

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) LEPD Industires Limited LEPD Firearms & Range 999 Bethel Road Columbus,OH 43214, Franklin		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 773015-2016-0329-B1B	
		3. PERMIT/LICENSE NUMBER 431049019A04064	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, 02/25/2016	

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	7	NO. OF REFERRALS	2
NO. OF TECS CHECKS	55	NO. OF TECS HITS	
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES	
		\$ VALUE OF TAX DECREASES	
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS	
NO. OF CLAIMS		\$ VALUE OF CLAIMS	
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: 05/31/2016 A Warning Letter is warranted based on Licensee failing to record any form of identification on (b)(3) 11 form (b)(3) 112 Public Law, transferring firearms to persons who appear to be prohibited at time of transfer but were not actually prohibited on (b)(3) 112 Public Law forms (b)(3) 1121-001; (b)(3) 112 Public Law, transferring (b)(3) 112 Public long guns to residents of States that prohibit such transfers (b)(3) 112 Public Law 55 125 STAT 552) and failing to prepare and submit an ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers for the transfer of two handguns in a five day period as required (b)(3) 112 P.) Violis WL ONLY and No Recall Inspection	
---	--

12. TIME ACCOUNTING DATA	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b) (6)
APR 2016	57.00
MAY 2016	25.00
ATF OFFICER'S SUBTOTAL	82.00
ATF OFFICER'S SIGNATURE	
TOTAL HOURS	82.00

13. REVIEW AND ROUTING	
REVIEW COMMENTS AND RECOMMENDATION Violis WL ONLY and No Recall Inspection	
<div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> REVIEWED <input checked="" type="checkbox"/> CONCUR <input type="checkbox"/> SEE COMMENTS <input checked="" type="checkbox"/> FINAL DISPOSITION</div></div>	
SIGNATURE AND TITLE (b) (6) - Area Supervisor	REVIEW DATE 05/31/2016

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) LEPD Industires Limited LEPD Firearms & Range 999 Bethel Road Columbus, OH 43214, Franklin	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 773015-2016-0329-B1B		
	3. PERMIT/LICENSE NUMBER 431049019A04064	4a. TARGET DATE 9/30/2016	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

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 31 2016

www.atf.gov

773015: (b) (6)
5373

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

LEPD Industries, Ltd
LEPD Firearms & Range
999 Bethel Road
Columbus, OH 43214

4-31-049-01-9A-04064

Dear Mr. Delbert:

During a recent compliance inspection at your firearms business covering the period of April 1, 2015, through April 20, 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.

LEPD Industries Ltd.

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 LEPD Industries LTD	Street Address 999 Bethel Rd	City Columbus	State OH	ZIP Code 43214	County Franklin	Page 1 of 5 Pages
License/Permit/Registry Number (if any) 4-31-049-01-9A-04064		Expiration Date 01/01/2019	Date(s) or Period of Inspection . /2015 through 4/20/2016			

Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
1	27 CFR 478.21(a)	Licensee failed on (b)(3) 112 PUG form to provide all of the information called for in each form as indicated by the headings on the form and the instructions on or pertaining to the form. Specifically: - Licensee failed on (b)(3) 112 PUG form to properly record information in Block 18. Type of Firearm Transferred (b)(3) 112 Public Law	The licensee will furnish all of the information called for in each form as indicated by the headings on the form and the instructions on or pertaining to the form, on all future instances.	Immediately

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

[Signature]

Date 5/24/2016
Date 5/24/2016

Signature and Title of ATF Officer

(b) (6)

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 LEPD Industries LTD	Street Address 999 Bethel Rd	City Columbus	State OH	ZIP Code 43214	County Franklin	Page 2 of 5 Pages
License/Permit/Registry Number (if any) 4-31-049-01-9A-04064		Expiration Date 01/01/2019	Date(s) or Period of Inspection 4/1/2015 through 4/20/2016			

Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
2	27 CFR 478.124(c)(1)	<p>Licensee failed on (b)(3) 112 Pub L 55 forms to obtain a complete ATF Form 4473 from the purchaser before transferring a firearm showing their name, sex, residence address, date and place of birth, height, weight, state of residence, and certification from the transferee that they are not prohibited from receiving or possessing a firearm. Specifically:</p> <ul style="list-style-type: none"> - Licensee failed on (b)(3) 112 Pub L 55 form to properly record information in Block 2. County (b)(3) 112 Pub L 55. - Licensee failed on (b)(3) 112 Pub L 55 form to properly record the information in Question 11d. Are you a fugitive from Justice? No answer was provided on the ATF Form 4473 (b)(3) 112 Pub L 55. - Licensee failed on (b)(3) 112 Pub L 55 form to properly record the information in Question 11i. Are you an Alien admitted to the United States under a nonimmigrant Visa? (b)(3) 112 Pub L 55. - Licensee failed on (b)(3) 112 Pub L 55 forms to properly record information in Block 16. Transferee's/Buyer's Signature as required (b)(3) 112 Public Law 55 125 STAT 552 (b)(6). - Licensee failed on (b)(3) 112 Pub L 55 forms to properly record information in Block 17. Certification Date as required (b)(3) 112 Public Law 55 125 STAT 552 (b)(6). 	The licensee will obtain a complete ATF Form 4473 from the purchaser before transferring a firearm showing their name, sex, residence address, date and place of birth, height, weight, state of residence, and certification from the transferee that they are not prohibited from receiving or possessing a firearm, on all future instances.	Immediately

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 LEPD Industries LTD	Street Address 999 Bethel Rd	City Columbus	State OH	ZIP Code 43214	County Franklin	Page 3 of 5 Pages
License/Permit/Registry Number (if any) 4-31-049-01-9A-04064		Expiration Date 01/01/2019	Date(s) or Period of Inspection 4/1/2015 through 4/20/2016			

Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
3	27 CFR 478.124(c)(3)(i)	<p>Licensee failed on (b)(3) 112 Public Law 55 forms to verify the purchaser's identity by examining the identification document (as defined in 478.11) presented, and noting on the ATF Form 4473 the type of identification used, the number of the identification, and the expiration date of the identification. Specifically:</p> <ul style="list-style-type: none"> - Licensee failed on (b)(3) 112 Public Law 55 form to properly record any information from identification document in Block 20a. Identification (b)(3) 112 Public Law 55. - Licensee failed on (b)(3) 112 Public Law 55 form to properly record the Expiration Date of Identification in Block 20a (b)(3) 112 Public Law 55. - Licensee failed on (b)(3) 112 Public Law 55 forms to obtain proper alternative documentation showing proof of current residence in Block 20b. Alternate Documentation (b)(3) 112 Public Law 55. 	The licensee will verify the purchaser's identity by examining the identification document (as defined in 478.11) presented, and shall note on the ATF Form 4473 the type of identification used, the number of the identification, and the correct expiration date of the identification, on all future instances.	Immediately
4	27 CFR 478.124(c)(3)(iv)	<p>Licensee failed on (b)(3) 112 Public Law 55 forms to comply with the requirements of 478.102 and record on the ATF Form 4473 the date on which the licensee contacted the NICS, as well as any response provided by the system, including any identification number provided by the system. Specifically:</p> <ul style="list-style-type: none"> - Licensee failed on (b)(3) 112 Public Law 55 forms to properly record the information in Block 21d. If the initial NICS or State response was "Delayed" the following response was received from NICS or the appropriate State agency as required. No information was entered in Block 21d for any of the forms cited (b)(3) 112 Public Law 55 125 STAT 552 (b)(6). - Licensee failed on (b)(3) 112 Public Law 55 form to properly record the information provided by the National Instant Criminal Background Check System (NICS) in Block 21b. The NICS or State transaction number (b)(3) 112 Public Law 55. 	The licensee will comply with the requirements of 478.102 and record on the ATF Form 4473 the date on which the licensee contacted the NICS, as well as any response provided by the system, including any identification number provided by the system, on all future instances.	Immediately

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 LEPD Industries LTD	Street Address 999 Bethel Rd	City Columbus	State OH	ZIP Code 43214	County Franklin	Page <u>4</u> of <u>5</u> Pages
License/Permit/Registry Number (if any) 4-31-049-01-9A-04064		Expiration Date 01/01/2019	Date(s) or Period of Inspection 4/1/2015 through 4/20/2016			

Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
5	27 CFR 478.124(c)(5)	Licensee failed on (b)(3) 112 P form to date the ATF Form 4473 indicating that the licensee did not know or have reasonable cause to believe that the transferee was disqualified by law from receiving the firearm before transferring the firearm described on the Form 4473, as required. Specifically: (b) (3) - Public Law 112-55 (125 Stat. 552), (b) (6)	The licensee will sign and date the ATF F 4473 indicating that the licensee does not know or have reasonable cause to believe that the transferee is disqualified by law from receiving the firearm before transferring the firearm described on the Form 4473, on all future instances.	Immediately
6	27 CFR 478.126(a)	Licensee failed to complete ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers on (b)(3) - PUBLIC L forms involving (b)(3) - PUBLIC L firearms when it was necessary (b)(3) 112 P	The licensee will prepare and submit an ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers whenever transferring two or more handguns to a non-licensed person within 5 business days, in all future instances. IOI (b) (6) instructed licensee to submit ATF F 3310.4 to ATF and local law enforcement by close of business on May 24, 2016 for the unreported multiple sale to (b)(3) 112 Public Law 112-55 (125 STAT 552) (b)(6)	By close of business on May 24, 2016

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 LEPD Industries LTD	Street Address 999 Bethel Rd	City Columbus	State OH	ZIP Code 43214	County Franklin	Page 5 of 5 Pages
License/Permit/Registry Number (if any) 4-31-049-01-9A-04064		Expiration Date 01/01/2019	Date(s) or Period of Inspection 4/1/2015 through 4/20/2016			

Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
7	27 CFR 478.99(a)	<p>Licensee failed on (b)(3) 112 Pub forms to halt the transfer of a firearm (long gun) to an individual who resides in a State wherein State law prohibits or limits out of state sales. Specifically:</p> <p>(b) (3) - Public Law 112-55 (125 Stat. 552), (b) (6)</p>	<p>Licensee shall ensure that no transfers of long guns shall occur to out-of-state residents wherein the state law does not allow the transfer. Licensee shall ensure no transfers of handguns or receivers shall occur to out-of-state residents.</p>	Immediately

FIREARMS INSPECTION REPORT

Name: LEPD Industries Ltd
Trade Name: LEPD Firearms & Range

UI#: 773015-2016-0329 B1B
FFL#: 4-31-049-01-9A-04064

Address: 999 Bethel Road
Columbus, OH 43214

FRANKLIN COUNTY

1 - Introduction

Inspection Profile:

On April 20, 2016 Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator (IOI) (b)(6) began an onsite, in person inspection of LEPD Industries LTD, doing business as (dba) LEPD Firearms & Range. The inspection took place at the above address with a scope of conducting a disposition emphasis compliance inspection on the Federal Firearms Licensee (FFL). The inspection period covered April 1, 2015 to April 20, 2016. The inspection began April 20, 2016 with the closing held May 24, 2016. Eric Delbert (Owner; Responsible Person) and (b)(6) (Sales associate) were interviewed and assisted with the inspection.

No other Federal, State, or local agencies participated in the inspection. No advance notification was given.

Business Profile:

LEPD Industries LTD has held an FFL since December 2012. Eric Delbert has held an FFL under his name as a home dealer separate from LEPD Industries LTD since 2006 (FFL# 4-31-01616). Mr. Delbert stated he maintains the separate FFL due to (b)(6). Eric Delbert stated he does not conduct business on the FFL under his name, conducting all firearms sales through LEPD Industries LTD. IOI (b)(6) instructed Mr. Delbert on the procedure for voluntarily surrendering the FFL under his name if he so wished.

Premises for LEPD Firearms and Range is a commercial building located in suburban Columbus. Premises functions as a retail store with an indoor shooting range.

LEPD Firearms & Range operates as a dealer in firearms and firearm accessories. A multi lane indoor shooting range operates from the rear of the building. LEPD Firearms & Range conducts firearm training from a large classroom on site. Classes include basic firearm safety through advanced tactical shooting. Licensee also broadcasts a radio talk show from premises on Saturday mornings.

FIREARMS INSPECTION REPORT

Name: LEPD Industries Ltd
Trade Name: LEPD Firearms & Range

UI#: 773015-2016-0329 B1B
FFL#: 4-31-049-01-9A-04064

Licensee's primary business is the retail sale of new and used firearms, both hand guns and long guns. Licensee deals primarily in firearms for law enforcement and self-defense. Licensee accepts used firearms on trade and consignment. LEPD Industries LTD does not conduct business at gun shows, import, export or deal in black powder. LEPD Industries LTD does not function as a distributor for wholesalers, but does have relationships with (b)(4) to act as a special Law Enforcement supplier. Gunsmithing activities are conducted on premises by a separate licensee (Boom Boom Tactical 4-31-01680). LEPD Industries LTD maintains a Special Occupational Taxpayer (SOT) stamp for dealing in National Firearms Act (NFA) weapons but has not yet conducted transfers of NFA items. New firearms are acquired from (b)(4). Licensee conducts frequent dealer to dealer transfers, maintaining copies of the other party's FFL. Licensee stated regular use of FFL EZCheck.

For the inspection period there were (b)(4) firearms acquired (b)(4) Handguns; (b)(4) Long guns). For the same period there were (b)(4) firearms disposed (b)(4) Handguns; (b)(4) long guns). Licensee's business is primarily new firearms. Used firearms are accepted in trade and sales on consignment are conducted. Licensee's business is 100% retail. For the inspection period (b)(4) of business was handguns and (b)(4) long guns.

Licensee maintains a dedicated business website for LEPD Firearms & Range at www.LEPD.com. Eric Delbert has an email address of eric@lepd.com. There is no wholesale business. Licensee does not have offsite storage. LEPD Industries LTD holds no other ATF licenses.

Hours of operations are listed as Tuesday through Friday 10:00 AM to 8:00 PM; Saturday 9:00 AM to 7:00 PM; Sunday 11:00 AM to 6:00 PM; Closed Monday. Eric Delbert stated he understood ATF right of entry and inspection.

On 4/20/2016 IOI (b)(6) received confirmation from the Franklin County Engineers office that the premises at 999 Bethel Road is in compliance with zoning regulations.

Ownership and Control:

LEPD Industries LTD. conducts business as a Limited Liability Company registered with the Ohio Secretary of State (#1852598.) Eric Delbert is listed as Agent/Registrant. Eric Scott Delbert (Owner) is the sole responsible person listed on the license. All responsible persons were cleared by FLS. There were no indications of hidden ownership.

FIREARMS INSPECTION REPORT

Name: LEPD Industries Ltd
Trade Name: LEPD Firearms & Range

UI#: 773015-2016-0329 B1B
FFL#: 4-31-049-01-9A-04064

Variance:

No firearms variances exist. No new firearm variances requested.

2 - Recommendation

Violations; Warning Letter only and No recall inspection.

A Warning Letter is warranted based on Licensee failing to record any form of identification on (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)), transferring firearms to persons who appear to be prohibited at time of transfer but were not actually prohibited on (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) (b)(3) - 112 Public Law 55, transferring (b)(3) - 112 Public L long guns to residents of States that prohibit such transfers (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) and failing to prepare and submit an ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers for the transfer of two handguns in a five day period as required (b)(3) - 112 Public Law

3 - Inspection History

Date of Inspection: December 14, 2012
Type of Inspection: Qualification
UI#: 773015-2013-0117 B1B
Inspection Results: Recommend the approval of amended application
Cited Violations: None

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

A full 100% inventory verification was conducted. There were 949 firearms in inventory which were matched to (b)(3) - 11 open dispositions in the A&D Record. The licensee had not reported the theft/loss of any firearms for the inspection period.

Licensee maintains a computerized acquisition and disposition record. Eric Delbert (Owner) stated that while all sales associates are responsible for maintaining the A&D Record, he periodically reviews the computerized files for accuracy. The A&D Record is in the correct format. Licensee was able to print a paper copy of inventory when requested. Licensee stated formal inventories are conducted quarterly. Licensee stated that all firearm acquisitions and dispositions are logged into the A&D record upon completion of firearm transfer.

IOI (b)(6) traced (b)(3) - 112 Public L firearms transferred on ATF Forms 4473 from acquisition through disposition. No discrepancies found. No apparent trafficking issues were discovered.

FIREARMS INSPECTION REPORT

Name: LEPD Industries Ltd
Trade Name: LEPD Firearms & Range

UI#: 773015-2016-0329 B1B
FFL#: 4-31-049-01-9A-04064

5 - ATF Forms 4473 – NICS & Other Dispositions

For the inspection period there were (b)(3) - 112 Public Law 55 125 Stat 552 ATF Forms 4473 on file and (b)(3) - 112 Public Law 55 125 Stat 552 reviewed. There were (b)(3) - 112 Public Law 55 125 Stat 552 denied transactions for the inspection period. Forms are filed in chronological order, separated by month and then alphabetized within each month. Denied forms and forms associated with uncompleted sales are maintained in a separate file. There were no transfers to law enforcement on letterhead. LEPD Industries LTD requires law enforcement officers to complete ATF Forms 4473 for all firearm transfers.

NICS audit log was obtained and verified for the last 60 days: eight (8) denials, 327 proceed response, no delay responses, and seven (7) open entries (342 total). The open entries consisted of no response replies from NICS. In each case of a no response from NICS the Licensee transferred the firearm after waiting the required three full business days. Licensee failed to properly record the information provided by NICS on (b)(3) - 112 Public Law 55 125 Stat 552 form (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)). IOI (b)(3) - 112 Public Law 55 125 Stat 552 reconciled the discrepancy using the NICS audit log and Licensee's point of sale system. Licensee was cited for this violation

Licensee uses both the telephone and online options for checking NICS. Licensee was able to describe a straw purchase when asked. Licensee accepts State issued driver's license and Carry of Concealed Weapon identification card for proof required in ATF Form 4473 question 20b.

There were discrepancies found during the review of forms that resulted in (b)(3) - 112 Public Law 55 125 Stat 552 violations cited [478.21(a); 478.124 (c)(1); 478.124(c)(3)(i); 478.124 (c)(3)(iv); 478.124 (c)(5); 478.126 (a); 478.99 (a)]. This was the first formal compliance inspection of Licensee so no violation was repeated from a previous inspection.

REFERENCE; ROV #1 [478.21(a)]; #2 [478.124(c)(1)]; #3 [478.124(c)(3)(i)]; #4 [478.(c)(3)(iv)]; #5 [478.124(c)(5)]; #6 [478.126(a)]; #7 [478.99(a)]; Worksheet 2; Exhibits (b)(3) - 112 Public Law 55 125 Stat 552

6 - Multiple Sales

The Violent Crime Analysis Branch query reported Licensee was involved in (b)(3) multiple sales involving (b)(3) - 112 Public Law 55 125 Stat 552 firearms for the reporting period. IOI (b)(6) verified reported multiple sales against reviewed ATF Forms 4473.

IOI (b)(6) discovered one unreported multiple sale during review of forms (b)(6). Licensee was cited for this violation. IOI (b)(6) investigated (b)(6) via the eTrace and Openfox databases. No firearm prohibitions were discovered. No issues were discovered regarding the firearms transferred.

FIREARMS INSPECTION REPORT

Name: LEPD Industries Ltd
Trade Name: LEPD Firearms & Range

UI#: 773015-2016-0329 B1B
FFL#: 4-31-049-01-9A-04064

REFERENCE: Worksheet 2; ROV #6 [478.126(a)]

7 - Suspicious/Prohibited Purchasers

IOI (b)(6) investigated 23 suspicious individuals and 32 firearms transferred to them. No significant discoveries or firearm prohibitions were discovered.

8 - Trace Activity

The Violent Crime Analysis Branch query disclosed licensee was involved in (b)(3) - 112 Public Law completed traces for inspection period.

9 - NFA/Importer/Collector/Manufacturer

Licensee acts as a dealer in NFA firearms. LEPD Industries LTD is current on the payment of the Special Occupational Tax for dealing in NFA firearms for tax year 2015. At time of inspection, Licensee had not conducted any transfers of NFA firearms.

The National Firearms Registration/Transfer Record (NFRTR) reported an inventory of (b)(3) - 28 USC 6103 NFA firearms for LEPD Industries LTD. IOI (b)(6) verified all (b)(3) - 28 USC 6103 firearms listed on the NFRTR were physically present in inventory. No discrepancies in the NFRTR were discovered. No updates are required.

Licensee does not act as a manufacturer, importer or collector.

10 - Referrals

IOI (b)(6) submitted referral #2016-0030 for (b)(6). Referral was made based on numerous firearm purchases (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6), (b)(7)(C)

(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6), (b)(7)(C) using said identification to purchase multiple handguns.

IOI (b)(6) submitted referral #2016-0029 for (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) including LEPD Industries LTD.

FIREARMS INSPECTION REPORT

Name: LEPD Industries Ltd
Trade Name: LEPD Firearms & Range

UI#: 773015-2016-0329 B1B
FFL#: 4-31-049-01-9A-04064

11 - Other

Deconfliction was conducted by IOI (b)(6) on 3/22/2016 through NFORCE, NCIC and through ATF CE and Intel. (b)(6), (b)(7)(E)

(b)(6) contacted ATF Special Agent (b)(6) and obtained clearance to proceed prior to conducting the onsite inspection.

A copy of the Federal firearms license and Youth Handgun Safety Act poster were posted.

Licensee has two dogs allowed to roam premises. One is a trained law enforcement German Shepard Dog and the other is a mixed breed rescued from a shelter. The mixed breed canine is very friendly and will approach people. The German Shepard Dog will bark at unknown individuals.

12 - Closing Actions

The closing conference was held May 24, 2016 with IOI (b)(6) (b)(6) present. The Acknowledgement of Federal Firearms Regulations and a Report of Violations were reviewed with all individuals present. Both documents were signed by Eric Delbert (Owner). A copy of each was provided for Licensee's records.

REFERENCE; ROV #1 [478.21(a)]; #2 [478.124(c)(1)]; #3 [478.124(c)(3)(i)]; #4 [478.(c)(3)(iv)]; #5 [478.124(c)(5)]; #6 [478.126(a)]; #7 [478.99(a)]; Exhibits 1, 2, 3, 4, 5, 6, 7, 8

13 - Violations

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

Nature of Violation

Licensee failed on (b)(3) - 112 Public L form to provide all of the information called for in each form as indicated by the headings on the form and the instructions on or pertaining to the form. Specifically:

- Licensee failed on (b)(3) - 112 Public L form to properly record information in Block 18.
Type of Firearm Transferred (b)(3) - 112 Public Law 55 125 GS

Licensee's Response

Eric Delbert stated "We just missed it. The second sales associated did not sign off as having checked the form. It could have been prior to our implementation of the double check process." Licensee stated they have counselled all employees on the requirement

FIREARMS INSPECTION REPORT

Name: LEPD Industries Ltd
Trade Name: LEPD Firearms & Range

UI#: 773015-2016-0329 B1B
FFL#: 4-31-049-01-9A-04064

to have every ATF Form 4473 checked for completeness and accuracy by a second LEPD employee prior to the customer or firearm leaving the premises.

Corrective Action

The licensee will furnish all of the information called for in each form as indicated by the headings on the form and the instructions on or pertaining to the form, on all future instances.

IOI (b)(6) investigated (b)(6) transferred to him using the eTrace and OpenFox databases. No firearm prohibitions were returned.

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

Nature of Violation

Licensee failed on (b)(3) - 112 Public Law forms to obtain a complete ATF Form 4473 from the purchaser before transferring a firearm showing their name, sex, residence address, date and place of birth, height, weight, state of residence, and certification from the transferee that they are not prohibited from receiving or possessing a firearm. Specifically:

- Licensee failed on (b)(3) - 112 Public Law form to properly record information in Block 2. County (b)(3) - 112 Public Law.
- Licensee failed on (b)(3) - 112 Public Law form to properly record the information in Question 11d. Are you a fugitive from Justice? No answer was provided on the ATF Form 4473 (b)(3) - 112 Public Law.
- Licensee failed on (b)(3) - 112 Public Law form to properly record the information in Question 11i. Are you an Alien admitted to the United States under a nonimmigrant Visa? (b)(3) - 112 Public Law 55-125.
- Licensee failed on (b)(3) - 112 Public Law forms to properly record information in Block 16. Transferee's/Buyer's Signature as required (b)(3) - 112 Public Law 55-125 Stat 552, (b)(6).
- Licensee failed on (b)(3) - 112 Public Law forms to properly record information in Block 17. Certification Date as required (b)(3) - 112 Public Law 55-125 Stat 552, (b)(6).

Licensee's Response

Eric Delbert stated he had spoken with the employee responsible for the errors in this violation. Mr. Delbert stated he counselled the employee on the requirement to have every form checked by a second LEPD employee prior to the customer or firearm leaving the premises.

FIREARMS INSPECTION REPORT

Name: LEPD Industries Ltd
Trade Name: LEPD Firearms & Range

UI#: 773015-2016-0329 B1B
FFL#: 4-31-049-01-9A-04064

Corrective Action

The licensee will obtain a complete ATF Form 4473 from the purchaser before transferring a firearm showing their name, sex, residence address, date and place of birth, height, weight, state of residence, and certification from the transferee that they are not prohibited from receiving or possessing a firearm, on all future instances.

IOI (b)(6) investigated (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

and the firearms transferred using the eTrace and OpenFox databases. No firearm prohibitions were returned.

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

Nature of Violation

Licensee failed on (b)(3) - 112 Public Law forms to verify the purchaser's identity by examining the identification document (as defined in 478.11) presented, and noting on the ATF Form 4473 the type of identification used, the number of the identification, and the expiration date of the identification. Specifically:

- Licensee failed on (b)(3) - 112 Public Law form to properly record any information from identification document in Block 20a. Identification (b)(3) - 112 Public Law 55 125
- Licensee failed on (b)(3) - 112 Public Law form to properly record the Expiration Date of Identification in Block 20a (b)(3) - 112 Public Law
- Licensee failed on (b)(3) - 112 Public Law forms to obtain proper alternative documentation showing proof of current residence in Block 20b. Alternate Documentation (b)(3) - 112 Public Law 55 125 Stat 552

Licensee's Response

Licensee acknowledged the violation. No questions were asked.

Corrective Action

The licensee will verify the purchaser's identity by examining the identification document (as defined in 478.11) presented, and shall note on the ATF Form 4473 the type of identification used, the number of the identification, and the correct expiration date of the identification, on all future instances.

IOI (b)(6) investigated (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

and the firearms transferred the eTrace and OpenFox databases. No firearm prohibitions were returned.

FIREARMS INSPECTION REPORT

Name: LEPD Industries Ltd
Trade Name: LEPD Firearms & Range

UI#: 773015-2016-0329 B1B
FFL#: 4-31-049-01-9A-04064

4. 27 CFR 478.124(c)(3)(iv)

Nature of Violation

Licensee failed on [REDACTED] forms to comply with the requirements of 478.102 and record on the ATF Form 4473 the date on which the licensee contacted the NICS, as well as any response provided by the system, including any identification number provided by the system. Specifically:

- Licensee failed on [REDACTED] forms to properly record the information in Block 21d. If the initial NICS or State response was "Delayed" the following response was received from NICS or the appropriate State agency as required. No information was entered in Block 21d for any of the forms cited [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)
- Licensee failed on [REDACTED] form to properly record the information provided by the National Instant Criminal Background Check System (NICS) in Block 21b. The NICS or State transaction number [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee's Response

IOI (b)(6) discovered Licensee had recorded identical NICS Transaction Numbers (NTN) for (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) reconciled the discrepancy using the NICS audit log and Licensee's point of sale system. IOI (b)(6) discovered that the NTN [REDACTED] was listed on the audit log as being generated on 2/13/2016 at 15:46:56. After completing the review of ATF Forms 4473, the NTN [REDACTED] generated on 2/13/2016 could not be reconciled. IOI (b)(6) queried Eric Delbert regarding possible missing forms for the NTN generated. Eric Delbert queried the computerized point of sale system for the date and approximate time of NTN generation and discovered that a firearm purchase was entered for [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

[REDACTED] other NTNs listed on the NICS audit log were reconciled against completed ATF Forms 4473. IOI (b)(6) determined that NTN [REDACTED] was generated for (b)(6). The unreconciled NTN of [REDACTED] should have been recorded on the ATF Form 4473 [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6).

The ATF Form 4473 [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) had no errors or violations. It is included in exhibit 4 for documentation of the reconciliation.

Eric Delbert stated during closing actions that all employees had been provided a guidance document outlining the process requiring all ATF Forms 4473 to receive a second check from an LEPD employee prior to any firearm leaving the premises.

FIREARMS INSPECTION REPORT

Name: LEPD Industries Ltd
Trade Name: LEPD Firearms & Range

UI#: 773015-2016-0329 B1B
FFL#: 4-31-049-01-9A-04064

Corrective Action

The licensee will comply with the requirements of 478.102 and record on the ATF Form 4473 the date on which the licensee contacted the NICS, as well as any response provided by the system, including any identification number provided by the system, on all future instances.

IOI (b)(6) investigated (b)(6) and the firearms transferred using the eTrace and OpenFox databases. No firearm prohibitions were returned.

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

Nature of Violation

Licensee failed on (b)(3) - 112 Public L form to date the ATF Form 4473 indicating that the licensee did not know or have reasonable cause to believe that the transferee was disqualified by law from receiving the firearm before transferring the firearm described on the Form 4473, as required. Specifically:

- Licensee failed on (b)(3) - 112 Public L form to properly record the information in Block 36.
Date Transferred (b)(3) - 112 Public Law 55 1

Licensee's Response

Eric Delbert stated this violation likely occurred prior to implementation of the second check process.

Corrective Action

The licensee will sign and date the ATF F 4473 indicating that the licensee does not know or have reasonable cause to believe that the transferee is disqualified by law from receiving the firearm before transferring the firearm described on the Form 4473, on all future instances.

IOI (b)(6) investigated (b)(6) and the firearm transferred to her using the eTrace and OpenFox databases. No firearm prohibitions were returned.

6. **27 CFR 478.126(a)**

Nature of Violation

Licensee failed to complete ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers on (b)(3) - 112 Public L forms involving (b)(3) - 112 Public L firearms when it was necessary (b)(3) - 112 Public L).

Licensee's Response

Licensee stated the ATF Form 3310.4 had been submitted prior to closing actions. No entry was discovered in eTrace at time of this report.

FIREARMS INSPECTION REPORT

Name: LEPD Industries Ltd
Trade Name: LEPD Firearms & Range

UI#: 773015-2016-0329 B1B
FFL#: 4-31-049-01-9A-04064

Corrective Action

The licensee will prepare and submit an ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers whenever transferring two or more handguns to a non-licensed person within 5 business days, in all future instances. IOI (b)(6) instructed licensee to submit ATF F 3310.4 to ATF and local law enforcement by close of business on May 24, 2016 for the unreported multiple sale (b)(3) - 112 Public Law 55 125 Stat 552.

IOI (b)(6) investigated (b)(6) and the firearms transferred using the eTrace, OpenFox, and OHLEG databases. No significant discoveries were returned for the firearms. No firearm prohibitions were discovered.

7. **27 CFR 478.99(a)**

Nature of Violation

Licensee failed on (b)(3) - 112 Public Law 55 125 Stat 552 forms to halt the transfer of a firearm (long gun) to an individual who resides in a State wherein State law prohibits or limits out of state sales. Specifically:

- Licensee failed to halt the transfer of (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) [REDACTED].
- Licensee failed to halt the transfer of (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) [REDACTED].

Licensee's Response

Licensee stated (b)(6) was a student at Ohio Dominican University who was originally from Illinois. LEPD had transferred the long gun to a student resident at Ohio Dominican University but had neglected to obtain proper alternate documentation showing the individual's Ohio residency. The information on the ATF Form 4473 and all listed documentation showed residence in Illinois. IOI (b)(6) instructed Licensee that individuals from California, Illinois and the City of New York were prohibited from purchasing firearms outside their respective States and transporting said firearms back to those States. Eric Delbert stated LEPD would no longer transfer firearms to individuals who did not reside in Ohio. IOI (b)(6) instructed LEPD on the process to legally transfer long guns to residents of other States, with the exceptions of California, Illinois, and the City of New York. LEPD stated they wished to no longer sell firearms to residents of States other than Ohio.

Corrective Action

Licensee shall ensure that no transfers of long guns shall occur to out-of-state residents wherein the state law does not allow the transfer. Licensee shall ensure no transfers of handguns or receivers shall occur to out-of-state residents.

FIREARMS INSPECTION REPORT

Name: LEPD Industries Ltd
Trade Name: LEPD Firearms & Range

UI#: 773015-2016-0329 B1B
FFL#: 4-31-049-01-9A-04064

IOI (b)(6) investigated (b)(6) transferred using the eTrace and OpenFox databases. No firearm prohibitions were returned for either individual. No significant discoveries were returned regarding the firearms involved.

X

(b)(6)

Industry Operations Investigator

Index of Worksheets and Exhibits

Report of Violations

Worksheet 2 - ATF Form 4473 (2012 Version) Review Worksheet

Exhibit 1- Documentation supporting Violation 1

Exhibit 2- Documentation supporting Violation 2

Exhibit 3- Documentation supporting Violation 3

Exhibit 4- Documentation supporting Violation 4

Exhibit 5- Documentation supporting Violation 5

Exhibit 6- Documentation supporting Violation 6

Exhibit 7- Documentation supporting Violation 7

Exhibit 8- Acknowledgement of Federal Firearms Regulations