

## Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY)  Tobey's LLC Tobey's 801 W. Main Street, Suite 104 Charlottesville, VA 22903, Albemarle	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 768035-2016-0233-B1B 3. PERMIT/LICENSE NUMBER 154003027L09534 <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: none;">4a. TARGET DATE</td> <td style="width: 67%; border: none;">4b. TARGET HOURS</td> </tr> </table> 5. REQUESTED BY (SIGNATURE, TITLE AND DATE)	4a. TARGET DATE	4b. TARGET HOURS
4a. TARGET DATE	4b. TARGET HOURS		

6. ATF OFFICER(S) ASSIGNED

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

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)

(b) (6), Area Supervisor, 04/27/2016

8. PURPOSE/SPECIAL INSTRUCTIONS

Please conduct a recall inspection on this pawnbroker. An inspection was completed by IOI (b) (6) on 1/16/2015 for which a Warning Conference was held with the FFL in the Richmond Area office on 3/4/2015. Please conduct a recall inspection to ensure FFL is compliant with all ATF laws and regulations.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	7	NO. OF REFERRALS		2111 - PER DIEM
NO. OF TECS CHECKS	3	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: 08/05/2016  
 On July 19, 2016, all responsible persons were queried in N-Force by IOI (b) (6) and in NCIC by IA (b) (6) with no disabling information found.

Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b) (6)	
	MAY 2016	2.00	
	AUG 2016	3.00	
ATF OFFICER'S SUBTOTAL	5.00	ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b) (6)	
	JUL 2016	16.00	
	AUG 2016	4.00	
ATF OFFICER'S SUBTOTAL	20.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	25.00		

# Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Tobey's LLC Tobey's 801 W. Main Street, Suite 104 Charlottesville, VA 22903, Albemarle	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 768035-2016-0233-B1B		
	3. PERMIT/LICENSE NUMBER 154003027L09534	4a. TARGET DATE	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

### 13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

Staged for inspection in FY19.

Viols WL ONLY and No Recall Inspection

REVIEWED       CONCUR       SEE COMMENTS       FINAL DISPOSITION

SIGNATURE AND TITLE <b>(b) (6)</b> - Area Supervisor	REVIEW DATE 08/23/2016
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ROUTING SEQUENCE AND DATE

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_

CONTROL FILE POSTED DATE \_\_\_\_\_



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives  
1011 Boulder Springs Drive  
Suite 300, Richmond, VA 23225

August 19th, 2016

[www.atf.gov](http://www.atf.gov)

Tobey's LLC  
T/A Tobey's  
801 W. Main Street, Suite 104  
Charlottesville, VA 22903

FFL No. 1-54-003-02-7L-09534

Dear Mr. Tobey Bouch:

During a recent compliance inspection at your firearms business covering the audit review period 7/7/2015 – 7/7/2016 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) Industry Operations 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.

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

Sincerely yours,

(b) (6)

(b) (6) Area Supervisor

Enclosure

cc: Federal Firearms Licensing Center  
Richmond Area Office  
March 11 2019 Document Production

## 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 Tobey's LLC Tobey's	Street Address 801 W Main Street, Suite 104	City Charlottesville	State VA	Zip Code 22903-	County Albemarle	Page 1 of 5 Pages
License/Permit/Registry Number (If any) 154013027L00534	Expiration Date 11/1/2017	Date(s) or Period of Inspection 07/06/2016 through 08/01/2016				

### 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:**

The licensee, by and through its agents and employees, failed to timely and/or accurately record the disposition of <sup>(b) (3) - Pub</sup> firearm.

Citation: 27 CFR 478.125(e)

**Date Corrections to be Made:**

*(If not corrected immediately)*

**Corrective Action to be Taken:**

*(If not corrected immediately)*

Ensure proper maintenance of the A&D record by recording all dispositions within seven days of transfer.

Number: 2

**Nature of Violation:**

The licensee, by and through its agents and employees failed to obtain/execute Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form. <sup>(b) (3) - Pub</sup> instances cited.

**Date Corrections to be Made:**

*(If not corrected immediately)*

**Corrective Action to be Taken:**

*(If not corrected immediately)*

Ensure proper completion of the ATF Form 4473 by obtaining complete and correct information from the transferee before the disposition of a firearm.

<sup>(b) (3) - Public</sup> forms, Item 11a, which asks, "Are you the actual buyer/transferee of the firearm(s) listed on the form?", a "No" response was provided.

<sup>(b) (3) - Public</sup> form, Item 24, Signature, and Item 25, Recertification Date, are blank.

Citation: 27 CFR 478.31(a)

## 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 Tobey's LLC Tobey's	Street Address 801 W Main Street, Suite 104	City Charlottesville	State VA	Zip Code 22903-	County Albemarle	Page 2 of 5 Pages
License/Permit/Registry Number (If any) 1540H3027L09534	Expiration Date 11/1/2017	Date(s) or Period of Inspection 07/06/2016 through 08/01/2016				

### Inspection Results

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

Number: 3

#### Nature of Violation:

The licensee, by and through its agents and employees, failed to obtain a properly completed Form 4473 from the transferee prior to making an over-the-counter transfer of a firearm to a non-licensee. <sup>(b)(3)</sup> instances cited.

<sup>(b)(3) - Public Use</sup> Form, Item 2, Residence Address, is incomplete.

<sup>(b)(3) - Public Use</sup> Form, Item 13, State of Residence, is incorrect or blank.

<sup>(b)(3) - Public Use</sup> Form, Item 17, Certification Date, is incorrect or blank.

<sup>(b)(3) - Public Use</sup> Form, Item 13 is blank and Item 17 is incorrect.

Citation: 27 CFR 478.124(e)(1)

#### Date Corrections to be Made:

*(If not corrected immediately)*

#### Corrective Action to be Taken:

*(If not corrected immediately)*

Ensure proper completion of the ATF Form 4473 by obtaining complete and accurate responses for all items of Section A of the form.

## 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 Tobey's LLC Tobey's	Street Address 801 W. Main Street, Suite 104	City Charlottesville	State VA	Zip Code 22903-	County Albemarle	Page 3 of 5 Pages
License/Permit/Registry Number (If any) 154003027109534	Expiration Date 11/1/2017	Date(s) or Period of Inspection 07/06/2016 through 08/01/2016				

### 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:

The licensee, by and through its agents and employees, transferred a firearm to a non-licensee without verifying the identification document presented and noting on the Form 4473 the type of identification used. <sup>(b)(3)</sup> instances cited.

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

Citation: 27 CFR 478.124(c)(3)(i)

#### Date Corrections to be Made:

*(If not corrected immediately)*

#### Corrective Action to be Taken:

*(If not corrected immediately)*

Ensure proper identification of the individual to whom firearm(s) are being transferred by obtaining appropriate identification documents. In the case of sales to military personnel for personal use, a military identification and PCS orders should be verified and documented.

## 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 Tobey's LLC Tobey's	Street Address 801 W. Main Street, Suite 104	City Charlottesville	State VA	Zip Code 22903-	County Albanarle	Page 4 of 5 Pages
License/Permit/Registry Number (if any) 154003027L10534		Expiration Date 11/1/2017	Date(s) or Period of Inspection 07/06/2016 through 08/01/2016			

### 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:**

The licensee, by and through its agents and employees, transferred a firearm to a non-licensee without recording required NICS information on the Form 4473<sup>(b)(6)</sup> instances cited.

<sup>(b)(3) - Public Law</sup> Form, Item 21a, Date of Initial Contact, is incorrect.

<sup>(b)(3) - Public Law</sup> Form, Item 21b, Approval Number, and Item 21d, Response after Delay, is blank.

<sup>(b)(3) - Public Law</sup> Form, Item 21d is blank.

Citation: 27 CFR 478.124(c)(3)(iv)

**Date Corrections to be Made:**

*(If not corrected immediately)*

**Corrective Action to be Taken:**

*(If not corrected immediately)*

Ensure proper completion of the ATF Form 4473 by recording all background check information in Item 21 of the form.

Number: 6

**Nature of Violation:**

The licensee, by and through its agents and employees, failed to identify the firearm to be transferred on Form 4473<sup>(b)(6)</sup> instance cited.

<sup>(b)(3) - Public Law</sup> Form, Item 26, Manufacturer, Item 27, Model, Item 28, Serial Number, Item 29, Type, and Item 30, Caliber/Gauge, are blank.

**Date Corrections to be Made:**

*(If not corrected immediately)*

**Corrective Action to be Taken:**

*(If not corrected immediately)*

Ensure proper completion of the ATF Form 4473 by completely and accurately identifying the firearm(s) to be transferred on the form.

## Report of Violations

### Instructions

Please write finally 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 Tobey's LLC Tobey's	Street Address 801 W Main Street, Suite 111	City Charlottesville	State VA	Zip Code 22903-	County Albemarle	Page 5 of 5 Pages
License/Permit/Registry Number (If any) 1540113027L09534	Expiration Date 11/1/2017	Date(s) or Period of Inspection 07/06/2016 through 08/01/2016				

### Inspection Results

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

Citation: 27 CFR 478.124(c)(4)

Number: 7

#### Nature of Violation:

The licensee, by and through its agents and employees, failed to timely and accurately report the sale or other disposition of two or more pistols and/or revolvers to an unlicensed person <sup>(b)(7)(C)</sup> instances cited, involving <sup>(b)(7)(C)</sup> firearms.

#### Date Corrections to be Made:

(If not corrected immediately)

#### Corrective Action to be Taken:

(If not corrected immediately)

Ensure timely completion and submission of the ATF Report of Multiple Sale or Other Disposition of Pistols and/or Revolvers any time two or more pistols or revolvers are sold to the same unlicensed person within a 5 business day period.

Note that this form is not necessary in the case of a pawn redemption or any case where the firearms are returned to the person from whom received.

Citation: 27 CFR 478.126a

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

Date

8/1/16

Signature and Title of Agent

(b) (6)

Date

9/1/2016

For Official Use Only

ATF Form 5010.5

Revised April 2005

# FIREARMS INSPECTION REPORT

**Name:** Tobey's LLC  
**Trade Name:** Tobey's

**UI#:** 768035-2016-0233-B1B  
**FFL#:** 1-54-003-02-7L-09534

**Address:** 801 W Main St, Suite 104  
Charlottesville, VA 22903, Albemarle County

## 1 - Introduction

### Inspection Profile:

On July 6, 2016, Industry Operations Investigator (IOI) (b)(6) initiated an on-site recall inspection at the licensed premises of Tobey's LLC. IOI (b)(6) assisted with this inspection. Mr. Tobey Bouch, Responsible Person/Owner, was interviewed and assisted with this inspection. No other Federal, State, or local agencies participated. No advance notice was given.

This inspection is being conducted as a recall due to violations disclosed by IOI (b)(6) during the previous inspection completed on January 16, 2015. Violations included failure to properly execute the ATF Form 4473 and failure to properly maintain the A&D record, and resulted in a Warning Conference held on March 4, 2015.

The inspection period ranged from July 7, 2015 through July 6, 2016. A closing conference was held on August 1, 2016.

### Business Profile:

Tobey's LLC (Tobey's) operates as a pawnbroker and general merchandise retailer, specializing in new and used firearms sold at the retail level. In the last 12 months, the licensee acquired (b)(4) firearms (b)(4) handguns, (b)(4) long guns, and (b)(4) other firearms), and disposed of (b)(4) firearms (b)(4) handguns, (b)(4) long guns, and (b)(4) receiver). Primary suppliers include (b)(4), and the general public. The licensee does not sell at guns shows. The licensee maintains a website at [www.tobeypawn.com](http://www.tobeypawn.com), through which it sells firearms.

No other businesses are operated by the licensee and no other businesses are operated from the premises. The license held is appropriate for the operations conducted. The premises are located in a commercial location and zoning does not prohibit the operations conducted. This license was issued on October 14, 2011.

This marks the third compliance inspection of the licensee. The previous compliance inspection conducted by IOI (b)(6) was initiated on December 3, 2014, which resulted in 327 firearms in inventory and 680 ATF Forms 4473 on file. A closing conference was held on January 16, 2015 and a Warning Conference was held on March 4, 2015.

# FIREARMS INSPECTION REPORT

**Name:** Tobey's LLC  
**Trade Name:** Tobey's

**UI#:** 768035-2016-0233-B1B  
**FFL#:** 1-54-003-02-7L-09534

IOI (b)(6) conducted a compliance inspection on October 1, 2012, which resulted in 89 firearms in inventory and (b)(6) ATF Forms 4473 reviewed. A Report of Violations and Warning Letter were issued. A closing conference was held on October 3, 2012.

IOI (b)(6) conducted the application inspection on October 7, 2011, resulting in approval of the application.

## Ownership and Control:

Tobey's LLC is a limited liability company as recognized by the Virginia State Corporation Commission under VA SCC ID #S3710763. The licensee holds EIN # (b)(3) 26 USC §6103 and also a DIN, (b)(3) 26 USC §6 with the Virginia State Police. All responsible persons are reported by FLS, and no responsible persons were added through the course of the inspection. No unreported changes were discovered and no hidden ownership is suspected.

## Variance:

No variances are held by the licensee.

## 2 - Recommendation

Report of Violations with Warning Letter and No Recall Inspection.

On July 19, 2016, all responsible persons were queried in N-Force by IOI (b)(6) and in NCIC by IA (b)(6), with no disabling information found.

## 3 - Inspection History

**Date of Inspection:** December 3, 2014  
**Type of Inspection:** Recall Inspection  
**UI#:** 768035-2015-0031-B1B, IOI (b)(6)  
**Inspection Results:** Report of Violations with Warning Letter and Warning Conference and Recall Inspection  
**Cited Violations:** 27 CFR 478.21(a)-(b) forms; 27 CFR 478.124(a)-(b) instance; 27 CFR 478.124(c)(3)(i)-(b) forms; 27 CFR 478.124(c)(1)-(b)(3) forms; 27 CFR 478.124(c)(4)-(b) forms; 27 CFR 478.124(c)(5)-(b) forms; 27 CFR 478.126a-(b)(3) instances; 27 CFR 478.125(e)-(b)(3) instances; 27 CFR 478.102(b)-(b) instance; 27 CFR

# FIREARMS INSPECTION REPORT

**Name:** Tobey's LLC  
**Trade Name:** Tobey's

**UI#:** 768035-2016-0233-B1B  
**FFL#:** 1-54-003-02-7L-09534

478.102(c)-(b)(6) instance; and 27 CFR 478.124(c)(3)(iv)-(b)(6) forms.

**Date of Inspection:** October 1, 2012  
**Type of Inspection:** Compliance Inspection  
**UI#:** 768035-2012-0405-B1B, IOI (b)(6)  
**Inspection Results:** Report of Violations with Warning Letter and Recall Inspection  
**Cited Violations:** 27 CFR 478.21a-(b)(6) forms; 27 CFR 478.124(c)(1)-(b)(6) forms; 27 CFR 478.124(c)(3)(i)-(b)(6) form; 27 CFR 478.124(c)(3)(iv)-(b)(6) forms; 27 CFR 478.124(c)(4)-(b)(6) forms; 27 CFR 478.124(c)(5)-(b)(6) form; 27 CFR 27 CFR 478.125(e)-(b)(6) instances; 27 CFR 478.124(a)-(b)(6) instance; and 27 CFR 478.126a-(b)(6) instances.

**Date of Inspection:** October 7, 2011  
**Type of Inspection:** Qualification Inspection  
**UI#:** 768035-2012-0013-B1B, IOI (b)(6)  
**Inspection Results:** Application Approved  
**Cited Violations:** No violations.

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

On July 6, 2016, IOIs (b)(6) conducted a complete inventory and A&D review, resulting in (b)(3)(12) firearms in inventory and (b)(3)(12) open entries, resulting in 1 violation cited for failure to record the disposition of a firearm in (b)(6) instance.

#### **See Report of Violations, See Worksheet 1**

The A&D record is in the proper format with all required information and all other entries appearing timely made. The record is maintained on a computerized record sponsored by Bravo, and appears to be in accordance with ATF Ruling 2016-1. IOI (b)(6) cross-referenced 25 ATF Forms 4473 with the corresponding entry in the A&D record, with no discrepancies found. No illegal firearms or firearms with obliterated serial numbers were discovered.

Entries are potentially made in the A&D record by whichever employee receives or disposes a given firearm. Entries are generally rechecked for accuracy prior to the transfer of a firearm. Mr. Bouch stated that this error appears to have resulted from a system integration when the licensee switched from Pawnmaster to Bravo.

# FIREARMS INSPECTION REPORT

Name: Tobey's LLC  
Trade Name: Tobey's

UI#: 768035-2016-0233-B1B  
FFL#: 1-54-003-02-7L-09534

## **5 - ATF Forms 4473 – NICS & Other Dispositions**

On July 7, 2016, IOIs (b)(6) reviewed all ATF Forms 4473 on file for the inspection period, totaling in (b)(6) forms. This review resulted in 5 violations cited for failure to properly execute the ATF Form 4473.

**See Report of Violations, See Worksheet 2**

Forms are filed chronologically. IOI (b)(6) verified 88 approval codes as provided by the Virginia State Police, with no discrepancies found. Transfers to other licensees are properly conducted and no transfers to law enforcement occurred during the inspection period.

ATF Forms 4473 are reviewed by the executing employee at the time of transfer, with a second review occurring before the forms are permanently filed. IOI (b)(6) recommended, when possible, to have a second employee review the form before finalizing the transaction.

## **6 - Multiple Sales**

The licensee reported (b)(6) multiple sales involving (b)(6) firearms. (b)(6) unreported multiple sales were discovered, involving (b)(6) firearms. This resulted in a violation cited for failure to execute and submit the multiple sale report.

**See Report of Violations, See Worksheet 2**

## **7 - Suspicious/Prohibited Purchasers**

IOI (b)(6) identified no suspicious or prohibited purchasers.

## **8 - Trace Activity**

The licensee received (b)(6) trace requests during the inspection period, all successfully completed. No open traces exist for the licensee.

## **9 - NFA/Importer/Collector/Manufacturer**

The licensee does not deal in NFA, does not conduct operations as a manufacturer or importer, and is not licensed as a collector.

## **10 - Referrals**

# FIREARMS INSPECTION REPORT

**Name:** Tobey's LLC  
**Trade Name:** Tobey's

**UI#:** 768035-2016-0233-B1B  
**FFL#:** 1-54-003-02-7L-09534

No referrals were generated as a result of this inspection.

## **11 - Other**

The licensee was removed from the Demand Letter Program as of 2016.

## **12 - Closing Actions**

On August 1, 2016, IOI (b)(6) held a closing conference with Mr. Bouch. IOI (b)(6) reviewed the Report of Violations with Mr. Bouch, offering opportunity to ask questions. Mr. Bouch stated he understood these violations, signed and dated the Report of Violations, and was provided a copy for the licensee's records (**See Report of Violations**).

IOI (b)(6) then reviewed the Acknowledgment of Federal Firearms Regulations with Mr. Bouch, offering opportunity to ask questions. Mr. Bouch stated he understood these regulations, signed and dated the Acknowledgment, and was provided a copy for the licensee's records (**See Exhibit 1**).

## **13 - Violations**

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

#### **REPEAT OF VIOLATION CITED ON 1/16/2015 & 10/3/2012**

**Nature of Violation:** The licensee, by and through its agents and employees failed to obtain/execute Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form, (b)(6) forms cited.

-On (b)(6) forms, Item 11a, which asks, "Are you the actual buyer/transferee of the firearm(s) listed on the form?", a "No" response was provided.

-On (b)(6) form, Item 24, Signature, and Item 25, Recertification Date, are blank.

**Licensee's Response:** Mr. Bouch stated that he is generally procedurally regimented, and needs to impart these procedures to his employees to reduce errors, in general.

**Corrective Action:** Ensure proper completion of the ATF Form 4473 by obtaining complete and correct information from the transferee before the disposition of a firearm.

**See Report of Violations, See Worksheet 2**

### **2. 27 CFR 478.125(e)**

## FIREARMS INSPECTION REPORT

**Name:** Tobey's LLC  
**Trade Name:** Tobey's

**UI#:** 768035-2016-0233-B1B  
**FFL#:** 1-54-003-02-7L-09534

### REPEAT VIOLATION CITED ON 1/16/2015 & 10/3/2012

**Nature of Violation:** The licensee, by and through its agents and employees, failed to timely and/or accurately record the disposition of [REDACTED] firearm.

**Licensee's Response:** Mr. Bouch stated this error occurred as a technical issue during the transitioning of one computerized inventory system to another.

**Corrective Action:** Ensure proper maintenance of the A&D record by recording all dispositions within seven days of transfer.

**See Report of Violations, See Worksheet 1**

### 3. 27 CFR 478.124(c)(1)

#### REPEAT OF VIOLATION CITED ON 1/16/2015

**Nature of Violation:** The licensee, by and through its agents and employees, failed to obtain a properly completed Form 4473 from the transferee prior to making an over-the-counter transfer of a firearm to a non-licensee, [REDACTED] instances cited.

-On [REDACTED] forms, Item 2, Residence Address, is incomplete.

-On [REDACTED] forms, Item 13, State of Residence, is incorrect or blank.

-On [REDACTED] forms, Item 17, Certification Date, is incorrect or blank.

-On [REDACTED] form, Item 13 is blank and Item 17 is incorrect.

**Licensee's Response:** Mr. Bouch stated that he is generally procedurally regimented, and needs to impart these procedures to his employees to reduce errors, in general.

**Corrective Action:** Ensure proper completion of the ATF Form 4473 by obtaining complete and accurate responses for all items of Section A of the form.

**See Report of Violations, See Worksheet 2**

### 4. 27 CFR 478.124(c)(3)(i)

#### REPEAT OF VIOLATION CITED ON 1/16/2015 & 10/3/2012

## FIREARMS INSPECTION REPORT

**Name:** Tobey's LLC  
**Trade Name:** Tobey's

**UI#:** 768035-2016-0233-B1B  
**FFL#:** 1-54-003-02-7L-09534

**Nature of Violation:** The licensee, by and through its agents and employees, transferred a firearm to a non-licensee without verifying the identification document presented and noting on the Form 4473 the type of identification used, [REDACTED] instances cited.

-On [REDACTED] forms, Item 20a, Identification, is incomplete. In all instances, a transfer to military personnel was conducted.

**Licensee's Response:** Mr. Bouch stated that he is generally procedurally regimented, and needs to impart these procedures to his employees to reduce errors, in general.

**Corrective Action:** Ensure proper identification of the individual to whom firearm(s) are being transferred by obtaining appropriate identification documents. In the case of sales to military personnel for personal use, a military identification and PCS orders should be verified and documented.

**See Report of Violations, See Worksheet 2**

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

**REPEAT OF VIOLATION CITED ON 1/16/2015 & 10/3/2012**

**Nature of Violation:** The licensee, by and through its agents and employees, transferred a firearm to a non-licensee without recording required NICS information on the Form 4473, [REDACTED] instances cited.

-On [REDACTED] forms, Item 21a, Date of Initial Contact, is incorrect.

-On [REDACTED] form, Item 21b, Approval Number, and Item 21d, Response after Delay, is blank.

-On [REDACTED] form, Item 21d is blank.

**Licensee's Response:** Mr. Bouch stated that he is generally procedurally regimented, and needs to impart these procedures to his employees to reduce errors, in general.

**Corrective Action:** Ensure proper completion of the ATF Form 4473 by recording all background check information in Item 21 of the form.

**See Report of Violations, See Worksheet 2**

6.

**27 CFR 478.124(c)(4)**

**REPEAT OF VIOLATION CITED ON 1/16/2015 & 10/3/2012**

# FIREARMS INSPECTION REPORT

**Name:** Tobey's LLC  
**Trade Name:** Tobey's

**UI#:** 768035-2016-0233-B1B  
**FFL#:** 1-54-003-02-7L-09534

**Nature of Violation:** The licensee, by and through its agents and employees, failed to identify the firearm to be transferred on Form 4473, [REDACTED] instance cited.

-On [REDACTED] form, Item 26, Manufacturer, Item 27, Model, Item 28, Serial Number, Item 29, Type, and Item 30, Caliber/Gauge, are blank.

**Licensee's Response:** Mr. Bouch stated that he is generally procedurally regimented, and needs to impart these procedures to his employees to reduce errors, in general.

**Corrective Action:** Ensure proper completion of the ATF Form 4473 by completely and accurately identifying the firearm(s) to be transferred on the form.

**See Report of Violations, See Worksheet 2**

7. **27 CFR 478.126a**

**REPEAT OF VIOLATION CITED ON 10/3/2012**

**Nature of Violation:** The licensee, by and through its agents and employees, failed to timely and accurately report the sale or other disposition of two or more pistols and/or revolvers to an unlicensed person, [REDACTED] instances cited, involving [REDACTED] firearms.

**Licensee's Response:** Mr. Bouch stated that he is generally procedurally regimented, and needs to impart these procedures to his employees to reduce errors, in general.

**Corrective Action:** Ensure timely completion and submission of the ATF Report of Multiple Sale or Other Disposition of Pistols and/or Revolvers any time two or more pistols or revolvers are sold to the same unlicensed person within a 5 business day period.

Note that this form is not necessary in the case of a pawn redemption or any case where the firearms are returned to the person from whom received.

**See Report of Violations, See Worksheet 2**

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X

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Industry Operations Investigator

# FIREARMS INSPECTION REPORT

**Name:** Tobey's LLC  
**Trade Name:** Tobey's

**UI#:** 768035-2016-0233-B1B  
**FFL#:** 1-54-003-02-7L-09534

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Worksheet 2: ATF F 4473 Review (2008 Edition)

Worksheet 2: ATF F 4473 Review (2012 Edition)

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Exhibit 1: Acknowledgment of Federal Firearms Regulations