

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Pike County Pawn Shop Inc. 720 West Emmitt Avenue Waverly, OH 45690, Pike	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 773015-2016-0382-B1B		
	3. PERMIT/LICENSE NUMBER 431131029F36113	4a. TARGET DATE 9/30/2016	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, 03/18/2016

8. PURPOSE/SPECIAL INSTRUCTIONS
Conduct Firearms Disposition Emphasis Inspection. Refer to IOI Manual, Chapter C – Firearms Inspections and FY 16 Domain Assessment. Conduct 100% inventory and ATF Form 4473 review unless authorized in advanced by Area Supervisor and DIO.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	2	NO. OF REFERRALS	2	2111 - PER DIEM	
NO. OF TECS CHECKS	99	NO. OF TECS HITS	2	2112 - P.O.A.	
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2113 - COMM. AIR	
		\$ VALUE OF TAX DECREASES		2114 - RENTAL CAR	
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2115 - GPV EXPENSES	
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2116 - MISC.	
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		TOTAL \$ FOR INSP.	

11. ATF OFFICER'S RECOMMENDATION
Submitted by (b) (6) - Industry Operations Investigator

Submitted on: 05/17/2016

Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b) (6)	
APR 2016	1.00		
MAY 2016	49.00		
ATF OFFICER'S SUBTOTAL	50.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	50.00		

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) - Area Supervisor REVIEW DATE: 05/23/2016

ROUTING SEQUENCE AND DATE:
☐ 1. _____
☐ 2. _____
☐ 3. _____
☐ 4. _____
CONTROL FILE POSTED DATE: _____



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

550 Main Street, Room 8-507
Cincinnati, OH 45202

MAY 24 2016

www.atf.gov

773015: (b) (6)
5373

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Pike County Pawn Shop Inc.
720 West Emmitt Avenue
Waverly, OH 45690

4-31-131-02-9F-36113

Dear Ms. Neal,

During a recent compliance inspection at your firearms business covering the period of May 5, 2015, through May 5, 2016, you were cited for violations of 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.

All violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) investigator. You indicated that you understood the requirements of the firearms laws and regulations. You further indicated that corrective actions would be taken to eliminate future violations.

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

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

Pike County Pawn Shop Inc.

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

Sincerely,

(b) (6)

Area Supervisor

Enclosure

cc: National Licensing Center
Cincinnati II (IO) Field Office
Correspondence File

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 Pike County Pawn Shop Inc.	Street Address 720 West Emmitt Avenue	City Waverly	State OH	Zip Code 45690-	County Pike	Page 1 of 1 Pages
License/Permit/Registry Number <i>(If any)</i> 431131029F36113		Expiration Date 6/1/2019	Date(s) or Period of Inspection 05/05/2016 through 05/11/2016			

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 ensure transferee correctly completed certification information on (b)(3) 112 ATF Forms 4473 (b)(3) - Public Law 112-55 (125 Stat. 552)
(b)(3) - Public Law 112-55 (125 Stat. 552)

Citation: 27 CFR 478.99(c)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Ensure that if a transferee answers "Yes" to prohibited person questions in item 11 that no NICS background check is run and the transaction is stopped. This error was made by the transferee and could not be corrected.

Number: 2

Nature of Violation:

Failure to ensure completion of ATF Form 3310.4 in (b)(3) 112 instance - (b)(3) - Public Law 112-55 (125 Stat. 552) ATF Forms 4473 (b)(3) - Public Law 112-55 (125 Stat. 552)

Citation: 27 CFR 478.126a

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

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

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

Date

Signature and Title of ATF Officer

Date

FIREARMS INSPECTION REPORT

Name: Pike County Pawn Shop Inc.
Trade Name:

UI#: 773015-2016-0382-B1B
FFL#: 4-31-131-02-9F-36113

Address: 720 West Emmitt Avenue
Waverly, OH 45690

1 - Introduction

Inspection Profile:

Industry Operations Investigator (IOI) (b)(6) conducted a full firearms compliance inspection beginning 5/5/2016 at the above business premises of Type 02/Pawnbroker Federal Firearm Licensee Pike County Pawn Shop Inc. The review of records and inventory concluded on 5/11/2016. Advanced notification was not provided. Responsible persons Tammy Neal, Kenneth Neal, and Kendy Neal were interviewed during the course of the inspection at the licensed business premises, and licensee gave record/inventory access to IOI (b)(6) during the course of the compliance inspection. The inspection covered the period of 5/5/2015-5/5/2016. The scope of the inspection was a Firearms Disposition Emphasis Inspection. IOI (b)(6) confirmed the identity of Tammy Neal (OH DL (b)(6) expires 3/28/2018) by viewing a valid state of Ohio Drivers License. No other federal, state, or local agencies participated in the investigation.

Business Profile:

The licensed business premises is a storefront located within the City of Waverly, Pike County, Ohio. IOI (b)(6) contacted Zoning Administrator (b)(6) (b)(6) of the City of Waverly (201 W North Street Waverly, OH 45690; (b)(6) (b)(6)) and confirmed the business premises meets all zoning requirements.

The licensee mainly uses the Federal Firearms License (FFL) as a pawnbroker. The licensee's pawnbroker license status with the state of Ohio remains valid. See **Exhibit 1**. Approximately (b)(4) of business operations account for firearms pawned as surety on loan(s) provided by licensee. The licensee also buys and sells new and used handguns and long guns to the general public in Pike County, Ohio. Licensee sells used firearms either having been purchased outright or having become the property of the licensee after loan default. Approximately (b)(4) of business operations are sales of new firearms. Licensee's primary suppliers for new firearms are (b)(4) (b)(4)). The licensee does not do business at gun shows, does not gunsmith, and does not conduct internet sales. The licensee advertises by word of mouth and business cards. There is no off-site storage of firearms. A Type 02/Pawnbroker FFL remains appropriate for the business.

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Name: Pike County Pawn Shop Inc.
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FFL#: 4-31-131-02-9F-36113

During the course of the inspection, it was discovered that the licensee acquired approximately (b)(4) firearms and transferred approximately (b)(4) firearms during the inspection period. At the time of inspection, the licensee had an inventory of (b)(4) firearms. Approximately (b)(4) of sales are new firearms and approximately (b)(4) of sales are used firearms. Pawn redemption accounts for approximately (b)(4) of transactions.

Ownership and Control:

Pike County Pawn Shop Incorporated is registered as a Corporation for Profit with the state of Ohio with an original filing date of 2/2/1995. Responsible Person Kenneth Neal is the active, registered agent effective since 2/2/1995. See **Exhibit 2**. No unreported changes in business structure or hidden ownership were noted. All responsible persons are correctly listed in the Federal Licensing System (FLS) data base.

Variance:

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

2 - Recommendation

Violations, Warning Letter ONLY and No Recall Inspection

3 - Inspection History

Inspection history is listed below:

Date and Type of Inspection: June 2006, Compliance Inspection
UI#: 773015-2006-0235
Inspection Results: No Violations, No Further Action, No Referrals
Cited Violations: None

Date and Type of Inspection: January 2004, Compliance Inspection
UI#: 773015-2004-0126
Inspection Results: Report of Violations
Cited Violations: 27 CFR 478.125(e)

FIREARMS INSPECTION REPORT

Name: Pike County Pawn Shop Inc.
Trade Name:

UI#: 773015-2016-0382-B1B
FFL#: 4-31-131-02-9F-36113

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

In order to check the accuracy of the licensee's bound book record to present inventory, IOI (b)(6) conducted an inventory by comparing the firearms in inventory at the licensed premises to the open dispositions in the bound book. There were (b)(3) - (b)(7) open dispositions in the licensee's bound book record and 812 firearms in inventory. No discrepancies were found. The licensee's bound book record was in the proper format (as outlined in Title 27 CFR 478.125/123). No theft/loss reports were filed with ATF during the 12 month inspection period. Also, no trafficking issues relating to acquisition and disposition of firearms, firearms containing obliterated serial numbers, or illegal firearms were found.

5 - ATF Forms 4473 – NICS & Other Dispositions

IOI (b)(6) reviewed all (b)(3) - (b)(7) ATF Form 4473 transactions completed by the licensee in the previous 12 months. After reviewing the licensee's ATF Form 4473s and verifying the NICS Transaction Numbers from the last two months through use of the NICS FFL audit log (attached as **Exhibit 3**), no fraudulent use of NICS was found. There were (b)(3) - (b)(7) denials within the past 12 months. No sales to law enforcement officers were found. During the inspection of the licensee's ATF Forms 4473, two violations were found regarding Federal Firearms Regulations as described below.

There were (b)(3) - (b)(7) ATF Form 4473s containing errors, accounting for two violations:

Violation #1 – (b)(3) - (b)(7) ATF Forms 4473 contained a “Yes” answer to a prohibited person question(s) in item 11 and the firearm was subsequently transferred resulting in violation of 27 CFR 478.99(c). Attached as **Exhibit 5**.

Violation #2 – (b)(3) - (b)(7) ATF Forms 4473 involved one unreported multiple sale resulting in violation of 27 CFR 478.126a. Attached as **Exhibit 4**.

Further details of these Violations can be found in Section 13 – Violations; also see Worksheet 2 2012 Edition.

6 - Multiple Sales

There were (b)(3) - (b)(7) multiple sale transactions involving (b)(3) - (b)(7) firearms reported by the licensee over the course of the last 12 months. After reviewing all (b)(3) - (b)(7) ATF Form 4473 transactions completed by the licensee in the previous 12 months, IOI (b)(6) discovered that the licensee failed to complete ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) on (b)(3) - (b)(7) occasion. The licensee was cited a violation under Title 27 CFR 478.126a. A copy of the ATF Forms 4473 transaction are attached as **Exhibit 4**; also see Worksheet 2 (2012 Edition) and reference Violation 2.

FIREARMS INSPECTION REPORT

Name: Pike County Pawn Shop Inc.
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7 – Suspicious/Prohibited Purchasers

No straw purchases were found by IOI (b)(6). No suspicious purchasing habits of transferee's were discovered.

After reviewing all (b)(3) - 112 P ATF Form 4473 transactions completed by the licensee in the previous 12 months, IOI (b)(6) discovered that the licensee transferred a firearm to a purchaser who at the time of the transfer appeared to be prohibited on (b)(3) - 112 occasions. The licensee was cited a violation under Title 27 CFR 478.99(c). A copy of the ATF Forms 4473 transactions are attached as **Exhibit 5**; also see Worksheet 2 (2012 Edition) and reference Violation 1.

The ATF Form 4473 review revealed (b)(3) - 112 P firearms transferred to a prohibited person; reference section 10 – Referrals.

8 – Trace Activity

According to the Firearm Trace History provided by the Electronic Tracing System (eTrace), the licensee had (b)(3) firearm trace over the course of the last 12 months.

9 – NFA/Importer/Collector/Manufacturer

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

10 – Referrals

During an ATF Form 4473 review of Federal Firearms Licensee (FFL) Pike County Pawn Shop Inc. 4-31-36113, (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

[REDACTED]

The Referral of Information and supporting documentation is attached as **Exhibit 7**.

During an ATF Form 4473 review of Federal Firearms Licensee (FFL) Pike County Pawn Shop Inc. 4-31-36113, (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

[REDACTED]

The Referral of Information and supporting documentation is attached as **Exhibit 8**.

FIREARMS INSPECTION REPORT

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FFL#: 4-31-131-02-9F-36113

11 - Other

Deconfliction was conducted by IOI (b)(6) on 5/10/2016 through NFORCE, NCIC, as well as ATF CE and Intel with negative results.

Licensee is compliant with Youth Handgun Safety Act and provides secure gun storage/safety devices where applicable.

12 - Closing Actions

A closing conference was held on 5/11/2016 with Responsible Person Tammy Neal regarding the findings of the compliance inspection. The licensee was reminded of the Gun Control Act requirements for maintaining a Federal Firearms License. IOI (b)(6) reviewed the Report of Violations with licensee, concluding with the signing of the Report of Violations. An overview concerning Federal Firearms Rules and Regulations was then given to the licensee, concluding with the signing of the Acknowledgement of Federal Firearms Regulations by Tammy Neal. See **Exhibit 6**.

13 - Violations

1. 27 CFR 478.99(c)

Nature of Violation:

Failure to ensure transferee correctly completed certification information on (b)(3) - 11 ATF Forms 4473. Transferee responded Yes in box 11j (renounce U.S. citizenship) of ATF Form 4473 (b)(3) - 112 Public Law, and transferee responded Yes in box 11i (MCDV) of ATF Form 4473 (b)(3) - 112 Public Law.

Licensee Response:

The licensee claimed employee(s) must have overlooked this box when reviewing the ATF Form 4473 transaction for completion.

Corrective Action:

Ensure that if a transferee answers "Yes" to prohibited person questions in item 11 that no NICS background check is run and the transaction is stopped. This error was made by the transferee and could not be corrected.

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

*Copies of the ATF Forms 4473 transaction are attached as **Exhibit 5**; also see Worksheet 2 (2012 Edition).*

FIREARMS INSPECTION REPORT

Name: Pike County Pawn Shop Inc.
Trade Name:

UI#: 773015-2016-0382-B1B
FFL#: 4-31-131-02-9F-36113

2. **27 CFR 478.126a**

Nature of Violation:

Failure to ensure completion of ATF Form 3310.4 in (b)(3) - 112 instance — (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6).

Licensee Response:

The licensee indicated these errors were an oversight caused by lack of communication between employees.

Corrective Action:

Ensure that all multiple sales of handguns are properly reported using ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, whenever more than 1 firearm is transferred in a five business day period. As evidenced within Exhibit 4, IOI (b)(6) verified all multiple sales were properly completed by licensee via ATF Form 3310.4.

*Copies of the ATF Forms 4473 transaction are attached as **Exhibit 4**; also see Worksheet 2 (2012 Edition).*

Respectfully submitted,

(b)(6)

5/13/2016

Industry Operations Investigator

FIREARMS INSPECTION REPORT

Name: Pike County Pawn Shop Inc.
Trade Name:

UI#: 773015-2016-0382-B1B
FFL#: 4-31-131-02-9F-36113

Index of Worksheets and Exhibits

Worksheets

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

Exhibits

- 1) State of Ohio Pawnbroker License Details
- 2) State of Ohio Secretary of State Corporation Details
- 3) NICS FFL audit log
- 4) ATF Forms 4473 – Reference Violation 2
- 5) ATF Forms 4473 – Reference Violation 1
- 6) The Acknowledgement of Federal Firearms Rules and Regulations
- 7) Referral of Information and supporting documentation –
- 8) Referral of Information and supporting documentation –

(b)(6)