

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Ellis, Richard 9316 U.S. Rt 34, Suite B Yorkville, IL 60560, Kendall	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) <p style="text-align: center;">772060-2015-0758-B1B</p> 3. PERMIT/LICENSE NUMBER 4a. TARGET DATE 4b. TARGET HOURS <p style="text-align: center;">336037016B02638</p> 5. REQUESTED BY (SIGNATURE, TITLE AND DATE)
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6. ATF OFFICER(S) ASSIGNED

(b)(6) - Lead Investigator
 (b)(6) - Assigned Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)

(b)(6) Area Supervisor, 09/16/2015

8. PURPOSE/SPECIAL INSTRUCTIONS

Please conduct a full scope firearms compliance inspection of this Type 01 FFL. During initial review of this assignment please ensure the shared drive is reviewed for any additional variance approvals, correspondences, etc. that are not located in the file.

Zoning - Please utilize the Shared Zoning Folder for all zoning information. If a location needs added, deleted or amended/updated, please do so to ensure we maintain an accurate and up to date database.

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

11. ATF OFFICER'S RECOMMENDATION

Submitted by (b)(6) - Industry Operations Investigator

Submitted on: 10/07/2015

Violts WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
SEP 2015	1.50		
OCT 2015	10.50		
ATF OFFICER'S SUBTOTAL	12.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	12.00		

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

Concur with recommendation of WL. WL signed and mailed by A/S (b)(6) on 10/7/15.

Violts WL ONLY and No Recall Inspection

REVIEWED
 CONCUR
 SEE COMMENTS
 FINAL DISPOSITION

SIGNATURE AND TITLE	REVIEW DATE
(b)(6) - Area Supervisor	10/07/2015

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	3. PERMIT/LICENSE NUMBER 336037016B02638	4a. TARGET DATE	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

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 Ellis, Richard	Street Address 9316 U.S. Rt 34, Suite B	City Yorkville	State IL	Zip Code 60560-	County Kendall	Page 1 of 1 Pages
License/Permit/Registry Number <i>(If any)</i> 336037016B02638		Expiration Date 2/1/2016	Date(s) or Period of Inspection 10/01/2014 through 10/05/2015			

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:

Form 4473 review disclosed the following:

- instances, licensee used an obsolete Form 4473
- instances, Forms 4473 did not contain information in block 10a (ethnicity)
- instances, Form 4473 did not contain the number of firearms transferred in block 30a

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

No corrective action is required. Licensee educated on proper completion of Form 4473. Licensee was instructed to destroy all obsolete Forms 4473, which he did.

Number: 2

Nature of Violation:

Review of Forms 4473 disclosed the following:

- instances, Form 4473 did not contain a full middle name of purchaser
- instance, Form 4473 did not contain a complete POB in block 3
- instance, Form 4473 did not contain a response to question 11j (renounced citizenship)
- instances, Form 4473 did not contain a state of residence in block #13
- instances, Form 4473 did not contain citizenship info in block #14

Citation: 27 CFR 478.124(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

No corrective action is required. Licensee was educated on proper completion of Form 4473.

I Have Received a Copy of This Report of Violations <i>(Proprietor's signature and title)</i>	Date
Signature and Title of ATF Officer March 11 2019 Document Production	Date



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Springfield II Field Office

3161 W. White Oaks Dr. Suite 200
Springfield, IL 62704
www.atf.gov

10/7/15

772060 (b)(6)
5300

Mr. Richard Ellis
9316 U.S. Route 34, Suite B
Yorkville, Illinois 60560

Dear Mr. Ellis:

During a recent compliance inspection at your firearms business covering the period of October 1, 2014 through October 5, 2015, 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 Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Senior Investigator (b)(6). 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.

Mr. Richard Ellis

Should you have any questions regarding this matter, please contact Senior Investigator (b)(6) in Downers Grove, Illinois, at (b)(6)

Sincerely yours,

(b)(6)

Area Supervisor
Springfield Area Office
Downers Grove Satellite Office

Enclosure

c: ATF Firearms Licensing Center

FIREARMS INSPECTION REPORT

Name: Richard Ellis
Trade Name:

UI#: 772060-2015-0758-B1B
FFL#: 3-36-093-01-6B-02638

Address: 9316 U. S. Route 34, Suite B
Yorkville, Illinois 60560

1 - Introduction

Inspection Profile:

This assignment was issued to Senior IOI (b)(6) to conduct a full field compliance inspection of this licensee who received his FFL in 2010 and has not yet been subject to a full compliance inspection. His licensed premises are located in an auto repair shop on Route 34 in Yorkville, Illinois. Mr. Ellis uses an office space in the repair area of the facility.

Senior IOI (b)(6) attempted to locate Mr. Ellis on several occasions in September of 2015, by visiting the licensed premises and by calling the phone number associated with this license. No response was ever received. On September 21, 2015, a visit was made to the reported address but no "Suite B" could be located on the property. A phone call was placed to the phone number of record and a message was left. On September 28, 2015, another attempt was made to contact Mr. Ellis in person at the licensed premises and another telephone call and voice message were made to Mr. Ellis's phone number of record. On the second visit that day, Senior IOI (b)(6) was advised by (b)(6) that Mr. Ellis occasionally sits at a desk in the waiting room doing paperwork. He telephonically contacted his son, (b)(6), who advised that Richard Ellis does indeed rent an office from them. (b)(6) was provided with IOI (b)(6) cell phone to have Mr. Ellis contact her.

Later on September 28, 2015, Richard Ellis telephonically contacted Senior IOI (b)(6) and advised that his cell phone had been broken for several days and he had not been able to receive any messages. It was noted that he was calling from a different number. An appointment was eventually made for October 5, 2015, to conduct the compliance inspection.

The period of the inspection was 10/1/2014 through 10/5/2015. A Report of Violations was issued, and a Warning Letter was issued to Richard Ellis for the violations disclosed.

Business Profile:

Richard Ellis provides firearms for local customers who purchase them over the internet and for customers with whom he is familiar either through work, his previous employment as a police officer with Earlville, Illinois; or to family and friends. Mr. Ellis stated that he currently works for (b)(6), a

FIREARMS INSPECTION REPORT

Name: Richard Ellis
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local farm in Sheridan, Illinois. (b)(6)

Mr. Ellis acquired (b)(4) firearms in the previous 12 months, (b)(4) handguns and (b)(4) long guns. In the same time frame, he disposed of (b)(4) firearms, (b)(4) handguns and (b)(4) long guns. His business is primarily handguns (b)(4) vs. long guns (b)(4) (%). He deals mainly in new firearms, with approximately 5% being used firearms purchased by local customers on the internet. He stated his major supplier is (b)(4) in Quincy, Illinois.

Mr. Ellis stated he does not attend gun shows as a dealer and does not do any repair or gunsmithing work on firearms. He also does not deal in NFA weapons. Mr. Ellis could be considered a low volume dealer.

Ownership and Control:

This license was issued to Richard Ellis as a sole proprietor. He does not utilize any trade name. He has no employees and does all transactions and paperwork himself. Richard Ellis possesses a valid Illinois FOID card, number (b)(6) expiring 7/1/2024.

Contact with (b)(6), Senior Planner for Kendall County, disclosed that this location is zoned properly for business and sales, and the county does not require any business license.

Richard Ellis is properly registered with the Illinois Department of Revenue for collection and payment of sales tax. (See Exhibit #1)

Variance:

No variances have been requested or approved for this licensee. Mr. Ellis inquired about using computerized A&D records. He was provided with a copy of ATF Ruling 2013-5 computerized records, and ATF Ruling 2008-8 for electronic Forms 4473.

2 - Recommendation

Warning Letter – No Referrals – No Recall Inspection

3 - Inspection History

This is Richard Ellis' first full field compliance inspection.

Date of Inspection: December 2012
Type of Inspection: Amended Telephone Application Inspection

FIREARMS INSPECTION REPORT

Name: Richard Ellis
Trade Name:

UI#: 772060-2015-0758-B1B
FFL#: 3-36-093-01-6B-02638

UI#: 772060-2012-0152-B1B
Inspection Results: Recommend issuance of amended license
Cited Violations: None

Date of Inspection: January 6, 2010
Type of Inspection: Full field application inspection
UI#: 772050-2010-0108-B1B
Inspection Results: Recommend issuance of Type 01 license
Cited Violations: None

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

Richard Ellis maintains his bound A&D record manually in a pre-printed book. He stated he created the pages using the format in the 2005 Federal Firearms Regulations Reference Guide. All required information was present and in the proper format. Mr. Ellis was reminded to ensure the "type" column contains the type of firearm rather than the action of the gun. He stated he enters the information as soon as the firearm is received and then disposed.

Mr. Ellis' bound A&D record did not contain any open entries and no firearms were in inventory. Each Form 4473 was compared to the entries in the A&D record for the previous 12 months. No discrepancies were found.

5 - ATF Forms 4473 – NICS & Other Dispositions

For the 12-month period of this inspection, Mr. Ellis had 17 completed Forms 4473 on file. He numbers each form consecutively after the transfer of the firearm. (b)(3) 112 Public Law 55 of the 17 forms were found to have at least one error or omission, resulting in (b)(3) instances of a violation of two regulation cites: 27 CFR 478.124(c)(1) and 27 CFR 478.21(a). A summary of the violation is as follows:

- (b)(3) transactions were on obsolete forms
- (b)(3) forms did contain a full middle name of the purchaser
- (b)(3) form did not contain a complete POB (city & state)
- (b)(3) forms did not contain ethnicity in block 10a
- (b)(3) form did not have an answer to question 11j (renounced citizenship)
- (b)(3) forms did not have a state of residence in block 13
- (b)(3) forms did not have purchaser's citizenship in block 14
- (b)(3) forms did not have number of firearms transferred in block 20a

(See Report of Violations #1, #2; Exhibit #2; Worksheet #2)

FIREARMS INSPECTION REPORT

Name: Richard Ellis
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UI#: 772060-2015-0758-B1B
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A list of NICS/FTIP approvals from the Illinois State Police were compared to the completed Forms 4473 on [REDACTED] occasions. No discrepancies were found.

6 - Multiple Sales

No multiple sales have ever been reported by this licensee and no unreported multiples were found during this inspection.

7 - Suspicious/Prohibited Purchasers

The purchaser who did not answer question 11j (renounced citizenship) was run through Illinois LEADS and NCIC with negative results. His Illinois FOID card is current and valid. He was also run through eTrace with negative results.

8 - Trace Activity

No firearms have ever been traced to this licensee.

9 - NFA/Importer/Collector/Manufacturer

Richard Ellis does not deal in or own any NFA weapons. He has not imported or manufactured any firearms. He is aware of the Type 03 collector's license and with curios and relics.

10 - Referrals

No referrals were generated as a result of this inspection.

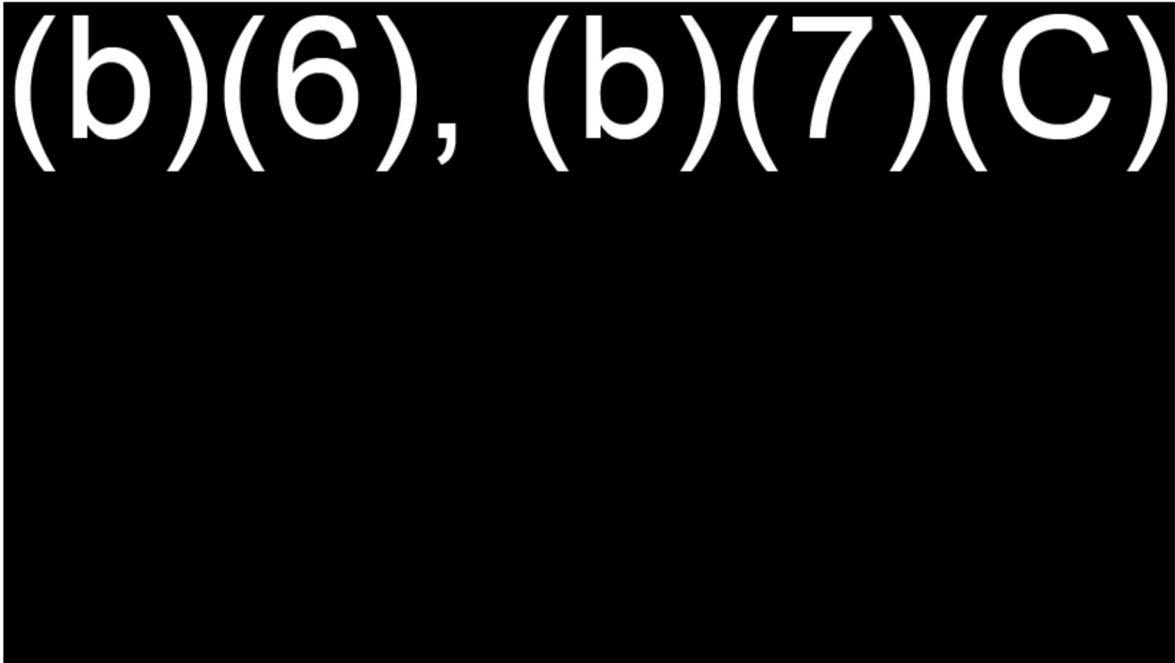
11 - Other

(b)(6), (b)(7)(C)

FIREARMS INSPECTION REPORT

Name: Richard Ellis
Trade Name:

UI#: 772060-2015-0758-B1B
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12 - Closing Actions

On October 5, 2015, Senior IOI (b)(6) conducted a closing conference with Richard Ellis. The handwritten Report of Violations was presented to him and each item and the instances were explained in detail to him. He indicated he understood and would improve his review of the forms prior to disposition of the firearm. Each item on the *Acknowledgement of Federal Firearms Regulations* overview form was reviewed with him and questions he had were answered. He signed and dated the form and retained a copy for his records. (See Exhibit #4) He was also provided with all items in the approved Chicago Field Division application packet use for application inspections. This was to ensure that he has all current and relevant information. (See Exhibit #5)

13 - Violations

1. 27 CFR 478.21(a)

Nature of Violation: Form 4473 review disclosed the following:

- (b)(6) instances, licensee used an obsolete Form 4473
- (b)(6) instances, Forms 4473 did not contain information in block 10a (ethnicity)
- (b)(6) instances, Form 4473 did not contain the number of firearms transferred in block 30a

Licensee's Response: Licensee stated he did not realize he had used an obsolete Form 4473.

FIREARMS INSPECTION REPORT

Name: Richard Ellis
Trade Name:

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FFL#: 3-36-093-01-6B-02638

Licensee stated that his customers and he were somewhat confused by the ethnicity block and thought block 10 was all one field and only one option needed to be selected. Licensee was surprised that he had forgotten to include the number of firearms transferred in block 30a as he said he usually includes that information.

Corrective Action: No corrective action is required. Licensee educated on proper completion of Form 4473. Licensee was instructed to destroy all obsolete Forms 4473, which he did.

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

Nature of Violation: Review of Forms 4473 disclosed the following:

- (b)(3) instances, Form 4473 did not contain a full middle name of purchaser
- (b)(3) instance, Form 4473 did not contain a complete POB in block 3
- (b)(3) instance, Form 4473 did not contain a response to question 11j (renounced citizenship)
- (b)(3) instances, Form 4473 did not contain a state of residence in block #13
- (b)(3) instances, Form 4473 did not contain citizenship info in block #14

Licensee's Response: Licensee did not have explanations for the errors and omissions. He stated he would pay more careful attention to the Forms 4473 in the future. He stated that he knows the purchaser who missed question 11j and that he knows he was born in the United States.

Corrective Action: No corrective action is required. Licensee was educated on proper completion of Form 4473.

X

(b)(6)

Senior Industry Operations Investigator

FIREARMS INSPECTION REPORT

Name: Richard Ellis
Trade Name:

UI#: 772060-2015-0758-B1B
FFL#: 3-36-093-01-6B-02638

Index of Worksheets and Exhibits

WORKSHEET #2 – ATF Form 4473 (2012 edition) Review Worksheet

EXHIBIT #1 – Illinois Department of Revenue Tax Registration Inquiry

EXHIBIT #2 – Copies of sample Forms 4473 with error/omissions

EXHIBIT #2 – Copy of email from (b)(6) dated 10/1/2015 and LEADS FOID printout

EXHIBIT #3 – Signed/dated *Acknowledgement of Federal Firearms Regulations*

EXHIBIT #4 – Application Reference Material checklist (December 2014)