

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Brand Used Works, LLC Brand Used Works 855 5th Street Penrose, CO 81240, Fremont	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 788020-2018-0081-B1B		
	3. PERMIT/LICENSE NUMBER 584043010E07907	4a. TARGET DATE 2/15/2018	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

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

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
(b)(6) Area Supervisor, 12/14/2017

8. PURPOSE/SPECIAL INSTRUCTIONS
TOP 100:DE:FRONTLINE: - Full Scope Compliance Inspection - Type 01.

9. INSPECTION RESULTS				<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	5	NO. OF REFERRALS			2111 - PER DIEM	
NO. OF TECS CHECKS	2	NO. OF TECS HITS			2112 - P.O.A.	
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES			2113 - COMM. AIR	
		\$ VALUE OF TAX DECREASES			2114 - RENTAL CAR	
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS			2115 - GPV EXPENSES	
NO. OF CLAIMS		\$ VALUE OF CLAIMS			2116 - MISC.	
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED			TOTAL \$ FOR INSP.	

11. ATF OFFICER'S RECOMMENDATION
Submitted by (b)(6) Industry Operations Investigator
Submitted on: 01/25/2018

Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
DEC 2017	28.00		
JAN 2018	62.00		
ATF OFFICER'S SUBTOTAL	90.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	90.00		

13. REVIEW AND ROUTING	
REVIEW COMMENTS AND RECOMMENDATION A full scope firearms compliance Disposition Emphasis inspection was conducted on December 20, 2017 through January 11, 2018. Licensee was cited for five (5) violations. Violations merit a Warning Letter only. No recall inspection is recommended. A Warning Letter was issued and sent to the licensee, dated February 28, 2018. Viols ROV ONLY No Recall Inspection	

<input checked="" type="checkbox"/> REVIEWED	<input checked="" type="checkbox"/> CONCUR	<input checked="" type="checkbox"/> SEE COMMENTS	<input checked="" type="checkbox"/> FINAL DISPOSITION
SIGNATURE AND TITLE (b)(6) - Area Supervisor		REVIEW DATE 02/28/2018	

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 Brand Used Works, LLC Brand Used Works	Street Address 855 5th Street	City Penrose	State CO	Zip Code 81240-	County Fremont	Page 1 of 3 Pages
License/Permit/Registry Number (If any) 584043010E07907	Expiration Date 5/1/2020	Date(s) or Period of Inspection 12/13/2016 through 12/14/2017				

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 conduct a new NICS check after initial 30 day NICS check was no longer valid in [redacted] instance. The instance was on ATF Form 4473 (Revised April 2012).

Citation: 27 CFR 478.102(c)
- Date Corrections to be Made:
(If not corrected immediately)

Corrective Action to be Taken: Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee. Ensure that NICS is contacted or document a valid exception prior to a firearm transfer to a non-licensee.
- Number: 2

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] (b)(3) - (12) Firearms (total).

If [redacted] (b)(3) - (12) instances, with a total of six firearms, the licensee failed to submit ATF Form 3310.4 as required. These three instances were identified on ATF Forms 4473 (Revised October 2016).

Citation: 27 CFR 478.126a
- Date Corrections to be Made:
(If not corrected immediately)

Corrective Action to be Taken: Licensee completed and submitted ATF Form 3310.4 for all instances cited on January 3, 2018. Going forward, complete and timely submit ATF Form 3310.4 as required under ATF regulations.

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License/Permit/Registry Number (If any) 584043010E07907	Expiration Date 5/1/2020	Date(s) or Period of Inspection 12/13/2016 through 12/14/2017				

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 ensure that ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee in (b)(3)-(12) instance. The instance was on ATF Form 4473 (Revised October 2016).

(b)(3)-(12) Public Law, Item 37 (Date Transferred) was incorrectly completed.

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)

It is suggested that the licensee attempt to correct the violation on a copy of the ATF Form 4473. Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee.

Number: 4

Nature of Violation:

Licensee failed to ensure that ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee in (b)(3)-(12) instance. The instance was on ATF Form 4473 (Revised October 2016).

(b)(3)-(12) Public Law, Item 15 (Certification Date) was incorrectly completed.

Citation: 27 CFR 478.124(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

It is suggested that the licensee attempt to correct the violation on a copy of the ATF Form 4473. Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee.

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.

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License/Permit/Registry Number (If any) 584043010E07907	Expiration Date 5/1/2020	Date(s) or Period of Inspection 12/13/2016 through 12/14/2017				

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 ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee ^{(b)(6)-(1)(2)} instance. The instance was on ATF Form 4473 (Revised October 2016).

On ^{(b)(6)-(1)(2)(F)} form, Item 16 (Type of Firearm to be transferred) was incorrectly completed.

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

It is suggested that the licensee attempt to correct the violation on a copy of the ATF Form 4473. Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee.

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

Klampon Managing member

Date
8/16/18

Signature and Title
(b)(6) Industry Operations Investigator

Date
8/16/2018

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
Trade Name: Brand Used Works

UI#: 788020-2018-0081-B1B
FFL#: 5-84-043-01-0E-07907

Address: 855 5th St.
Penrose, CO 81240 Fremont County

1 - Introduction

Inspection Profile:

On December 20, 2017, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator (IOI) (b)(6) conducted an On-Site Full Scope Compliance Firearms Disposition Emphasis Inspection of an ATF Type-01, Federal Firearms Dealer licensee, Brand Used Works, LLC d.b.a. Brand Used Works. The period of inspection was from December 13, 2016 through December 14, 2017 and inspection date range was from December 20, 2017 to January 11, 2018. IOI (b)(6) confirmed the identity of owner and responsible person Mrs. Kimberly Lampron by reviewing a State of Nevada Driver's License (DL# (b)(6)), Expiring 4/13/2021). Mrs. Lampron is the only responsible person.

IOI (b)(6) queried the responsible person in N-Force and FLS. Results were negative for involvement in a criminal investigation and negative for association with a FFL that was the subject of administrative action or revocation. IOI (b)(6) ran the responsible person in Open Fox and no prohibiting information was discovered.

Business Profile:

The firearms business premises is located within a residential area in an urban area. The business is located in an office area at the back of the home. The firearms are stored in a locked shipping container located outside on the property. Approximately (b)(4) firearms (handguns and long guns) were acquired and approximately (b)(4) firearms were disposed within the last 12 months. The majority of acquisitions are used firearms from other licensees and there is no primary supplier. No transfers were made at gun shows. The licensee sets up firearms auctions, mainly online, and then conducts transfers at her business premises, but also transfers some firearms to other licensees who then transfer the firearms to the non-licensee. There are no other businesses being conducted at the premises. The licensee does not hold any other ATF or State and local licenses. The licensee has held an ATF license since 2015, but under a different license number, since a change of address inspection was conducted in July 2017 when the licensee moved from Nevada. There are no off-site storage locations.

Ownership and Control:

Mrs. Lampron is the only responsible person (RP) listed on the license. The

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
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FFL#: 5-84-043-01-0E-07907

business is a limited liability company and Mrs. Lampron is the only managing member with 100 percent ownership. The responsible person is correctly shown and no changes and/or corrections are needed to the FLS database.

Variance:

The licensee does not hold any variances.

2 - Recommendation

Viols, WL ONLY and No Recall Inspection.

3 - Inspection History

There were three inspections conducted in the last five years.

Date and Type of Inspection: July 27, 2017; Change of Address Inspection

UI#: 788020-2017-0291-B1B

Inspection Results: Application Approved

Cited Violations: None

Date and Type of Inspection: May 8, 2015; Special Request Inspection

UI#: 786090-2015-0188-B1B

Inspection Results: Special Request Completed

Cited Violations: None

Date and Type of Inspection: April 2, 2014; Qualification Inspection

UI#: 786090-2014-0127-B1B

Inspection Results: Application Approved

Cited Violations: None

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

The licensee had 135 firearms in inventory and it matched with the open entries in the A&D record. There were no discrepancies and the reconciliation was completed. The licensee submitted no theft or loss reports during the inspection period. The A&D record is in the proper format, all the required information is accurate, and the entries are timely made. There are no trafficking issues relating to acquisition and disposition of firearms. There were no firearms with obliterated serial numbers or illegal firearms present. The licensee makes the A&D entries as soon as they occur and assigns a lot number to each firearm, as well as an individual book number. This process expedites the search of each firearm in the A&D without having to go through entire record to find a specific firearm. No violations were discovered.

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
Trade Name: Brand Used Works

UI#: 788020-2018-0081-B1B
FFL#: 5-84-043-01-0E-07907

5 - ATF Forms 4473 – NICS & Other Dispositions

(b)(3) ATF Forms 4473 were on file for the last 12 months and (b)(3) - 112 Public Law 55 125 Stat 552 ATF 4473's were examined. The majority of all the firearm transfers are made properly since Mrs. Lampron made it a point to go through each form carefully in order to provide accurate and correctly completed forms. The FFL audit log verification was accurately reflected on the corresponding 4473's. IOI (b)(6) obtained the Federal Bureau of Investigation (FBI)/Colorado Bureau of Investigation (CBI) NICS audit log for the inspection period. The FBI/CBI NICS audit log returned 12 entries that were verified after checking the associated 4473's. The remaining 70 4473's were transfers that occurred while the licensee was still at their old Nevada location and no NICS log was available due to the FBI purging those records after 90 days.

Mrs. Lampron stated that she makes sure all of the 4473's are filled out accurately and correctly in order to avoid making any mistakes. She was adamant that every aspect of filling out forms and inputting data is taken very seriously. She completed every form that was reviewed. There were no forms filled out by anyone else. In (b)(3) - 112 Public Law 55 125 Stat 552 instance, a NICS violation occurred due to the licensee failing to run new check after initial NICS check expired and the firearm was subsequently transferred without running a new NICS. IOI (b)(6) queried the associated transferee in OpenFox and no prohibiting information was returned. **Violation #1. Reference Worksheet 2 and Exhibit 1.**

6 - Multiple Sales

There were (b)(3) - 112 Public Law 55 125 Stat 552 multiple sales reported during the inspection period on the Violent Crime Analysis Branch FFL Master Query. There were (b)(3) - 112 Public Law 55 125 Stat 552 unreported multiple sales, for (b)(3) - 112 Public Law 55 125 Stat 552 handguns each transfer, made on (b)(3) - 112 Public Law 55 125 Stat 552. Mrs. Lampron insisted she filled out those forms and submitted them as soon as they occurred and forgot to fill out and submit the (b)(3) - 112 Public Law 55 125 Stat 552 unreported multiple sales forms. Mrs. Lampron submitted a multiple sale form for each transaction at time of discovery on January 3, 2018. **Violation #2. Reference Worksheet 2 and Exhibit 2.**

7 - Suspicious/Prohibited Purchasers

There were no possible traffickers, straw purchasers or any other suspicious purchasers in the last 12 months. There were no computerized criminal history checks resulting in hits (persons). No referrals were made as result of this inspection. There were no discrepancies and no violations were discovered.

8 - Trace Activity

There were (b)(3) - 112 Public Law 55 125 Stat 552 traces in the last 12 months. All of the traces were resolved. (b)(3) - 112 Public Law 55 125 Stat 552

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
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UI#: 788020-2018-0081-B1B
FFL#: 5-84-043-01-0E-07907

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

. Five firearms were queried as part of a secondary market analysis with no hits returned. There were no discrepancies and no violations were discovered.

9 - NFA/Importer/Collector/Manufacturer

The licensee does not hold any NFA Special Taxpayer Licenses and does not import, collect or manufacturer.

10 - Referrals

No referrals were made as result of this inspection.

11 - Other

No other findings disclosed during the inspection.

12 - Closing Actions

On January 11, 2018, IOI (b)(6) held a closing conference with Mrs. Lampron. The Acknowledgement of Federal Firearms Regulations was presented to and signed by Mrs. Lampron [Exhibit 7]. IOI (b)(6) discussed all violations on the Report of Violations (ATF Form 5030.5) with Mrs. Lampron who stated that she understood the violations and the corrective actions to be taken. Mrs. Lampron signed the Report of Violations on January 16, 2018, after an amendment was made to the report [Exhibit 6].

13 - Violations

1. 27 CFR 478.102(c)

Nature of violation:

Licensee failed to conduct a new NICS check after initial 30 day NICS check was no longer valid in one instance. The (b)(3)-(12) instance was on ATF Form 4473 (Revised April 2012).

Licensee's response:

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
Trade Name: Brand Used Works

UI#: 788020-2018-0081-B1B
FFL#: 5-84-043-01-0E-07907

The licensee stated that, "I was unaware that I had to do a completely new form once the NICS was run the first time and I will make sure that a new NICS will be run if the initial 30 days expires on any 4473 form in the future."

Corrective action:

Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee. Ensure that NICS is contacted or document a valid exception prior to a firearm transfer to a non-licensee.

Reference Worksheet 2 (ATF Form 4473 Revised April 2012) and Exhibit 1.

2. **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 FFD forms (b)(3)-112 firearms total).

In (b)(3)-112 FFD instances, with a total (b)(3)-112 FFD firearms, the licensee failed to submit ATF Form 3310.4 as required. These (b)(3)-112 instances were identified on ATF Forms 4473 (Revised October 2016).

Licensee's response:

The licensee stated, "I simply forgot to fill out the multiple sale forms since I get busy filling out many 4473 forms at one time. I will be more careful in the future since I'm usually very good with paperwork."

Corrective action:

Licensee completed and submitted ATF Form 3310.4 for all instances cited on January 3, 2018. Going forward, complete and timely submit ATF Form 3310.4 as required under ATF regulations.

Reference Worksheet 2 (ATF Form 4473 Revised October 2016) and Exhibits 2.

3. **27 CFR 478.124(c)(5)**

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
Trade Name: Brand Used Works

UI#: 788020-2018-0081-B1B
FFL#: 5-84-043-01-0E-07907

Nature of violation:

Licensee failed to ensure that ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee in [REDACTED] instance. The instance was on ATF Form 4473 (Revised October 2016).

On [REDACTED] form, Item 37 (Date Transferred) was incorrectly completed.

Licensee's response:

The licensee stated, "I simply was rushed and accidentally put the incorrect year down on the transfer date. I will look over those dates more carefully in the future."

Corrective action:

It is suggested that the licensee attempt to correct the violation on a copy of the ATF Form 4473. Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee.

Reference Worksheet 2 (ATF Form 4473 Revised October 2016) and Exhibit 3.

4. 27 CFR 478.124(c)(1)

Nature of violation:

Licensee failed to ensure that ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee in [REDACTED] instance. The instance was on ATF Form 4473 (Revised October 2016).

On [REDACTED] form, Item 15 (Certification Date) was incorrectly completed.

Licensee's response:

The licensee stated, "I simply was rushed and accidentally looked over the transferee's information too quickly without seeing the error. I will look over the transferee's information more carefully in the future."

Corrective action:

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
Trade Name: Brand Used Works

UI#: 788020-2018-0081-B1B
FFL#: 5-84-043-01-0E-07907

It is suggested that the licensee attempt to correct the violation on a copy of the ATF Form 4473. Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee.

Reference Worksheet 2 (ATF Form 4473 Revised October 2016) and Exhibit 4.

5. **27 CFR 478.21(a)**

Nature of violation:

Licensee failed to ensure that ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee in (b)(3)-(b)(7) instance. The instance was on ATF Form 4473 (Revised October 2016).

On (b)(3)-(b)(7) form, Item 16 (Type of Firearm to be transferred) was incorrectly completed.

Licensee's response:

The licensee stated, "I simply was rushed and forgot to check off handgun, along with the long gun being checked off. I will look over the type of firearm information more carefully in the future to make sure the correct ones are checked."

Corrective action:

It is suggested that the licensee attempt to correct the violation on a copy of the ATF Form 4473. Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee.

Reference Worksheet 2 (ATF Form 4473 Revised October 2016) and Exhibit 5.

X

Industry Operations Investigator

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
Trade Name: Brand Used Works

UI#: 788020-2018-0081-B1B
FFL#: 5-84-043-01-0E-07907

Index of Worksheets and Exhibits

Worksheet 2 – ATF Form 4473 (Revised April 2012)

Worksheet 2 – ATF Form 4473 (Revised October 2016)

Exhibit 1 – ATF Form 4473 NICS check over 30 days

Exhibit 2 – ATF Form 4473 Multiple Sale Not Completed

Exhibit 3 – ATF Form 4473 Incorrect Transfer Date

Exhibit 4 – ATF Form 4473 Incorrect Certification Date

Exhibit 5 – ATF Form 4473 Type of Firearm to be transferred

Exhibit 6 – Report of Violations

Exhibit 7 – Acknowledgement of Federal Firearms Regulations



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
950 17th Street, Suite 1800
Denver, CO 80202

www.atf.gov

78802 (b)(6)
5373

February 28, 2018

WARNING LETTER

Mrs. Kimberly Lampron
Brand Used Works, LLC
855 5th Street
Penrose, CO 81240

Re: Federal Firearms License Number: 5-84-043-01-0E-07907

Dear Mrs. Lampron:

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 855 5th Street., Penrose, CO, on December 20, 2017 through January 11, 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.

Mrs. Kimberly Lampron
Brand Used Works, LLC
5-84-043-01-0E-07907

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 explosives business. ATF appreciates the efforts you and other industry members make in this area, and we look forward to continuing to work with you in that regard.

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

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

Sincerely,

(b)(6)

Area Supervisor

cc: Federal Firearms Licensing Center
Denver III Area Office

Attachment

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Brand Used Works, LLC Brand Used Works 855 5th Street Penrose, CO 81240, Fremont	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 788020-2018-0081-B1B		
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6. ATF OFFICER(S) ASSIGNED
(b)(6) - Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
(b)(6), Area Supervisor, 12/14/2017

8. PURPOSE/SPECIAL INSTRUCTIONS
TOP 100:DE:FRONTLINE: - Full Scope Compliance Inspection - Type 01.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	5	NO. OF REFERRALS		2111 - PER DIEM	
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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: 01/25/2018

Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
DEC 2017	28.00		
JAN 2018	62.00		
ATF OFFICER'S SUBTOTAL	90.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	90.00		

13. REVIEW AND ROUTING	
REVIEW COMMENTS AND RECOMMENDATION A full scope firearms compliance Disposition Emphasis inspection was conducted on December 20, 2017 through January 11, 2018. Licensee was cited for five (5) violations. Violations merit a Warning Letter only. No recall inspection is recommended. A Warning Letter was issued and sent to the licensee, dated February 28, 2018. Viols ROV ONLY No Recall Inspection	

<input checked="" type="checkbox"/> REVIEWED <input checked="" type="checkbox"/> CONCUR <input checked="" type="checkbox"/> SEE COMMENTS <input checked="" type="checkbox"/> FINAL DISPOSITION	
SIGNATURE AND TITLE (b)(6) Supervisor	REVIEW DATE 02/28/2018

ROUTING SEQUENCE AND DATE

- ☐ 1. _____
☐ 2. _____
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CONTROL FILE POSTED DATE _____

Report of Violations

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License/Permit/Registry Number (If any) 584043010E07907	Expiration Date 5/1/2020	Date(s) or Period of Inspection 12/13/2016 through 12/14/2017				

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 conduct a new NICS check after initial 30 day NICS check was no longer valid (b)(3)-11214 instance. The instance was on ATF Form 4473 (Revised April 2012).

Citation: 27 CFR 478.102(c)
- Date Corrections to be Made:
(If not corrected immediately)

Corrective Action to be Taken: (If not corrected immediately)

Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee. Ensure that NICS is contacted or document a valid exception prior to a firearm transfer to a non-licensee.
- Number: 2

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)-11214 forms (b)(3) firearms total).

In (b)(3)-11214 instances, with a total of (b)(3)-11214 firearms, the licensee failed to submit ATF Form 3310.4 as required. These (b)(3)-11214 instances were identified on ATF Forms 4473 (Revised October 2016).

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 all instances cited on January 3, 2018. Going forward, complete and timely submit ATF Form 3310.4 as required under ATF regulations.

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 Brand Used Works, LLC Brand Used Works	Street Address 855 5th Street	City Penrose	State CO	Zip Code 81240-	County Fremont	Page 2 of 3 Pages
License/Permit/Registry Number (If any) 584043010E07907	Expiration Date 5/1/2020	Date(s) or Period of Inspection 12/13/2016 through 12/14/2017				

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 ensure that ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee in (b)(3)-(b)(7) instance. The instance was on ATF Form 4473 (Revised October 2016).

(b)(3)-(b)(7) form, Item 37 (Date Transferred) was incorrectly completed.

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)

It is suggested that the licensee attempt to correct the violation on a copy of the ATF Form 4473. Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee.

Number: 4

Nature of Violation:

Licensee failed to ensure that ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee in (b)(3)-(b)(7) instance. The instance was on ATF Form 4473 (Revised October 2016).

(b)(3)-(b)(7) form, Item 15 (Certification Date) was incorrectly completed.

Citation: 27 CFR 478.124(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

It is suggested that the licensee attempt to correct the violation on a copy of the ATF Form 4473. Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee.

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 Brand Used Works, LLC Brand Used Works	Street Address 855 5th Street	City Penrose	State CO	Zip Code 81240-	County Fremont	Page 3 of 3 Pages
License/Permit/Registry Number (If any) 584043010E07907	Expiration Date 5/1/2020	Date(s) or Period of Inspection 12/13/2016 through 12/14/2017				

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 ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee (b)(6) instance. The instance was on ATF Form 4473 (Revised October 2016).

C (b)(6) m, Item 16 (Type of Firearm to be transferred) was incorrectly completed.

Citation: 27 CFR 478.21(a)

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

Corrective Action to be Taken: (If not corrected immediately) It is suggested that the licensee attempt to correct the violation on a copy of the ATF Form 4473. Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee.

I Have Received a Copy of This Report of Violations (Proprietor's signature and title) <i>Klampon Managing member</i>	Date <i>8/16/18</i>
Signature of <i>(b)(6) Federal Firearms Investigator</i>	Date <i>8/16/2018</i>

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
Trade Name: Brand Used Works

UI#: 788020-2018-0081-B1B
FFL#: 5-84-043-01-0E-07907

Address: 855 5th St.
Penrose, CO 81240 Fremont County

1 - Introduction

Inspection Profile:

On December 20, 2017, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator (IOI) (b)(6) conducted an On-Site Full Scope Compliance Firearms Disposition Emphasis Inspection of an ATF Type-01, Federal Firearms Dealer licensee, Brand Used Works, LLC d.b.a. Brand Used Works. The period of inspection was from December 13, 2016 through December 14, 2017 and inspection date range was from December 20, 2017 to January 11, 2018. IOI (b)(6) confirmed the identity of owner and responsible person Mrs. Kimberly Lampron by reviewing a State of Nevada Driver's License ((b)(6)) Expiring 4/13/2021). Mrs. Lampron is the only responsible person.

IOI (b)(6) queried the responsible person in N-Force and FLS. Results were negative for involvement in a criminal investigation and negative for association with a FFL that was the subject of administrative action or revocation. IOI (b)(6) ran the responsible person in Open Fox and no prohibiting information was discovered.

Business Profile:

The firearms business premises is located within a residential area in an urban area. The business is located in an office area at the back of the home. The firearms are stored in a locked shipping container located outside on the property. Approximately (b)(4) firearms (handguns and long guns) were acquired and approximately (b)(4) firearms were disposed within the last 12 months. The majority of acquisitions are used firearms from other licensees and there is no primary supplier. No transfers were made at gun shows. The licensee sets up firearms auctions, mainly online, and then conducts transfers at her business premises, but also transfers some firearms to other licensees who then transfer the firearms to the non-licensee. There are no other businesses being conducted at the premises. The licensee does not hold any other ATF or State and local licenses. The licensee has held an ATF license since 2015, but under a different license number, since a change of address inspection was conducted in July 2017 when the licensee moved from Nevada. There are no off-site storage locations.

Ownership and Control:

Mrs. Lampron is the only responsible person (RP) listed on the license. The

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
Trade Name: Brand Used Works

UI#: 788020-2018-0081-B1B
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business is a limited liability company and Mrs. Lampron is the only managing member with 100 percent ownership. The responsible person is correctly shown and no changes and/or corrections are needed to the FLS database.

Variance:

The licensee does not hold any variances.

2 - Recommendation

Viols, WL ONLY and No Recall Inspection.

3 - Inspection History

There were three inspections conducted in the last five years.

Date and Type of Inspection: July 27, 2017; Change of Address Inspection

UI#: 788020-2017-0291-B1B

Inspection Results: Application Approved

Cited Violations: None

Date and Type of Inspection: May 8, 2015; Special Request Inspection

UI#: 786090-2015-0188-B1B

Inspection Results: Special Request Completed

Cited Violations: None

Date and Type of Inspection: April 2, 2014; Qualification Inspection

UI#: 786090-2014-0127-B1B

Inspection Results: Application Approved

Cited Violations: None

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

The licensee had 135 firearms in inventory and it matched with the open entries in the A&D record. There were no discrepancies and the reconciliation was completed. The licensee submitted no theft or loss reports during the inspection period. The A&D record is in the proper format, all the required information is accurate, and the entries are timely made. There are no trafficking issues relating to acquisition and disposition of firearms. There were no firearms with obliterated serial numbers or illegal firearms present. The licensee makes the A&D entries as soon as they occur and assigns a lot number to each firearm, as well as an individual book number. This process expedites the search of each firearm in the A&D without having to go through entire record to find a specific firearm. No violations were discovered.

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
Trade Name: Brand Used Works

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5 - ATF Forms 4473 – NICS & Other Dispositions

(b)(3) ATF Forms 4473 were on file for the last 12 months and all (b)(3) ATF 4473's were examined. The majority of all the firearm transfers are made properly since Mrs. Lampron made it a point to go through each form carefully in order to provide accurate and correctly completed forms. The FFL audit log verification was accurately reflected on the corresponding 4473's. IOI (b)(6) obtained the Federal Bureau of Investigation (FBI)/Colorado Bureau of Investigation (CBI) NICS audit log for the inspection period. The FBI/CBI NICS audit log returned 12 entries that were verified after checking the associated 4473's. The remaining (b)(3) 4473's were transfers that occurred while the licensee was still at their old Nevada location and no NICS log was available due to the FBI purging those records after 90 days.

Mrs. Lampron stated that she makes sure all of the 4473's are filled out accurately and correctly in order to avoid making any mistakes. She was adamant that every aspect of filling out forms and inputting data is taken very seriously. She completed every form that was reviewed. There were no forms filled out by anyone else. In (b)(3) - 112 instance, a NICS violation occurred due to the licensee failing to run new check after initial NICS check expired and the firearm was subsequently transferred without running a new NICS. IOI (b)(6) queried the associated transferee in OpenFox and no prohibiting information was returned. **Violation #1. Reference Worksheet 2 and Exhibit 1.**

6 - Multiple Sales

There were (b)(3) - 112 multiple sales reported during the inspection period on the Violent Crime Analysis Branch FFL Master Query. There were (b)(3) - 112 unreported multiple sales, for (b)(3) - 112 handguns each transfer, made on (b)(3) - 112 Public Law 55 125 Stat 552. Mrs. Lampron insisted she filled out those forms and submitted them as soon as they occurred and forgot to fill out and submit the (b)(3) - 112 unreported multiple sales forms. Mrs. Lampron submitted a multiple sale form for each transaction at time of discovery on January 3, 2018. **Violation #2. Reference Worksheet 2 and Exhibit 2.**

7 - Suspicious/Prohibited Purchasers

There were no possible traffickers, straw purchasers or any other suspicious purchasers in the last 12 months. There were no computerized criminal history checks resulting in hits (persons). No referrals were made as result of this inspection. There were no discrepancies and no violations were discovered.

8 - Trace Activity

There were (b)(3) - 112 traces in the last 12 months. All of the traces were resolved. (b)(3) - 112 Public Law

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
Trade Name: Brand Used Works

UI#: 788020-2018-0081-B1B
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(b)(3) - 112 Public Law 55 125 Stat 552

Five firearms were queried as part of a secondary market analysis with no hits returned. There were no discrepancies and no violations were discovered.

9 - NFA/Importer/Collector/Manufacturer

The licensee does not hold any NFA Special Taxpayer Licenses and does not import, collect or manufacturer.

10 - Referrals

No referrals were made as result of this inspection.

11 - Other

No other findings disclosed during the inspection.

12 - Closing Actions

On January 11, 2018, IOI (b)(6) held a closing conference with Mrs. Lampron. The Acknowledgement of Federal Firearms Regulations was presented to and signed by Mrs. Lampron [Exhibit 7]. IOI (b)(6) discussed all violations on the Report of Violations (ATF Form 5030.5) with Mrs. Lampron who stated that she understood the violations and the corrective actions to be taken. Mrs. Lampron signed the Report of Violations on January 16, 2018, after an amendment was made to the report [Exhibit 6].

13 - Violations

1. 27 CFR 478.102(c)

Nature of violation:

Licensee failed to conduct a new NICS check after initial 30 day NICS check was no longer valid in (b)(3)-112 instance. The (b)(3)-112 instance was on ATF Form 4473 (Revised April 2012).

Licensee's response:

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
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The licensee stated that, "I was unaware that I had to do a completely new form once the NICS was run the first time and I will make sure that a new NICS will be run if the initial 30 days expires on any 4473 form in the future."

Corrective action:

Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee. Ensure that NICS is contacted or document a valid exception prior to a firearm transfer to a non-licensee.

Reference Worksheet 2 (ATF Form 4473 Revised April 2012) and Exhibit 1.

2. **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 P forms/ (b)(3)-112 P firearms total).

In (b)(3)-112 P instances, with a total of (b)(3)-112 P firearms, the licensee failed to submit ATF Form 3310.4 as required. These (b)(3)-112 P instances were identified on ATF Forms 4473 (Revised October 2016).

Licensee's response:

The licensee stated, "I simply forgot to fill out the multiple sale forms since I get busy filling out many 4473 forms at one time. I will be more careful in the future since I'm usually very good with paperwork."

Corrective action:

Licensee completed and submitted ATF Form 3310.4 for all instances cited on January 3, 2018. Going forward, complete and timely submit ATF Form 3310.4 as required under ATF regulations.

Reference Worksheet 2 (ATF Form 4473 Revised October 2016) and Exhibits 2.

3. **27 CFR 478.124(c)(5)**

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
Trade Name: Brand Used Works

UI#: 788020-2018-0081-B1B
FFL#: 5-84-043-01-0E-07907

Nature of violation:

Licensee failed to ensure that ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee in [REDACTED] instance. The instance was on ATF Form 4473 (Revised October 2016).

On [REDACTED] form, Item 37 (Date Transferred) was incorrectly completed.

Licensee's response:

The licensee stated, "I simply was rushed and accidentally put the incorrect year down on the transfer date. I will look over those dates more carefully in the future."

Corrective action:

It is suggested that the licensee attempt to correct the violation on a copy of the ATF Form 4473. Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee.

Reference Worksheet 2 (ATF Form 4473 Revised October 2016) and Exhibit 3.

4. 27 CFR 478.124(c)(1)

Nature of violation:

Licensee failed to ensure that ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee [REDACTED] instance. The instance was on ATF Form 4473 (Revised October 2016).

On [REDACTED] form, Item 15 (Certification Date) was incorrectly completed.

Licensee's response:

The licensee stated, "I simply was rushed and accidentally looked over the transferee's information too quickly without seeing the error. I will look over the transferee's information more carefully in the future."

Corrective action:

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
Trade Name: Brand Used Works

UI#: 788020-2018-0081-B1B
FFL#: 5-84-043-01-0E-07907

It is suggested that the licensee attempt to correct the violation on a copy of the ATF Form 4473. Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee.

Reference Worksheet 2 (ATF Form 4473 Revised October 2016) and Exhibit 4.

5. **27 CFR 478.21(a)**

Nature of violation:

Licensee failed to ensure that ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee [REDACTED] instance. The instance was on ATF Form 4473 (Revised October 2016).

[REDACTED] form, Item 16 (Type of Firearm to be transferred) was incorrectly completed.

Licensee's response:

The licensee stated, "I simply was rushed and forgot to check off handgun, along with the long gun being checked off. I will look over the type of firearm information more carefully in the future to make sure the correct ones are checked."

Corrective action:

It is suggested that the licensee attempt to correct the violation on a copy of the ATF Form 4473. Going forward, ensure the ATF Form 4473 was executed completely and accurately prior to the transfer of a firearm to a non-licensee.

Reference Worksheet 2 (ATF Form 4473 Revised October 2016) and Exhibit 5.

X

Industry Operations Investigator

FIREARMS INSPECTION REPORT

Name: Brand Used Works, LLC
Trade Name: Brand Used Works

UI#: 788020-2018-0081-B1B
FFL#: 5-84-043-01-0E-07907

Index of Worksheets and Exhibits

Worksheet 2 – ATF Form 4473 (Revised April 2012)

Worksheet 2 – ATF Form 4473 (Revised October 2016)

Exhibit 1 – ATF Form 4473 NICS check over 30 days

Exhibit 2 – ATF Form 4473 Multiple Sale Not Completed

Exhibit 3 – ATF Form 4473 Incorrect Transfer Date

Exhibit 4 – ATF Form 4473 Incorrect Certification Date

Exhibit 5 – ATF Form 4473 Type of Firearm to be transferred

Exhibit 6 – Report of Violations

Exhibit 7 – Acknowledgement of Federal Firearms Regulations



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
950 17th Street, Suite 1800
Denver, CO 80202

www.atf.gov

788020 (b)(6)
5373

February 28, 2018

WARNING LETTER

Mrs. Kimberly Lampron
Brand Used Works, LLC
855 5th Street
Penrose, CO 81240

Re: Federal Firearms License Number: 5-84-043-01-0E-07907

Dear Mrs. Lampron:

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 855 5th Street., Penrose, CO, on December 20, 2017 through January 11, 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). 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.

Mrs. Kimberly Lampron
Brand Used Works, LLC
5-84-043-01-0E-07907

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 explosives 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)

(b)(6)

Area Supervisor

cc: Federal Firearms Licensing Center
Denver III Area Office

Attachment