

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Old West Gun Room Inc 3509 Carlson Blvd El Cerrito, CA 94530, Contra Costa		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 786060-2016-0053-B1B		
		3. PERMIT/LICENSE NUMBER 968013017C24016	4a. TARGET DATE	4b. TARGET HOURS
		5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		
6. ATF OFFICER(S) ASSIGNED (b)(6) - Assigned Investigator (b)(6) - Assigned Investigator (b)(6) - Lead Investigator (b)(6) - Assigned Investigator				
7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6), Area Supervisor, 10/21/2015				
8. PURPOSE/SPECIAL INSTRUCTIONS				
9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC				
NO. OF VIOLATIONS	6	NO. OF REFERRALS		2111 - PER DIEM
NO. OF TECS CHECKS	1	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: 01/20/2016 Report of Violations Warning Letter ONLY and Recall Inspection Viols WL ONLY and Recall Inspection				
12. TIME ACCOUNTING DATA				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)		
JAN 2016		16.00		
ATF OFFICER'S SUBTOTAL		16.00	ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)		
JAN 2016		16.00		
ATF OFFICER'S SUBTOTAL		16.00	ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)		
JAN 2016		52.00		
ATF OFFICER'S SUBTOTAL		52.00	ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)		
JAN 2016		16.00		
ATF OFFICER'S SUBTOTAL		16.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS		100.00		

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1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Old West Gun Room Inc 3509 Carlson Blvd El Cerrito, CA 94530, Contra Costa	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 786060-2016-0053-B1B		
	3. PERMIT/LICENSE NUMBER 968013017C24016	4a. TARGET DATE	4b. TARGET HOURS
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13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION
Viols WL ONLY and No Recall Inspection

☒ REVIEWED ☒ CONCUR ☐ SEE COMMENTS ☒ FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - NSPECT Program Manager	REVIEW DATE 03/08/2016
--	---------------------------

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 Old West Gun Room Inc	Street Address 3509 Carlson Blvd	City El Cerrito	State CA	Zip Code 94530-	County Contra Costa	Page 1 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 968013017C24016		Expiration Date 3/7/1984	Date(s) or Period of Inspection 01/06/2015 through 01/05/2016			

Inspection Results

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

Number: 1

Nature of Violation:

Failure to furnish all required information as indicated by the headings and instructions on the prescribed ATF Form 4473 - Firearms Transaction Record Part I - Over-the-Counter.

Item #31 - [REDACTED] instance in which the Trade/corporate name and address of transferor was left blank.

Item #32 - [REDACTED] instance in which the Federal Firearms License Number was left blank.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Licensee was instructed of their responsibility and legal obligation to verify executed ATF Form 4473 – Firearm Transaction Record, Part I, Over-The-Counter, for completeness, accuracy and correctness before completing the transfer of a firearm to a non-licensee as required by the Gun Control Act (GCA) and regulations promulgated thereunder. Licensee was referred to, reviewed and discussed regulatory requirements as applicable. Future compliance will be implemented immediately upon issuance of ATF Form 5030.5 – Report of Violations. Licensee was advised that future violations of regulations promulgated under the Gun Control Act (GCA) will be considered willful disregard or indifference to their legal obligation and responsibility under the Act. Future violations could result in adverse actions, to include but not limited to revocation or denial of application (renewal).

Citation: 27 CFR 478.21(a)

Report of Violations

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Name of Proprietor Old West Gun Room Inc	Street Address 3509 Carlson Blvd	City El Cerrito	State CA	Zip Code 94530-	County Contra Costa	Page 2 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 968013017C24016		Expiration Date 3/7/1984	Date(s) or Period of Inspection 01/06/2015 through 01/05/2016			

Inspection Results

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

Number: 2	Date Corrections to be Made: <i>(If not corrected immediately)</i>
Nature of Violation: Failure to obtain all information required in Section A of ATF Form 4473 - Firearms Transaction Record Part I - Over-the-Counter.	Corrective Action to be Taken: <i>(If not corrected immediately)</i>
Item #1 - (b)(3), Public Law instances in which the middle name was left blank.	Licensee was instructed of their responsibility and legal obligation to verify executed ATF Form 4473 – Firearm Transaction Record, Part I, Over-The-Counter, for completeness, accuracy and correctness before completing the transfer of a firearm to a non-licensee as required by the Gun Control Act (GCA) and regulations promulgated thereunder. Licensee was referred to, reviewed and discussed regulatory requirements as applicable. Future compliance will be implemented immediately upon issuance of ATF Form 5030.5 – Report of Violations. Licensee was advised that future violations of regulations promulgated under the Gun Control Act (GCA) will be considered willful disregard or indifference to their legal obligation and responsibility under the Act. Future violations could result in adverse actions, to include but not limited to revocation or denial of application (renewal).
Item #2 - (b)(3), Public Law instance in which the Current Residence Address was incorrect, the county field did not list a valid county.	
Item #3 - (b)(3), Public Law instances in which place of birth contained only the state name or was incorrectly abbreviated..	
Citation: 27 CFR 478.124(c)(1)	

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License/Permit/Registry Number <i>(If any)</i> 968013017C24016		Expiration Date 3/7/1984	Date(s) or Period of Inspection 01/06/2015 through 01/05/2016			

Inspection Results

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

Number: 3	Date Corrections to be Made: <i>(If not corrected immediately)</i>
Nature of Violation: Failure to properly verify and record the identifying document of the transferee on form 4473.	Corrective Action to be Taken: <i>(If not corrected immediately)</i>
Item #20a – [REDACTED] instance in which the identification document was expired.	Licensee was instructed of their responsibility and legal obligation to verify executed ATF Form 4473 – Firearm Transaction Record, Part I, Over-The-Counter, for completeness, accuracy and correctness before completing the transfer of a firearm to a non-licensee as required by the Gun Control Act (GCA) and regulations promulgated thereunder. Licensee was referred to, reviewed and discussed regulatory requirements as applicable. Future compliance will be implemented immediately upon issuance of ATF Form 5030.5 – Report of Violations. Licensee was advised that future violations of regulations promulgated under the Gun Control Act (GCA) will be considered willful disregard or indifference to their legal obligation and responsibility under the Act. Future violations could result in adverse actions, to include but not limited to revocation or denial of application (renewal).
Citation: 27 CFR 478.124(c)(3)(i)	

Report of Violations

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Name of Proprietor Old West Gun Room Inc	Street Address 3509 Carlson Blvd	City El Cerrito	State CA	Zip Code 94530-	County Contra Costa	Page 4 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 968013017C24016		Expiration Date 3/7/1984	Date(s) or Period of Inspection 01/06/2015 through 01/05/2016			

Inspection Results

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

Number: 4

Nature of Violation:

Failure to properly prepare and execute a Report of Multiple Sale or Other Disposition of Pistols and Revolvers.

Instances: 1 instances in which ATF Form 3310.4 - Report of Multiple Sale or Other Disposition of Pistols and Revolvers was not completed.

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

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

Licensee was instructed of their responsibility and legal obligation to ensure that ATF Form 3310.4 - Report of Multiple Sale or Other Disposition of Pistols and Revolvers are completed and submitted accurately and correctly as required by the Gun Control Act (GCA) and regulations promulgated thereunder. Licensee was referred to, reviewed and discussed regulatory requirements as applicable. Licensee completed and submitted the required form. Future compliance will be implemented immediately upon issuance of ATF Form 5030.5 – Report of Violations. Licensee was advised that future violations of regulations promulgated under the Gun Control Act (GCA) will be considered willful disregard or indifference to their legal obligation and responsibility under the Act. Future violations could result in adverse actions, to include but not limited to revocation or denial of application (renewal).

Citation: 27 CFR 478.126a

Report of Violations

Instructions

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Name of Proprietor Old West Gun Room Inc	Street Address 3509 Carlson Blvd	City El Cerrito	State CA	Zip Code 94530-	County Contra Costa	Page 5 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 968013017C24016	Expiration Date 3/7/1984	Date(s) or Period of Inspection 01/06/2015 through 01/05/2016				

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:

Failure to record in the A&D record the acquisition of the following firearms:

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

Failure to annotate the acquisition and disposition of firearms in the A&D logbook as prescribed by ATF regulations in (b)(3), Public Law 112-55, 125 Stat. 552 instances in which the following firearms were logged out when they were located in inventory:

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

Failure to record in the A&D record the disposition of the following firearms within 7 days of transfer:

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

All required acquisition and disposition entries were made. IOI (b)(6) reminded the licensee that all acquisition firearm information must to be recorded by the close of the next business day and disposition information within 7 days following the sale/disposition as required by the Gun Control Act (GCA) and regulations promulgated thereunder. Licensee was referred to, reviewed and discussed regulatory requirements as applicable. Future compliance will be implemented immediately upon issuance of ATF Form 5030.5 – Report of Violations. Licensee was advised that future violations of regulations promulgated under the Gun Control Act (GCA) will be considered willful disregard or indifference to his legal obligation and responsibility under the Act. Future violations could result in adverse actions, to include but not limited to revocation or denial of application (renewal).. IOI (b)(6) reminded the licensee that the licensee's A&D logbook should show a true and accurate record of what is in the licensee's physical firearm inventory.

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Report of Violations

Instructions

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License/Permit/Registry Number (If any) 968013017C24016	Expiration Date 3/7/1984	Date(s) or Period of Inspection 01/06/2015 through 01/05/2016				

Inspection Results

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

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

Citation: 27 CFR 478.125(e)

Number: 6

Nature of Violation:
Failure to display where customers can readily see it, sign ATF I 5300.1

Citation: 27 CFR 478.103(d)

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

Corrective Action to be Taken: IOI (b)(6) provided sign ATF I 5300.1 and instructed licensee to display it where customers could readily see it.
(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

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ATF E-Form 5030 5
Revised April 2005



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

5601 Arnold Road, Suite 400 Dublin CA 94568

786060

www.atf.gov

March 7, 2016

Old West Gun Room Inc
3509 Carlson Blvd
El Cerrito, CA 94530-
RE: 968013017C24016

Dear Mr. Robert Weaver:

During a recent inspection at your firearms business covering the period January 6, 2015 to January 6, 2016 you were cited for violations of Title 27, Code of Federal Regulations, Part 478. A copy of the Report of Violations, ATF F 5030.5, issued at the time of the inspection is enclosed.

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

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing efforts to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business. This is critical to carrying out our mission to protect the public and to ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area. We look forward to continuing to work with you in that regard.

You are reminded that retention of your Federal firearms license is conditioned upon your compliance with Federal laws and regulations. Any future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license. Please ensure that future compliance is achieved.

Old West Gun Room Inc

Should you have any questions regarding this matter, please contact (b)(6), Area Supervisor at (b)(6).

Sincerely yours

(b)(6)

Area Supervisor

c: Dublin III Area Office File

FIREARMS INSPECTION REPORT

Name: The Old West Gun Room Inc
Trade Name:

UI#: 786060-2016-0053-B1B
FFL#: 9 68 013 01 7C 24016

Address: 3509 Carlson Blvd
El Cerrito, CA 94530

1 - Introduction

Inspection Profile:

On January 5, 2016, a Firearms Disposition Emphasis Inspection was conducted at the above referenced business address by Industry Operations Investigators (IOI) (b)(6). No State or local authorities participated in this inspection.

Interviewed was Mr. Robert Weaver, CEO, as identified by his California Driver's License (b)(6).

The inspection period covered was January 6, 2015 thru January 5, 2016. The scope of the inspection was to determine licensee's compliance with federal, state, and local requirements, including zoning, occupational licensure, examination of required records, and inventory for indications of trafficking in firearms, and proper execution and maintenance of required records of a licensed firearms dealer. Advanced notification was not given.

Business Profile:

The Old West Gun Room Inc. sells new and used handguns and long guns to the general public. They also sell ammunition, gun holsters, riflescopes, and other miscellaneous firearm related items. They are located in a commercial building near several other commercial structures as well as residences in an urban setting.

During the last 12 months of business the licensee has acquired (b)(4) firearms, (b)(4) of which were new (b)(4) handguns and (b)(4) long guns) and (b)(4) of which were used (b)(4) handguns and (b)(4) long guns) and (b)(4) for gunsmithing (b)(4) handguns and (b)(4) long guns) and disposed of (b)(4) firearms (b)(4) handguns and (b)(4) long guns). The licensee's business profile is (b)(4) retail (b)(4) wholesale and (b)(4) gunsmithing. New firearms account for (b)(4) and used second-hand firearms account for (b)(4) of the business. Primary suppliers include (b)(4). They do not participate at gun shows. They do not conduct internet sales but they do have a website (www.oldwestgunroom.com). There are no other businesses conducted from the premises.

FIREARMS INSPECTION REPORT

Name: The Old West Gun Room Inc
Trade Name:

UI#: 786060-2016-0053-B1B
FFL#: 9 68 013 01 7C 24016

Licensee possesses the following Local and State licenses and permits: Retail Firearm Dealer's License issued by El Cerrito Police Department, Business License issued by the City of El Cerrito, Certificate of Eligibility issued by the State of California and Large Capacity Magazine Permit issued by the State of California (Exhibit 1). Licensee has held an ATF license for just under 32 years. No off-site storage locations are utilized.

Ownership and Control:

Mr. Weaver is the President and CEO of The Old West Gun Room Inc. There are no other responsible persons on the license. No hidden ownership is suspected. There have been no unreported changes. The responsible person is correctly shown in the Federal Licensing System. IOI (b)(6) conducted an Openfox/National Crime Information Center (NCIC) check on the aforementioned person listed above. There was no derogatory information disclosed for him.

Variance:

The Old West Gun Room Inc is not operating under a variance nor requested one at the time of the inspection.

2 - Recommendation

Report of Violations | Warning Letter ONLY and Recall Inspection

3 - Inspection History

Date of Inspection: 3/01/10
Type of Inspection: Disposition Emphasis
UI#: 786060-2010-0078-B1B
Inspection Results: Report of Violations only and no recall
Cited Violations: 27 CFR 478.125(e)

Date of Inspection: 11/2007
Type of Inspection: Compliance
UI#: 786075-2008-0015
Inspection Results: Report of Violations only and recall
Cited Violations: 27 CFR 478.124(c)(1)

FIREARMS INSPECTION REPORT

Name: The Old West Gun Room Inc
Trade Name:

UI#: 786060-2016-0053-B1B
FFL#: 9 68 013 01 7C 24016

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

A complete serial number inventory was conducted and disclosed that the licensee had two hundred ninety-one (291) firearms in physical inventory. A review of the Acquisition & Disposition (A&D) logbook disclosed that there were [REDACTED] open entries.

Licensee was cited for the following violations:

1. Failure to record in the A&D record the acquisition of [REDACTED] firearms.
2. Failure to record in the A&D record the disposition of [REDACTED] firearms.
3. Recording a disposition in the A&D record of [REDACTED] firearms which were still in inventory.

No theft or loss reports were submitted during the inspection period. Licensee maintains his record of acquisitions and dispositions on a computer using OpenOffice Calc. The books were in the proper format. Twenty firearms were traced through the licensee's required records from acquisition through disposition, no discrepancies were noted. The licensee's standard operating procedures relevant to the A&D record and inventory was inadequate. IOI (b)(6) provided training to explain the requirements, timing and completeness of Acquisition & Disposition book entries.

Reference Report of Violations #5, Firearms Compliance Inspection Worksheet – Worksheet 1 and Exhibits 2 and 3.

5 - ATF Forms 4473 – NICS & Other Dispositions

There were [REDACTED] ATF Form 4473 - Firearms Transaction Record Part I - Over-the-Counter on file for the inspection period of January 2015 thru January 2016. All ATF Forms 4473 were inspected.

While reviewing the ATF Forms 4473 for accuracy, they were examined for any possible firearm traffickers. Special attention was given to names, addresses, number of firearms purchased by an individual, types of firearms being sold, country of birth, etc. Transfers to other licensees were not conducted. There were no sales to law enforcement officers for duty purposes. The California Dealer's Record of Sales (DROS) provided a report of background check approval/denial/cancellation transaction numbers for the inspection period. The number of transactions reported was seven hundred seventy (770), which included denials and cancellations. Seven hundred seven (707) of these transactions were verified during the examination of ATF Forms 4473 -

FIREARMS INSPECTION REPORT

Name: The Old West Gun Room Inc
Trade Name:

UI#: 786060-2016-0053-B1B
FFL#: 9 68 013 01 7C 24016

Firearms Transaction Record Part I - Over-the-Counter. The number of transactions provided was consistent with the number of ATF Forms 4473 on hand for the inspection period. All transaction numbers from ATF Forms 4473 appeared in the DROS report. Standard operating procedures have not satisfactorily been followed however, industry member stated he would make positive changes to improve his record-keeping.

Licensee was cited for the following violations:

- 1) Licensee failed to furnish all required information as indicated by the headings and instructions on the prescribed form 4473 - Firearms Transaction Record Part I - Over-the-Counter before transferring a firearm to a non-licensee as follows:
 - a. (b)(3) 112 Public Law 55 instance in which the Trade/corporate name and address of transferor was left blank.
 - b. (b)(3) 112 Public Law 55 instance in which the Federal Firearms License Number was left blank.
- 2) Failure to obtain all information required in Section A of ATF Form 4473.
 - a. (b)(3) 112 Public Law 55 instances in which the middle name was left blank.
 - b. (b)(3) 112 Public Law 55 instance in which the Current Residence Address was incorrect, the county field did not list a valid county.
 - c. (b)(3) 112 Public Law 55 instances in which place of birth contained only the state name or was incorrectly abbreviated.
- 3) Failure to properly verify and record the identifying document of the transferee on form 4473.
 - a. (b)(3) 112 Public Law 55 instance in which the identification document was expired.

Reference Report of Violations #1 through #3, Firearms Compliance Inspection Worksheet – Worksheet 2-4473(2012 edition) and Exhibit 4.

6 - Multiple Sales

An FFL history was requested from the Violent Crime Analysis Branch (VCAB). The number of multiple sales reported by the licensee was (b)(3) 112 Public Law 55 125 STAT 552 involving (b)(3) 112 Public Law 55 firearms. Licensee was cited for the following violation:

1. Failure to properly prepare and execute a Report of Multiple Sale or Other Disposition of Pistols and Revolvers.
 - a. (b)(3) 112 Public Law 55 instances in which ATF Form 3310.4 - Report of Multiple Sale or Other Disposition of Pistols and Revolvers was not completed.

Reference Report of Violation #4, Firearms Compliance Inspection Worksheet – Worksheet 2-4473(2012 edition) and Exhibit 5.

FIREARMS INSPECTION REPORT

Name: The Old West Gun Room Inc
Trade Name:

UI#: 786060-2016-0053-B1B
FFL#: 9 68 013 01 7C 24016

7 - Suspicious/Prohibited Purchasers

No traffickers, straw purchasers, prohibited persons, or any other suspicious purchasers were identified during the inspection.

8 - Trace Activity

A Federal Firearm Licensee (FFL) history was requested from the Violent Crime Analysis Branch (VCAB) for the last 12 months. There were (b)(3) 112 Public Law 86 125 STAT 552 trace requests.

During the last 12 months of business the licensee acquired (b)(4) used firearms and sold (b)(4) during the same time period.

9 - NFA/Importer/Collector/Manufacturer

The Old West Gun Room Inc is not a National Firearms Act dealer, importer or collector. A query of the National Firearm Registration And Transfer Record revealed no firearms in inventory.

10 - Referrals

No referrals were generated as a result of this inspection.

11 - Other

Licensee was not in compliance with the Youth Handgun Safety Act and was cited for the following violation:

Failure to display where customers can readily see it, sign ATF I 5300.1.

Reference Report of Violations #6.

12 - Closing Actions

A closing conference was held on January 15th, 2016 with IOI (b)(6) and Mr. Robert Weaver, owner. Licensee was instructed on his responsibility as a Federal Firearms Licensee to adhere and comply with all laws and regulations regulating the commerce of firearms and the conduct of business as regulated by the Gun Control Act (GCA).

FIREARMS INSPECTION REPORT

Name: The Old West Gun Room Inc
Trade Name:

UI#: 786060-2016-0053-B1B
FFL#: 9 68 013 01 7C 24016

Licensee was advised that non-compliance with prescribed regulations can be considered as willful violations to the Act, which could result in adverse actions, to include revocation or denial of license renewal.

A review of the Federal Firearms Regulations was conducted. All sections of the Acknowledgement of Federal Firearms Regulations applicable to the business activity were discussed. Mr. Weaver acknowledged that he was responsible for familiarizing himself on all laws and regulations. Mr. Weaver signed the Acknowledgement of Federal Firearms Regulations (Exhibit 6).

IOI (b)(6) reviewed with Mr. Weaver the following forms and publications and offered copies:

ATF P5300.4 - Federal Firearms Regulations Reference Guide
ATF P 5300.15 - Federal Firearms Licensee Quick Reference and Best Practices Guide;
ATF Ruling 2013-5 Computerized Acquisition and Disposition Records;
ATF Form 4473 - Firearms Transaction Record;
ATF Form 3310.4 - Report of Multiple Sale or Other Disposition of Pistols and Revolvers;
ATF Form 3310.12 - Report of Multiple Sale or Other Disposition of Certain Rifles;
ATF Form 3310.11 - FFL Firearms Inventory Theft/Loss Report;
State of California - Sales and Transfers of firearms (excerpt)
ATF I 5300.23A - Important Notice to Dealers and Other Participants at this Gun Show
California Dealer requirements;
ATF I 5300.1 - Youth Handgun Safety Act poster;
ATF I 5300.2 - Youth Handgun Safety Act Notice;
ATF P 3317.2 - Safety and Security Information for Federal Firearms Licensees
ATF P 3317.7 - Disaster Preparedness for Federal Firearms Licensees
San Francisco Phone list and ATF phone numbers

Mr. Weaver was provided with ATF's website address and instructions on how to subscribe to ATF's email newsletters and updates.

13 - Violations

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

Nature of violation:

Failure to furnish all required information as indicated by the headings and instructions

FIREARMS INSPECTION REPORT

Name: The Old West Gun Room Inc
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UI#: 786060-2016-0053-B1B
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on the prescribed ATF Form 4473 - Firearms Transaction Record Part I - Over-the-Counter.

1. Item #31 – (b)(3) 112 Public Law instance in which the Trade/corporate name and address of transferor was left blank.
2. Item #32 – (b)(3) 112 Public Law instance in which the Federal Firearms License Number was left blank.

Licensee's response:

Licensee stated, "I forgot."

Corrective action:

IOI (b)(6) instructed the licensee to ensure the completeness and accuracy of ATF Form 4473 - Firearms Transaction Record Part I - Over-the-Counter prior to the transfers of firearms.

2. Reference Worksheet 2-4473(2012 edition), Report of Violations #1 and Exhibit 4.
27 CFR 478.124(c)(1)

"REPEAT OF VIOLATION CITED IN NOVEMBER, 2007."

Nature of violation:

Failure to obtain all information required in Section A of ATF Form 4473 - Firearms Transaction Record Part I - Over-the-Counter.

1. Item #1 – (b)(3) 112 Public Law instances in which the middle name was left blank.
2. Item #2 – (b)(3) 112 Public Law instance in which the Current Residence Address was incorrect, the county field did not list a valid county.
3. Item #3 – (b)(3) 112 Public Law instances in which place of birth contained only the state name or was incorrectly abbreviated.

Licensee's response:

Licensee stated, "I did not know the city had to be spelled out. I was misinformed about abbreviations."

Corrective action:

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IOI (b)(6) instructed the licensee to ensure the completeness and accuracy of ATF Form 4473 - Firearms Transaction Record Part I - Over-the-Counter prior to the transfers of firearms.

3. Reference Worksheet 2-4473(2012 edition), Report of Violations #2 and Exhibit 4.
27 CFR 478.124(c)(3)(i)

Nature of violation:

Failure to properly verify and record the identifying document of the transferee on form 4473.

1. Item #20a – (b)(3) 112 Public Law instance in which the identification document was expired.

Licensee's response:

Licensee stated, "I would have thought the State background check would have caught that. Maybe I just wrote down the wrong number."

Corrective action:

IOI (b)(6) instructed the licensee to ensure the completeness and accuracy of ATF Form 4473 - Firearms Transaction Record Part I - Over-the-Counter prior to the transfers of firearms.

4. Reference Worksheet 2-4473(2012 edition), Report of Violations #3 and Exhibit 4.
27 CFR 478.126a

Nature of violation:

Failure to properly prepare and execute a Report of Multiple Sale or Other Disposition of Pistols and Revolvers.

1. (b)(3) 112 Public Law instances in which ATF Form 3310.4 - Report of Multiple Sale or Other Disposition of Pistols and Revolvers was not completed.

Licensee's response:

Licensee stated, "I did not realize it was 5 business days." [As opposed to 5 calendar

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days]

Corrective action:

All required acquisition and disposition entries were made.

Reference Worksheet 2-4473(2012 edition), Report of Violations #4 and Exhibit 5.

5. **27 CFR 478.125(e)**

“REPEAT OF VIOLATION CITED ON MARCH 1, 2010.”

Nature of violation:

Failure to record in the A&D record the acquisition of the following firearms:

(b)(3) 112 Public Law 55 125 STAT 552



Failure to annotate the acquisition and disposition of firearms in the A&D logbook as prescribed by ATF regulations in (b)(3) 112 Public Law 55 125 STAT 552 instances in which the following firearms were logged out when they were located in inventory:

(b)(3) 112 Public Law 55 125 STAT 552



Failure to record in the A&D record the disposition of the following firearms within 7 days of transfer:

(b)(3) 112 Public Law 55 125 STAT 552



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(b)(3) 112 Public Law 55 125 STAT 552

Licensee's response:

Licensee stated, "That's very bad. No response to that. I promise I'll do better."

Corrective action:

All required acquisition and disposition entries were made.

6. Reference Worksheet 2-4473(2012 edition), Report of Violations #5 and Exhibit 3.
27 CFR 478.103(d)

Nature of violation:

Failure to display where customers can readily see it, sign ATF I 5300.1

Licensee's response:

Licensee stated, "I've fixed that."

Corrective action:

IOI (b)(6) provided a sign instructed the licensee to display it where customers could readily see it.

Reference Report of Violations #6.

(b)(6)	Industry Operations Investigator	1/20/2016
Signature	Title	Date of Report

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