

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) STANISLOWSKY, JOHN H JR & BEVERLY J TALK OF THE TOWN AUCTION 2100 SARATOGA RD RT 50 BALLSTON SPA, NY 12020, SARATOGA		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 765060-2017-0168-B1B		
		3. PERMIT/LICENSE NUMBER 614091016L00668	4a. TARGET DATE 9/30/2017	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, 01/06/2017				
8. PURPOSE/SPECIAL INSTRUCTIONS Conduct full DE Inspection. Licensee's last inspection was at least 10 years ago. Check eTrace for trace history.				
9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC				
NO. OF VIOLATIONS	8	NO. OF REFERRALS		10. TRAVEL EXPENSES (OPTIONAL)
NO. OF TECS CHECKS	8	NO. OF TECS HITS		2111 - PER DIEM
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2112 - P.O.A.
		\$ VALUE OF TAX DECREASES		2113 - COMM. AIR
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2114 - RENTAL CAR
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2115 - GPV EXPENSES
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		2116 - MISC.
				TOTAL \$ FOR INSP.
11. ATF OFFICER'S RECOMMENDATION Submitted by (b)(6) - Industry Operations Investigator Submitted on: 03/20/2017 Compliance inspection concluded on 3/2/17. The following violations were issued: -27 CFR 478.125(e), (b)(3) instances -27 CFR 478.21(a), (b)(3) instances -27 CFR 478.124(c)(4), (b)(3) instances -27 CFR 478.124(c)(1), (b)(3) instances -27 CFR 478.124(c)(5), (b)(3) instances -27 CFR 478.124(c)(3)(I), (b)(3) instance -27 CFR 478.126(a), (b)(3) instances -27 CFR 478.54 Recommend Violations, Warning Letter only, No Recall Inspection. Violts WL ONLY and No Recall Inspection				
12. TIME ACCOUNTING DATA				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
FEB 2017		23.00		
MAR 2017		14.00		
ATF OFFICER'S SUBTOTAL		37.00		ATF OFFICER'S SIGNATURE
TOTAL HOURS		37.00		

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) STANISLOWSKY, JOHN H JR & BEVERLY J TALK OF THE TOWN AUCTION 2100 SARATOGA RD RT 50 BALLSTON SPA, NY 12020, SARATOGA	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 765060-2017-0168-B1B		
	3. PERMIT/LICENSE NUMBER 614091016L00668	4a. TARGET DATE 9/30/2017	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION
Viols WL ONLY and No Recall Inspection

☒ REVIEWED

☒ CONCUR

☐ SEE COMMENTS

☒ FINAL DISPOSITION

SIGNATURE AND TITLE

(b)(6) - Industry Operations Investigator

(b)(6)

REVIEW DATE

03/21/2017

ROUTING SEQUENCE AND DATE

- ☐ 1. _____
- ☐ 2. _____
- ☐ 3. _____
- ☐ 4. _____

CONTROL FILE POSTED DATE _____

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

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	Street Address	City	State	Zip Code	County	Page 1 of 5 Pages
STANISLOWSKY, JOHN H JR & BEVERLY J TALK OF THE TOWN AUCTION	2100 SARATOGA RD RT 50	BALLSTON SPA	NY	12020-	SARATOGA	

License/Permit/Registry Number (If any)	Expiration Date	Date(s) or Period of Inspection
614091016L00668	11/1/2019	02/17/2016 through 02/17/2017

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 License failed in

015

 instance to timely record the disposition of a firearm.
Each instance was outlined in a separate spreadsheet that the IOI provided to the licensee.

Citation: 27 CFR 478.125(e)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Licensee entered the disposition of the firearms into the A&D record. Licensee was reminded that the sale or other disposition of a firearm shall be recorded by the licensed dealer not later than 7 days following the date of such transaction.

Number: 2

Nature of Violation:

Licensee failed in

0151

 instances to obtain a complete and accurate ATF Form 4473 prior to transferring a firearm to an unlicensed person.

Each instance was outlined in a separate spreadsheet that the IOIs provided to the licensee.

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee was reminded that all of the information called for in each form shall be furnished as indicated by the headings on the form and the instructions on or pertaining to the form.

April 9 2019 Document Production

453

For Official Use Only

ATF E-Form 5030 5
Revised April 2005

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

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 STANISLOWSKY, JOHN H JR & BEVERLY J TALK OF THE TOWN AUCTION	Street Address 2100 SARATOGA RD RT 50	City BALLSTON SPA	State NY	Zip Code 12020-	County SARATOGA	Page 2 of 5 Pages
--	--	----------------------	-------------	--------------------	--------------------	----------------------

License/Permit/Registry Number (If any) 614091016L00668	Expiration Date 11/1/2019	Date(s) or Period of Inspection 02/17/2016 through 02/17/2017
--	------------------------------	--

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:
Licensee failed in (b)(3) instances to completely and accurately identify the firearm to be transferred by listing on the Form 4473 the name of the manufacture, model, serial number, type, and/or caliber.

Citation: 27 CFR 478.124(c)(4)

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

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

The licensee was reminded they must identify the firearm to be transferred by listing on the Form 4473 the name of the manufacturer, the name of the importer (if any), model, serial number, type and caliber or gauge of the firearm.

Number: 4

Nature of Violation:
Licensee failed in (b)(3) instances to obtain a complete and accurate ATF Form 4473 showing certification by the transferee that the transferee is not prohibited from transporting, shipping or receiving a firearm prior to transferring a firearm to an unlicensed person. On 4473 #'s (b)(3) - PLANS LOW (b)(3), item (b)(3) was blank.

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)

The licensee was reminded of their obligations to prior to making an over-the-counter transfer of a firearm to a nonlicensee who is a resident of the State in which the licensee's business premises is located, the licensed dealer so transferring the firearm shall obtain a Form 4473 from the transferee showing certification by the transferee that the transferee is not prohibited by the Act from transporting or shipping a firearm in interstate or foreign commerce or receiving a firearm which has been shipped or transported in interstate or foreign commerce or possessing a firearm in or affecting commerce.

April 9 2019 Document Production

454

For Official Use Only

ATF E-Form 5030 5
Revised April 2005

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 STANISLOWSKY, JOHN H JR & BEVERLY J TALK OF THE TOWN AUCTION	Street Address 2100 SARATOGA RD RT 50	City BALLSTON SPA	State NY	Zip Code 12020-	County SARATOGA	Page 3 of 5 Pages
License/Permit/Registry Number <i>(If any)</i> 614091016L00668		Expiration Date 11/1/2019		Date(s) or Period of Inspection 02/17/2016 through 02/17/2017		

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:

License failed in 5 instances to sign the ATF Form 4473s on the day the firearm was transferred. (b) (3) - Public Law 112-55 (125 Stat. 552), (b) (6)
(b) (3) - Public Law 112-55 (125 Stat. 552), (b) (6)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee was reminded that they must sign and date the form if the licensee does not know or have reasonable cause to believe that the transferee is disqualified by law from receiving the firearm and transfer the firearm described on the Form 4473.

Citation: 27 CFR 478.124(c)(5)

Number: 6

Nature of Violation:

Licensee failed in 1 instance to record a valid form of identification, as defined in 27 CFR 478.11. On ATF 4473 #3812, item 20a was blank.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee was reminded that they must verify the identity of the transferee by examining the identification document (as defined in § 478.11) presented, and shall note on the Form 4473 the type of identification used.

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

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 STANISLOWSKY, JOHN H JR & BEVERLY J TALK OF THE TOWN AUCTION	Street Address 2100 SARATOGA RD RT 50	City BALLSTON SPA	State NY	Zip Code 12020-	County SARATOGA	Page 4 of 5 Pages
License/Permit/Registry Number <i>(If any)</i> 614091016L00668		Expiration Date 11/1/2019		Date(s) or Period of Inspection 02/17/2016 through 02/17/2017		

Inspection Results

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

Number: 7

Nature of Violation:

Licensee failed in 7 instances to file an ATF 3310.4, Multiple Sales Report as required in 27 CFR 126a. On 4473 #3898, 7 handguns were transferred to [REDACTED] and on 4473 #3716, 7 handguns were transferred to [REDACTED], with no Multiple Sales Reports completed.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee was reminded that they must prepare a report of multiple sales or other disposition whenever they sell or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more, to an unlicensed person. Mrs. Stanislawsky submitted ATF Forms 3310.4, Multiple Sales Report as required.

Citation: 27 CFR 478.126(a)

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

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 STANISLOWSKY, JOHN H JR & BEVERLY J TALK OF THE TOWN AUCTION	Street Address 2100 SARATOGA RD RT 50	City BALLSTON SPA	State NY	Zip Code 12020-	County SARATOGA	Page 5 of 5 Pages
--	--	----------------------	-------------	--------------------	--------------------	----------------------

License/Permit/Registry Number <i>(If any)</i> 614091016L00668	Expiration Date 11/1/2019	Date(s) or Period of Inspection 02/17/2016 through 02/17/2017
---	------------------------------	--

Inspection Results

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

Number: 8

Nature of Violation:
Licensee failed to provide written notification to the Federal Licensing Center within 30 days of change of control. The licensee did not notify ATF when they became an LLC, in which John Stanislawsky is the sole shareholder, in 2009.

Citation: 27 CFR 478.54

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

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

The licensee applied for a new Federal Firearms License under Talk of the Town Auction, LLC. The licensee was reminded that if actual or legal control of the corporation or association changes, directly or indirectly, whether by reason of change in stock ownership or control (in the licensed corporation or in any other corporation), by operations of law, or in any other manner, the licensee shall, within 30 days of such change, give written notification thereof, executed under the penalties of perjury, to the Chief, Federal Firearms Licensing Center. Upon expiration of the license, the corporation or association must file a Form 7 (Firearms) as required by § 478.44.

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

Date

Signature and Title of ATF Officer

Date

April 9 2019 Document Production

457

For Official Use Only

ATF E-Form 5030 5
Revised April 2005



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

32 Old Slip, Suite 3500, New York, NY 10005

March 21, 2017

www.atf.gov

765060 (b)(6)
5700

John H Jr. & Beverly J Stanislowsky
Talk of the Town Auction
2100 Saratoga Road Route 50
Ballston Spa, NY 12020

RE: 614091016L00668

Dear Mr. & Mrs. Stanislowsky:

During a recent inspection at your firearms business covering the period February 2016 to February 2017 you were cited for violation of Title 27, Code of Federal Regulations, Part 478.

A copy of Report of Violations, ATF F 5030.5, issued at the time of the inspection is enclosed.

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

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

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

John H Jr. & Beverly J Stanislawsky

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

Sincerely yours,

(b)(6)

Acting Area Supervisor

Enclosure

c: Federal Firearms Licensing Center
New York VI (IO) Field Office

FIREARMS INSPECTION REPORT

Name: John H Jr. & Beverly Stanislawsky
Trade Name: Talk of the Town Auction

UI#: 765060-2017-0168-B1B
FFL#: 6-14-091-01-6L-00668

Address: 2100 Saratoga Road
Ballston Spa, NY 12020

1 - Introduction

Inspection Profile:

On February 17, 2017 Industry Operations Investigators (IOIs) (b)(6) and (b)(6) began a compliance inspection of John and (b)(6) Stanislawsky, d/b/a Talk of the Town Auction, Type-01 Dealer in Firearms Other Than Destructive Devices, located at 2100 Saratoga Road in Ballston Spa, New York. The onsite inspection lasted three days (February 17th and 23rd and March 2, 2017). On the first day of the onsite, Special Agent (b)(6) and New York State Police Investigator (b)(6) were also present to inquire about an amnesty handgun that was transferred from Saratoga County Sheriff's Office. The inspection period covered February 17, 2016 – February 16, 2017. During the inspection, John and (b)(6) Stanislawsky were present and interviewed by the IOIs. IOIs (b)(6) completed a full inventory of firearms and review of all required records. At the conclusion of the onsite inspection on March 2, 2017, IOI (b)(6) held a closing conference with John and (b)(6) Stanislawsky and issued them a Report of Violations.

Business Profile:

The Licensee's primary business is selling all used long guns and handguns on consignment. The licensee's operate an auction from a commercial storefront they lease from 2100 Doubleday LLC. Mr. Stanislawsky provided IOI (b)(6) with a letter from the landlord allowing the licensee to sell firearms at the premises (**Exhibit 1**- Copy of letter from 2100 Doubleday LLC). Individuals bring their firearms to Talk of the Town Auction for them to be sold at firearms auctions that are held approximately twice a month. Mrs. Stanislawsky stated that if they are not able to sell the firearm at an auction, they will do an ATF 4473 on the original owner before returning the firearm. The licensee's major suppliers are private individuals, as almost all firearms they acquire are on consignment. Mr. Stanislawsky stated that they also will take in firearms for other Federal Firearms Licensees (FFLs) who are going out of business, but they are also on consignment. The licensee's acquired approximately (b)(4) firearms and disposed of (b)(4) during the inspection period.

The licensee is in compliance with New York State and local laws.

The current license is appropriate to cover the licensee's business activities.

Ownership and Control:

FIREARMS INSPECTION REPORT

Name: John H Jr. & Beverly Stanislawsky
Trade Name: Talk of the Town Auction

UI#: 765060-2017-0168-B1B
FFL#: 6-14-091-01-6L-00668

The license was originally issued as a partnership with John and Beverly Stanislawsky controlling equal parts. During the inspection it was discovered that John Stanislawsky had created a Limited Liability Company (LLC), Talk of the Town Auction, in November 2009, but had never notified the Federal Licensing Center (FLC) of the change. John Stanislawsky stated that at the time they formed the LLC, (b)(6)

(b)(6) John Stanislawsky is the sole member of Talk of the Town Auction LLC (**Exhibit 2-** Copy of Talk of the Town Auction Articles of Organization). Talk of the Town Auction LLC immediately completed an Application for Federal Firearms License. IOI (b)(6) completed that qualification inspection for Talk of the Town Auction in conjunction with this inspection (See UI 765060-2017-0227-B1B).

A violation was issued per 27 CFR 478.54. See violations section below.

No other responsible persons / hidden ownership disclosed as a result of this inspection.

A criminal history queries of John Stanislawsky and (b)(6) were conducted and resulted in no prohibiting information.

Variance:

There were no variances on file and the IOIs found not reason for a variance during the inspection.

2 - Recommendation

Violations, Warning Letter Only, No Recall Inspection.

3 - Inspection History

IOI (b)(6) reviewed N-Spect as well as the available office file and found the following information:

Date of Inspection: 9/29/2004
Type of Inspection: Application Inspection
UI#: 765060-2004-0451-B1B
Inspection Results: Application Approved
Cited Violations: None

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

FIREARMS INSPECTION REPORT

Name: John H Jr. & Beverly Stanislawsky
Trade Name: Talk of the Town Auction

UI#: 765060-2017-0168-B1B
FFL#: 6-14-091-01-6L-00668

IOIs (b)(6) conducted a complete, full inventory of all firearms and compared them to all open entries in the Acquisition & Disposition (A&D) Record. The comparison revealed a total of 294 firearms in inventory and (b)(3) Pub open entries. (b)(6) stated that she had not finished paperwork from the last firearms auction that took place on 1/31/2017. (b)(6) stated that (b)(3) Pub firearms were sold at that auction that were not booked out of the A&D Record yet. Each instance was outlined in a separate spreadsheet that IOI (b)(6) provided to the licensee (**Exhibit 3-** Detailed list of 27 CFR 478.125(e) violations).

(b)(6) stated that she does not book the firearms that are sold at the auction out of the A&D Record until she fills in the firearm information on the ATF Forms 4473. When asked why she does not completely fill out the ATF 4473 prior to transferring the firearm, (b)(6) stated that the auction gets very busy and customers get impatient so in order to speed up the process she fills in the firearms information a day or two after the auction. (b)(6) stated that they have a separate database, similar to quick books, that they keep track of what customers purchase at the auction. (b)(6) stated that she uses this database to crosscheck and complete ATF Forms 4473 after the auction takes place. Once the ATF Forms 4473s are complete, (b)(6) logs the firearms out of the A&D Record. IOI (b)(6) reminded John and (b)(6) Stanislawsky that they must complete the ATF Forms 4473 prior to transferring the firearms. IOI (b)(6) also reminded Mr. and (b)(6) Stanislawsky that the firearms must be logged out of the A&D Record within 7 days of disposition. John and (b)(6) Stanislawsky stated that in the future they will slow down and make sure all paperwork is completed in a timely manner.

The licensee was cited per **27 CFR 478.125(e)** for failing to timely record the disposition of (b)(3) Pub firearms. See Violations sections below.

No other discrepancies were found.

5 - ATF Forms 4473 – NICS & Other Dispositions

The licensee completed (b)(3) Pub ATF Forms 4473s during the inspection period. IOIs (b)(6) reviewed all ATF Forms 4473s, and discovered the following violations:

- Licensee failed to obtain a complete and accurate ATF Form 4473 prior to transferring a firearm to an unlicensed person (**Exhibit 4-** Copy of detailed list of 27 CFR 478.21(a), 478.124(c)(4) and 478.124(c)(5) violations).
- Licensee failed to obtain a complete and accurate ATF Form 4473 showing certification by the transferee that the transferee is not prohibited from transporting, shipping or receiving a firearm prior to transferring a firearm (**Exhibit 5-**Copies of (b)(3) Pub law 112-55 125 Stat. 552).

FIREARMS INSPECTION REPORT

Name: John H Jr. & Beverly Stanislawsky
Trade Name: Talk of the Town Auction

UI#: 765060-2017-0168-B1B
FFL#: 6-14-091-01-6L-00668

- Licensee failed to obtain a complete and valid form of identification, as defined in 27 CFR 478.11 (**Exhibit 6-** Copies of (b)(3) Pub law 112-55 125 Stat. 552).
- Licensee failed to date the ATF Forms 4473 on the day the firearm was transferred (**Exhibit 4-** Copy of detailed list of 27 CFR 478.21(a), 478.124(c)(4) and 478.124(c)(5) violations).
- Licensee failed to completely and accurately identify the firearm to be transferred (**Exhibit 4-** Copy of detailed list of 27 CFR 478.21(a), 478.124(c)(4) and 478.124(c)(5) violations).

Licensee was cited violations per **27 CFR 478.21(a)**, **27 CFR 478.124(c)(3)(i)**, **27 CFR 478.124(c)(5)**, **27 CFR 478.124(c)(1)** and **27 CFR 478.124(c)(4)**. See Violations Section below.

IOI (b)(6) obtained a Federal Firearm License (FFL) Audit Report prior to the onsite inspection. The IOIs compared (b)(6) NICS Transaction Numbers (NTN) on the report to the licensee's ATF Form 4473s and found no discrepancies.

During the course of the interview, IOI (b)(6) asked John and (b)(6) Stanislawsky to explain their standard operating procedure as it pertains to the ATF Forms 4473s. (b)(6) stated that she processes the ATF 4473s, after the customer gets a 'proceed', they pay, she stamps their receipt. The customer then shows their stamped receipt to Mr. Stanislawsky so they can get their firearm. (b)(6) stated that the auction nights are very busy and customers become impatient so in order to speed up the process she does not fill out the firearm information (Items 25-29 and Item 33) on the ATF 4473s until the day after the auction. (b)(6) also noted that she had not been checking over the ATF 4473s closely once the purchaser fills them out. (b)(6) stated that in the future she will slow down and fill out all the information on the ATF 4473 prior to the gun being transferred.

6 - Multiple Sales

An E-Trace query by IOI (b)(6) revealed that the licensee had no report of multiple sales. A review of the licensee's records by IOIs (b)(6) disclosed that the licensee had (b)(6) unreported multiple sales (**Exhibit 7-** copies of ATF 4473s with multiple sales). A total of (b)(6) handguns were involved. The license filled out and filed ATF Forms 3310.4, Multiple Sales Report as required (**Exhibit 8-** Copies of Multiple Sales Report).

A violation was cited for **27 CFR 478.126a**, See Violations Section below.

FIREARMS INSPECTION REPORT

Name: John H Jr. & Beverly Stanislawsky
Trade Name: Talk of the Town Auction

UI#: 765060-2017-0168-B1B
FFL#: 6-14-091-01-6L-00668

7 - Suspicious/Prohibited Purchasers

IOI (b)(6) queried criminal histories of suspicious firearm purchasers. There were no positive hits for any of the purchasers in NCIC.

8 - Trace Activity

A review of E-Trace by Investigator (b)(6) disclosed that the licensee had no traces during the inspection period.

A secondary market analysis and sample of NCIC/LEAD query on 4 used firearms was performed; results disclosed no stolen firearms or trafficking

9 - NFA/Importer/Collector/Manufacturer

Licensee is not an importer, collector, or manufacturer and does not deal in NFA firearms.

10 - Referrals

No referrals were generated from this inspection.

11 - Other

No other pertinent information was discovered during the course of this inspection.

12 - Closing Actions

On March 2, 2017, at the conclusion of the inspection, IOI (b)(6) conducted a closing conference with John and (b)(6) Stanislawsky and issued them a Report of Violation along with a detailed list of 27 CFR 478.125(e) violations (**Exhibit 3**) and a detailed list of 4473 violations worksheet (**Exhibit 4**). Once all violations were reviewed, John Stanislawsky signed the ROV as proof of his receipt (**Attachment- Copy of Signed Report of Violations**). IOI (b)(6) then reviewed the firearms regulations with John and (b)(6) Stanislawsky per the Acknowledgement of Federal Firearms Regulations Form. John and (b)(6) Stanislawsky certified receipt by signing the Acknowledgment of Federal Firearms Regulations Form (**Exhibit 9- Copy of Signed Acknowledgement**).

FIREARMS INSPECTION REPORT

Name: John H Jr. & Beverly Stanislawsky
Trade Name: Talk of the Town Auction

UI#: 765060-2017-0168-B1B
FFL#: 6-14-091-01-6L-00668

13 - Violations

1. **27 CFR 478.125(e)**

Violation

The License failed in (b)(3) instance to timely record the disposition of a firearm.

Each instance was outlined in a separate spreadsheet that the IOI provided to the licensee.

Licensee's Response

The licensee stated that the auction gets very busy and customers get impatient. (b)(6) (b)(6) stated that in order to speed things up she would fill in the firearm information on the 4473s after the auction is over. (b)(6) stated the she does not log out the firearm in the A&D Record until the 4473s are completely filled out. (b)(6) stated that she normally finishes all the paperwork the next day, but time got away from her. (b)(6) stated that in the future she will slow down and complete all the paperwork in a timely manner.

Corrective Action

Licensee entered the disposition of the firearms into the A&D record. Licensee was reminded that the sale or other disposition of a firearm shall be recorded by the licensed dealer not later than 7 days following the date of such transaction.

Reference Attachment, Worksheet 1 and Exhibit 3

2. **27 CFR 478.21(a)**

Violation

Licensee failed in (b)(3) instances to obtain a complete and accurate ATF Form 4473 prior to transferring a firearm to an unlicensed person.

Each instance was outlined in a separate spreadsheet that the IOIs provided to the licensee.

Licensee's Response

The licensee stated that the auction gets very busy and customers get impatient. (b)(6). (b)(6) stated that in order to speed things up she would fill in the firearm information on the 4473s after the auction is over. (b)(6) stated that in the

FIREARMS INSPECTION REPORT

Name: John H Jr. & Beverly Stanislawsky
Trade Name: Talk of the Town Auction

UI#: 765060-2017-0168-B1B
FFL#: 6-14-091-01-6L-00668

future she will slow down and complete the ATF 4473 prior to the firearm being transferred.

Corrective Action

The licensee was reminded that all of the information called for in each form shall be furnished as indicated by the headings on the form and the instructions on or pertaining to the form.

Reference Attachment, Worksheet 2 and Exhibits 4

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

Violation

Licensee failed in [REDACTED] instances to completely and accurately identify the firearm to be transferred by listing on the Form 4473 the name of the manufacture, model, serial number, type, and/or caliber.

Each instance was outlined in a separate spreadsheet that the IOIs provided to the licensee.

Licensee's Response

The licensee stated that the auction gets very busy and customers get impatient. (b)(6) [REDACTED] stated that in order to speed things up she would fill in the firearm information on the 4473s after the auction is over. (b)(6) [REDACTED] stated that in the future she will slow down and complete the ATF 4473 prior to the firearm being transferred.

Corrective Action

The licensee was reminded he must identify the firearm to be transferred by listing on the Form 4473 the name of the manufacturer, the name of the importer (if any), model, serial number, type and caliber or gauge of the firearm.

Reference Attachment, Worksheet 2 and Exhibits 4

4. **27 CFR 478.124(c)(1)**

Violation

Licensee failed in [REDACTED] instances to obtain a complete and accurate ATF Form 4473 showing certification by the transferee that the transferee is not prohibited from

FIREARMS INSPECTION REPORT

Name: John H Jr. & Beverly Stanislawsky
Trade Name: Talk of the Town Auction

UI#: 765060-2017-0168-B1B
FFL#: 6-14-091-01-6L-00668

transporting, shipping or receiving a firearm prior to transferring a firearm to an unlicensed person. On (b)(3) Pub law 112-55 125 Stat. 552, item 17 was blank.

Licensee's Response

Licensee stated that she did not review the ATF Forms 4473 as well as she should have. The licensee stated that going forward, she will review the ATF Forms 4473 more carefully.

Corrective Action

The licensees were reminded of their obligations to prior to making an over-the-counter transfer of a firearm to a nonlicensee who is a resident of the State in which the licensee's business premises is located, the licensed dealer so transferring the firearm shall obtain a Form 4473 from the transferee showing certification by the transferee that the transferee is not prohibited by the Act from transporting or shipping a firearm in interstate or foreign commerce or receiving a firearm which has been shipped or transported in interstate or foreign commerce or possessing a firearm in or affecting commerce.

Reference Attachment, Worksheet 2 and Exhibit 5

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

License failed in ¹⁰⁴ instances to sign the ATF Form 4473s on the day the firearm was transferred. On (b)(3) Pub law 112-55 125 Stat. 552, (b)(6) item 35 was blank.

Licensee's Response

Licensee stated that she did not review the ATF Forms 4473 as well as she should have. The licensee stated that going forward, she will review the ATF Forms 4473 more carefully.

Corrective Action

The licensee was reminded that he must sign and date the form if the licensee does not know or have reasonable cause to believe that the transferee is disqualified by law from receiving the firearm and transfer the firearm described on the Form 4473.

FIREARMS INSPECTION REPORT

Name: John H Jr. & Beverly Stanislawsky
Trade Name: Talk of the Town Auction

UI#: 765060-2017-0168-B1B
FFL#: 6-14-091-01-6L-00668

Reference Attachment, Worksheet 2 and Exhibit 4

6. **27 CFR 478.124(c)(3)(i)**

Violation

Licensee failed in ^{(b)(3)} instance to record a valid form of identification, as defined in 27 CFR 478.11. On ^{(b)(3) Pub law 112-55 125 Stat. 552}, item 20a was blank.

Licensee's Response

Licensee stated that she did not review the ATF Forms 4473 as well as she should have. The licensee stated that going forward, she will review the ATF Forms 4473 more carefully.

Corrective Action

The licensees were reminded that they must verify the identity of the transferee by examining the identification document (as defined in § 478.11) presented, and shall note on the Form 4473 the type of identification used.

Reference Attachment, Worksheet 2 and Exhibits 6

7. **27 CFR 478.126a**

Violation

Licensee failed in ^{(b)(3)} instances to file an ATF 3310.4, Multiple Sales Report as required in 27 CFR 126a. On ^{(b)(3) Pub law 112-55 125 Stat. 552, (b)(6)} no Multiple Sales Reports completed.

Licensee's Response

Licensee stated that he thought he had to file the report when he sold more than two handguns to the same person in one transaction.

Corrective Action

The licensees were reminded that they must prepare a report of multiple sales or other disposition whenever they sell or otherwise disposes of, at one time or during any five

FIREARMS INSPECTION REPORT

Name: John H Jr. & Beverly Stanislawsky
Trade Name: Talk of the Town Auction

UI#: 765060-2017-0168-B1B
FFL#: 6-14-091-01-6L-00668

consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more, to an unlicensed person. (b)(6) submitted ATF Forms 3310.4, Multiple Sales Report as required.

Reference Attachment, Worksheet 2 and Exhibits 7 & 8

8. 27 CFR 478.54

Violation

Licensee failed to provide written notification to the Federal Licensing Center within 30 days of change of control. The licensee did not notify ATF when they became an LLC, in which John Stanislawsky is the sole shareholder, in 2009.

Licensee's Response

(b)(6) stated that she did not realize they had to notify the FLC when they switched from a partnership to an (b)(6) stated that she thought the only time they had to notify the FLC was if they wanted to move.

Corrective Action

The licensees' applied for a new Federal Firearms License under Talk of the Town Auction, LLC. The licensees' were reminded that if actual or legal control of the corporation or association changes, directly or indirectly, whether by reason of change in stock ownership or control (in the licensed corporation or in any other corporation), by operations of law, or in any other manner, the licensee shall, within 30 days of such change, give written notification thereof, executed under the penalties of perjury, to the Chief, Federal Firearms Licensing Center. Upon expiration of the license, the corporation or association must file a Form 7 (Firearms) as required by § 478.44.

Reference Attachment and Exhibit 2

X

Industry Operations Investigator

Index of Worksheets and Exhibits

FIREARMS INSPECTION REPORT

Name: John H Jr. & Beverly Stanislawsky
Trade Name: Talk of the Town Auction

UI#: 765060-2017-0168-B1B
FFL#: 6-14-091-01-6L-00668

Attachments

Attachment- Report of Violations

Worksheets

Worksheet 1

Worksheet 2

Exhibits

Exhibit 1- Copy of letter from 2100 Doubleday LLC

Exhibit 2- Copy of Talk of the Town Auction Articles of Organization

Exhibit 3- Copy of detailed list of 27 CFR 478.125(e) violations

Exhibit 4- Copy of detailed list of 27 CFR 478.21(a), 478.124(c)(4) and 478.124(c)(5) violations

Exhibit 5- Copies of (b)(3) Pub law 112-55 125 Stat. 552

Exhibit 6- Copies of [REDACTED]

Exhibit 7- Copies of ATF 4473s with multiple sales

Exhibit 8- Copies of Multiple Sales Report

Exhibit 9- Copy of Signed Acknowledgement