacturer and Importer), Item 25, (Model), Item 26 (Serial Number), Item 27 (Type), Item 28 (Caliber of Gauge), were blank. [Exhibit #6: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)]

**Licensee's Response:** Licensee stated he understood the errors and would ensure that the ATF Forms 4473 are properly completed going forward.

**Corrective Action:** Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions.

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

**Nature of Violation:** Licensee failed to ensure that the ATF Forms 4473 were completely and accurately executed prior to a firearms transfer (b)(3)-112 Public Law 55 125 Stat 552, (b)(6) forms).

On (b)(3)-112 Public Law 55 125 Stat 552, (b)(6) forms, Item 35 (Transferor's/Seller's signature) and Item 37 (Date Transferred) were left blank. (Revised October 2016) [Exhibit #7: (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)]

**Licensee's Response:** Licensee stated he understood the errors and would ensure that the ATF Forms 4473 are properly completed going forward.

Mr. Gene Senne-owner  
Downtown Pawn

**Corrective Action:** Licensee to ensure ATF Forms 4473 are properly completed accurately executed prior to the transfer of a firearm to a non-licensee in future transactions.

**6. 27 CFR 478.126a**

**Nature of Violation:** Licensee failed to complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) when two or more pistols or revolvers were transferred to a non-licensee at one time or within five consecutive business days ([REDACTED] firearms total).

In [REDACTED] instance, for a total of [REDACTED] firearms, the licensee failed to submit ATF Form 3310.4 as required. (**Exhibit #9:** [REDACTED])

**Licensees Response:** Mr. stated that these multiple sales should have been identified and was unaware he needed to complete the form.

**Corrective Action:** Licensee completed and submitted ATF Form 3310.4 for the multiple sale. Going forward, ensure the timely submission of ATF Form 3310.4 for each multiple sale.

**7. 27 CFR 478.125(e)**

**Nature of Violation:** Licensee transferred a firearm to a non-licensee without recording the transactions on an ATF Form 4473 (Firearms Transaction Record) [REDACTED] instance ([REDACTED] firearms).

**Licensee's Response:** Mr. stated he believes the firearm was transferred/sold on 2/20/2016 without completing an ATF Form 4473. He doesn't believe this firearm was stolen.

**Corrective Action:** Going forward, ensure that a firearm is not transferred to a non-licensee without recording the transaction on an ATF Form 4473. [**Exhibit #2** ATF Inventory and A&D Review Worksheet]

The records you are required to maintain and the business operations conducted 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 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.

Mr. Gene Senne-owner  
Downtown Pawn

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.

If you have any questions concerning your responsibilities as a Federal firearms licensee or if you require further clarification about particular requirements of Federal firearms laws, please contact ATF at (b) (6)

Sincerely,

(b) (6) Area Supervisor  
Helena II Field Office, Denver Field Division

Enclosure

cc: Federal Firearms Licensing Center  
Helena II Field Office