

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) CBR Enterprises, Inc. Harolds Pawn Shop 2667 Summers St NW Kennesaw, GA 30144, Cobb	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 760560-2016-0139-B1B		
	3. PERMIT/LICENSE NUMBER 158067027G04863	4a. TARGET DATE 9/23/2016	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, 01/21/2016

8. PURPOSE/SPECIAL INSTRUCTIONS
The inspection should be conducted in accordance with the "Firearms Disposition Emphasis Inspection Quick Reference Guide" and the Industry Operations Coding Guidelines.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	6	NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	21	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
Submitte
Remove (b)(6) from FLS as a responsible person.
Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
NOV 2016	4.00		
DEC 2016	44.50		
JAN 2017	13.00		
ATF OFFICER'S SUBTOTAL	61.50	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	61.50		

13. REVIEW AND ROUTING
REVIEW COMMENTS AND RECOMMENDATION
Viols WL ONLY and No Recall Inspection

<input checked="" type="checkbox"/> REVIEWED	<input checked="" type="checkbox"/> CONCUR	<input type="checkbox"/> SEE COMMENTS	<input checked="" type="checkbox"/> FINAL DISPOSITION
SIGNATURE AND TITLE (b)(6) - Area Supervisor		REVIEW DATE 01/11/2017	

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) CBR Enterprises, Inc. Harolds Pawn Shop 2667 Summers St NW Kennesaw, GA 30144, Cobb	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 760560-2016-0139-B1B		
	3. PERMIT/LICENSE NUMBER 158067027G04863	4a. TARGET DATE 9/23/2016	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 CBR Enterprises, Inc. Harolds Pawn Shop	Street Address 2667 Summers St NW	City Kennesaw	State GA	Zip Code 30144-	County Cobb	Page 1 of 5 Pages
License/Permit/Registry Number (If any) 158067027G04863	Expiration Date 7/1/2017	Date(s) or Period of Inspection 12/06/2016 through 12/15/2016				

Inspection Results

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

Number: 1

Nature of Violation:

- Failure to properly record the acquisition of (b)(6) firearms in the A&D Record no later than the close of the next business day following the date of acquisition when the firearms were in inventory, but were logged out of the A&D Record.
- Failure to record the disposition of (b)(6) firearms in the A&D Record no later than seven days following the date of disposition.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Record the acquisition of any firearm no later than the close of business following the date of acquisition. Record the sale or disposition of any firearms not later than seven days following the date of such transaction. The A&D Record shall show the date of the sale or other disposition of each firearm, the name and address of the person to whom the firearm is transferred, or the name and full license number of the person to whom transferred if such person is a licensee. Record the disposition information for each firearm above as required. Report any firearms whose disposition cannot be determined as missing.

Citation: 27 CFR 478.125(e)

Report of Violations

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Name of Proprietor CBR Enterprises, Inc. Harolds Pawn Shop	Street Address 2667 Summers St NW	City Kennesaw	State GA	Zip Code 30144-	County Cobb	Page 2 of 5 Pages
License/Permit/Registry Number (If any) 158067027G04863	Expiration Date 7/1/2017	Date(s) or Period of Inspection 12/06/2016 through 12/15/2016				

Inspection Results

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

Number: 2

Nature of Violation:

Failure to obtain all of the information required on each ATF Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form on ^{(b)(3)} forms: in item 11a, the transferee either answered "no" to or left blank the question "Are you the actual buyer of the firearm(s) listed on this form?" Examples: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

(b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Obtain all of the information required on each ATF Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form. If the customer indicates that they are not the transferee/buyer of the firearm, do not continue with the transaction. Review the completed ATF Form 4473 prior to the transfer of any firearms. If any mistakes are noted prior to the transfer of the firearm, have the transferee correct the mistake and initial and date the change made. If mistakes are found after the transfer of the firearm, make a copy of the ATF Form 4473 and have the transferee and/or transferor correct the mistakes and initial and date any changes made.

Citation: 27 CFR 478.21(a)

Report of Violations

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Name of Proprietor CBR Enterprises, Inc. Harolds Pawn Shop	Street Address 2667 Summers St NW	City Kennesaw	State GA	Zip Code 30144-	County Cobb	Page 3 of 5 Pages
License/Permit/Registry Number (If any) 158067027G04863	Expiration Date 7/1/2017	Date(s) or Period of Inspection 12/06/2016 through 12/15/2016				

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:

Failure to obtain a complete and accurate ATF Form 4473 from the transferee prior to the transfer of a firearm with the certification by the transferee that they are not prohibited by the Act from transporting, shipping, receiving or possessing a firearm in interstate or foreign commerce on (b)(3) 112 forms, involving (b)(3) instances, in that:

- In item 1 on (b)(3) 112 forms, the transferee did not provide their full middle name or, if no middle name, state "NMN." Examples: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)
- In item 3 on (b)(3) 112 forms, the transferee did not provide their complete Place of Birth. Examples: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)
- In item 11d on (b)(3) 112 form, the transferee left the answer to the question "Are you a fugitive from justice?" blank. Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)
- In item 11k on (b)(3) 112 form, the transferee left the answer to the question "Are you an alien illegally in the United States?" blank. Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)
- In item 11i on (b)(3) 112 form, the transferee answered "yes" to the question "Have you ever been convicted in any court of a misdemeanor crime of domestic violence?" but a background check conducted indicates that the transferee is not prohibited from possessing a firearm. Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)
- In item 16 on (b)(3) 112 form, the transferee did not provide their signature. Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)
- In item 17 on (b)(3) 112 forms, the transferee did not provide the certification date. Examples: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

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)

Prior to making a transfer of a firearm to a non-licensee, obtain a complete and accurate ATF Form 4473. If the transferee does not answer the certification questions, stop the transfer process. Review all ATF F 4473s prior to completing the transaction. If any mistakes are noted prior to the transfer of the firearm, have the transferee correct the mistake and initial and date the change made. If mistakes are found after the transfer of the firearm, make a copy of the ATF Form 4473 and have the transferee and/or transferor correct the mistakes and initial and date any changes made.

Report of Violations

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Name of Proprietor CBR Enterprises, Inc. Harolds Pawn Shop	Street Address 2667 Summers St NW	City Kennesaw	State GA	Zip Code 30144-	County Cobb	Page 4 of 5 Pages
License/Permit/Registry Number (If any) 158067027G04863		Expiration Date 7/1/2017	Date(s) or Period of Inspection 12/06/2016 through 12/15/2016			

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:

Failure to verify the identity of the transferee by examining the identification document presented and, when the identification document's residence address does not match the residence address provided by the transferee in item 2 of the ATF Form 4473, obtaining additional government issued documentation as required by ATF Ruling 2001-5 and documenting this information in item 20b on (b)(3) form. Example (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

All transferees must present an identification document, as defined in the Federal Firearms Regulations Reference Guide in 27 CFR 478.11, as a means for the licensee to verify the transferee's identity prior to the transfer of a firearm. The licensee must note on the ATF Form 4473 in item 20a the type of identification document presented, as well as the identification document number and expiration date (if any). If the residence address on the transferee's identification document does not match the residence address provided by the transferee in item 2, additional government issued documentation must be obtained to verify the transferee's residence address. This government issued documentation must be documented in item 20b. Reference ATF Ruling 2001-5

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

Report of Violations

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Name of Proprietor CBR Enterprises, Inc. Harolds Pawn Shop	Street Address 2667 Summers St NW	City Kennesaw	State GA	Zip Code 30144-	County Cobb	Page 5 of 5 Pages
License/Permit/Registry Number (If any) 158067027G04863	Expiration Date 7/1/2017	Date(s) or Period of Inspection 12/06/2016 through 12/15/2016				

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:

Failure to record in item 21b on the ATF Form 4473 the NTN provided by NICS on (b)(3) 11 form.
Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

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

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

When the licensee contacts the NICS to conduct a background check on a purchaser, the licensee must note on every ATF Form 4473 the date on which the NICS is contacted in item 21a, as well as any response received from the NICS in items 21b through 21e as required.

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

Number: 6

Nature of Violation:

Failure to prepare a report of multiple sales or other disposition whenever the licensee sells 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 on (b)(3) 112 occasions. Examples: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)
(b)(3) 112 Public Law 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 must prepare a report of multiple sales or other disposition whenever the licensee sells 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 and forward to ATF as required.

Citation: 27 CFR 478.126a

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

Date

12.15.16

Signature and Title of ATF Officer

(b)(6)

101

Date

12.15.16

Atlanta, Georgia 30345

760560 (b)(6)
5373

Mrs. Dayle Robertson
CBR Enterprises, Inc.
DBA Harolds Pawn Shop
2667 Summers Street
Kennesaw, Georgia 30144

1-58-067-02-7G-04863

Dear Mrs. Robertson:

During a recent compliance inspection at your firearms business covering the period of December 6, 2015 through December 5, 2016, you were cited for violations of 27 Code of Federal Regulations, Part 478. A copy of the Report of Violations, Form 5030.5, issued at the time of the inspection is enclosed.

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

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

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

CBR Enterprises, Inc.
1-58-067-02-7G-04863

Please contact us if you have any questions concerning your responsibilities as a licensee or if you require further clarification about particular requirements of Federal firearms laws.

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

Sincerely,

(b)(6)

(b)(6)

Area Supervisor, Atlanta Group VIII (IO)

Enclosure

c: DIO, Atlanta Field Division
Federal Firearms Licensing Center

FIREARMS INSPECTION REPORT

Name: CBR Enterprises, Inc.
Trade Name: Harolds Pawn Shop

UI#: 760560-2016-0139-B1B
FFL#: 1-58-067-02-7G-04863

Address: 2667 Summers Street
Kennesaw, Georgia 30144 (Cobb County)

1 - Introduction

Inspection Profile:

On December 6-8 and 15, 2016, Industry Operations Investigator (IOI) (b)(6) conducted a full firearms disposition emphasis compliance inspection on the above listed license. Mrs. Dayle Robertson, President, was present for the inspection. Mrs. Robertson was identified by Georgia Driver's License number (b)(6), which expires September 14, 2018. Also present was Mrs. Robertson's son, (b)(6), who is an employee of the store. The period of the inspection was from December 6, 2015 through December 5, 2016. Advance notification of the inspection was not given to the licensee per current Bureau policy. The Atlanta Group VIII Area Supervisor provided advance notification of the inspection via email to the Atlanta Field Division Special Agent Group Supervisors. No information concerning ongoing criminal investigations was provided to IO Investigator (b)(6) from the Atlanta Field Division Special Agent Group Supervisors. IO Investigator (b)(6) queried the Federal Licensing System (FLS) for Special Attention Flags (SAF) and queried N-Force to determine if the inspection would compromise any ongoing investigation. No derogatory information was disclosed.

Business Profile:

CBR Enterprises, Inc. d/b/a Harolds Pawn Shop operates a pawn shop at the premises. They accept firearms as pawns and they also sell new and used firearms. The premises is a commercial building located in suburban Kennesaw, Georgia.

The licensee acquired approximately (b)(3) 112 firearms (approximately (b)(3) 114 handguns, (b)(3) 112 long guns and (b)(3) receivers) in the previous twelve months. The licensee disposed of approximately (b)(3) 112 firearms (approximately (b)(3) 112 handguns, (b)(3) 112 long guns and (b)(3) receivers) in the previous twelve months. The licensee transfers all firearms at retail or as pawn redemptions. The licensee sells approximately 60% used and 40% new firearms. The primary suppliers are: individuals, (b) (4). The licensee does not make sales at gun shows. The licensee accepts firearms transfers for internet purchases. The licensee does not make sales via the internet. The licensee does not have their own website.

FIREARMS INSPECTION REPORT

Name: CBR Enterprises, Inc.
Trade Name: Harolds Pawn Shop

UI#: 760560-2016-0139-B1B
FFL#: 1-58-067-02-7G-04863

The licensee also processes payments for a title loan company, but does not accept title loans themselves. Mrs. Robertson also owns residential rental property. The licensee does not have any other ATF licenses; none are needed. The licensee has a City of Kennesaw occupational tax certificate, number 2016-023660, which expired December 31, 2016. Mrs. Robertson stated that she was aware that she needs to renew the occupational tax certificate every year. There are no zoning restrictions concerning the sale of firearms from commercial property in Kennesaw, Georgia. The licensee has held the license for eight years. There is no off-site storage of firearms.

Ownership and Control:

The licensee is a corporation registered with the State of Georgia on May 3, 2002, control number 0222969. Mrs. Robertson is the only responsible person shown for the corporation. No hidden ownership is suspected. (b)(6) is shown as a responsible person in FLS, but Mrs. Robertson stated that he is no longer associated with the store. On December 15, 2016, Mrs. Robertson provided a letter to remove (b)(6) as a responsible person from FLS. **Reference Exhibit 1.** Mrs. Robertson asked how to add a responsible person to the license as she is thinking about adding Mr. David (b)(6) to the license so she can spend less time in the store. IO Investigator (b)(6) educated Mrs. Robertson and (b)(6) on the procedure to add a responsible person to the license.

Variance:

The licensee does not have a variance with ATF. No variance was requested during the inspection.

2 - Recommendation

Violations. WL Only and No Recall Inspection.

Remove (b)(6) from FLS as a responsible person.

3 - Inspection History

This is the first compliance inspection on this license. The following is the inspection history for the licensee:

Date of Inspection:	May 29, 2008
Type of Inspection:	Firearms Application Inspection
UI#:	771030-2008-0327-B1B
Inspection Results:	Approve Original
Cited Violations:	None

FIREARMS INSPECTION REPORT

Name: CBR Enterprises, Inc.
Trade Name: Harolds Pawn Shop

UI#: 760560-2016-0139-B1B
FFL#: 1-58-067-02-7G-04863

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

On December 6, 2016, IO Investigator (b)(6) conducted a full physical inventory at the premises. There were (b)(3) 112 firearms in the physical inventory. IOI (b)(6) initially counted (b)(3) 112 open entries in the A&D Records. The firearms found in the physical inventory were compared to the open entries in the A&D Records. The following is a summary of the inventory reconciliation:

- (b)(3) 112 Open entries to account for
- + (b)(3) Open entries logged out in error
- (b)(3) 112 Open entries to account for
- (b)(3) 112 Firearms found in inventory and reconciled to open entries in the A&D Record
- (b)(3) 1 Open entries to account for
- (b)(3) Duplicate entries
- (b)(3) Firearms sold to FFLs, but not logged out of the A&D Record
- (b)(3) Firearms sold on ATF Forms 4473, but not logged out of the A&D Record
- (b)(3) Firearms reported missing

During the reconciliation process, it was determined that there were (b)(3) 112 firearms in inventory that were not found as open entries in the A&D Record. By using shipping invoices and pawn tickets, Mrs. Robertson was able to determine the acquisition date and from whom the firearm was received. (b)(3) 112 firearms were found to be duplicate entries. The entries for these firearms were corrected in the A&D Record on December 15, 2017. **Reference ATF EF 5030.5, Report of Violations, Violation Number 1; and Worksheet 1.**

There were (b)(3) 112 firearms transferred to other FFLs, but were not logged out of the A&D Record. By using pawn tickets and copies of FFLs, the licensee was able to determine the disposition of the following firearms:

(b)(3) 112 Public Law 55 125 STAT 552

FIREARMS INSPECTION REPORT

Name: CBR Enterprises, Inc.
Trade Name: Harolds Pawn Shop

UI#: 760560-2016-0139-B1B
FFL#: 1-58-067-02-7G-04863

(b)(3) 112 Public Law 55 125 STAT 552



The entries for these firearms were corrected in the A&D Record on December 15, 2017. **Reference ATF EF 5030.5, Report of Violations, Violation Number 1; Exhibit 2, Part 1; and Worksheet 1.**

There were (b)(3) 112 P1 firearms sold to individuals on ATF Forms 4473, but were not logged out of the A&D Record. By researching the ATF Forms 4473 on file, the licensee was able to determine the disposition of the (b)(3) 112 P1 firearms.

(b)(3) 112 Public Law 55 125 STAT 552



The entries for these firearms were corrected in the A&D Record on December 15, 2017. **Reference ATF EF 5030.5, Report of Violations, Violation Number 1; Exhibit 2, Part 2; and Worksheet 1.**

The disposition of (b)(3) 112 P1 firearms could not be determined. On December 15, 2016, the licensee reported the (b)(3) 112 P1 firearms as missing. The licensee was cited in violation of 27 CFR 478.125(e). **Reference ATF EF 5030.5, Report of Violations, Violation Number 1; and Worksheet 1.**

FIREARMS INSPECTION REPORT

Name: CBR Enterprises, Inc.
Trade Name: Harolds Pawn Shop

UI#: 760560-2016-0139-B1B
FFL#: 1-58-067-02-7G-04863

The licensee did not submit any theft or loss reports during the inspection period. As noted above, one theft/loss report was submitted as a result of this inspection. The A&D Record is in the proper format and all the required information is accurate. The acquisition and disposition entries are not timely made as discussed above. Twenty-five firearms were traced through the licensee's required records from acquisition through disposition with no additional discrepancies found. No trafficking issues relating to acquisition and disposition of firearms were found. No obliterated serial numbers or illegal firearms were found.

Mrs. Robertson stated that they try to record the acquisition and disposition of every firearm immediately. When a firearm is acquired, a gun log number is assigned to the firearm and a tag with the gun log number is affixed to the firearm. The gun log number is recorded next to the acquisition entry in the A&D Record. When a firearm is transferred, she stated that they try to record the disposition entry immediately. She also stated that they do get busy and sometimes they do not record the information immediately. Mrs. Robertson stated that they take an annual inventory at the end of the year between Christmas and New Year's Day. She stated that they compare the firearms in inventory to the A&D Record to make sure that the firearms are recorded. IOI (b)(6) suggested that they also then review the A&D Record to make sure that there are no open entries without a corresponding firearm found in inventory.

5 - ATF Forms 4473 – NICS & Other Dispositions

There were 525 forms on file for the previous twelve months. All forms were reviewed. During the review of the ATF Forms 4473, IO Investigator (b)(6) found that the licensee failed to obtain all of the information required on each ATF Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form on (b)(6) forms: in item 11a, the transferee either answered "no" to or left blank the question "Are you the actual buyer of the firearm(s) listed on this form?" Examples: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6) . Copies of ATF Forms 4473 for (b)(3) 112 Public Law 55 125 STAT 552 (b)(6) were not obtained. The licensee was cited in violation of 27 CFR 478.21(a). **Reference ATF EF 5030.5, Report of Violations, Violation Number 2; Worksheet 2; and Exhibit 3, Part 1.**

The licensee failed to obtain a complete and accurate ATF Form 4473 from the transferee prior to the transfer of a firearm with the certification by the transferee that they are not prohibited by the Act from transporting, shipping, receiving or possessing a firearm in interstate or foreign commerce on (b)(3) 112 Public Law 55 125 STAT 552 (b)(6) forms, involving (b)(3) instances, in that:

FIREARMS INSPECTION REPORT

Name: CBR Enterprises, Inc.
Trade Name: Harolds Pawn Shop

UI#: 760560-2016-0139-B1B
FFL#: 1-58-067-02-7G-04863

- In item 1 on (b)(3) 112 forms, the transferee did not provide their full middle name or, if no middle name, state "NMN." Examples: (b)(3) 112 Public Law 55 125 STAT 552 (b)(3) 112 Public Law 55 125 STAT 552 (b)(6).
- In item 3 on (b)(3) 112 forms, the transferee did not provide their complete Place of Birth. Examples: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6).
- In item 11d on one form, the transferee left the answer to the question "Are you a fugitive from justice?" blank. Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6).
- In item 11k on (b)(3) 112 form, the transferee left the answer to the question "Are you an alien illegally in the United States?" blank. Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6).
- In item 11i on (b)(3) 112 form, the transferee answered "yes" to the question "Have you ever been convicted in any court of a misdemeanor crime of domestic violence?" but a background check conducted indicates that the transferee is not prohibited from possessing a firearm. Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6).
- In item 16 on (b)(3) 112 form, the transferee did not provide their signature. Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6).
- In item 17 on (b)(3) 112 forms, the transferee did not provide the certification date. Examples: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6).

The licensee was cited in violation of 27 CFR 478.124(c)(1). A copy of the ATF Form 4473 for (b)(3) 112 Public Law 55 125 STAT 552 (b)(6) was not obtained. The copy of the ATF Form 4473 for (b)(3) 112 Public Law 55 125 STAT 552 (b)(6) inadvertently did not include page 1 of the form. **Reference ATF EF 5030.5, Report of Violations, Violation Number 3; Worksheet 2; and Exhibit 3, Parts 1, 2 and 3.**

The licensee failed to verify the identity of the transferee by examining the identification document presented and, when the identification document's residence address does not match the residence address provided by the transferee in item 2 of the ATF Form 4473, obtaining additional government issued documentation as required by ATF Ruling 2001-5 and documenting this information in item 20b on (b)(3) 112 form. Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6). The licensee was cited in violation of 27 CFR 478.124(c)(3)(i). **Reference ATF EF 5030.5, Report of Violations, Violation Number 4; Worksheet 2; and Exhibit 3, Part 2.**

The licensee failed to record in item 21b on the ATF Form 4473 the NTN provided by NICS on (b)(3) 112 form. Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6). The copy obtained of the ATF Form 4473 for (b)(3) 112 Public Law 55 125 STAT 552 (b)(6) inadvertently did not include page 1 of the form. The licensee was cited in violation of 27 CFR 478.124(c)(3)(iv). **Reference ATF EF 5030.5, Report of Violations, Violation Number 5; Worksheet 2; and Exhibit 3, Part 3.**

The licensee transferred firearms to other licensees properly. The licensee does not transfer firearms to law enforcement officers unless they complete an ATF Form 4473.

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The FFL Audit log had 37 proceed, 0 currently open, 4 delayed and 3 denied transactions for the inspection period, for a total of 44 transactions. All transactions were verified with no discrepancies found.

The forms are filed chronologically by date transferred. The licensee stated that they try to review the ATF Form 4473 prior to transferring the firearm, but that they do not review the forms after the transaction is completed. IOI (b)(6) suggested that they begin reviewing the completed ATF Forms 4473 at least once a week.

6 - Multiple Sales

There were eleven multiple sales, involving twenty-six firearms, reported on the Violent Crime Analysis Branch Master Query. During the review of the ATF Forms 4473, it was determined that the licensee failed to report (b)(3) multiple sales, involving a total of (b)(3) firearms, to ATF as required. As the unreported multiple sales were discovered, the licensee reported the multiple sales to ATF as required. The licensee was cited in violation of 27 CFR 478.126a. **Reference ATF EF 5030.5, Report of Violations, Violation Number 6; Worksheet 2; and Exhibit 4.**

7 - Suspicious/Prohibited Purchasers

There were no possible traffickers, straw purchasers or any other suspicious purchasers identified during the inspection. An NCIC check was conducted on five purchasers with no hits resulting. No referrals made.

8 - Trace Activity

There were (b)(3) successful traces and no unsuccessful traces within the previous twelve months. (b)(3) firearms, inclusive of (b)(3) secondary market firearms, were traced through NCIC and eTrace with no hits resulting. No discrepancies were found.

9 - NFA/Importer/Collector/Manufacturer

The licensee does not conduct any NFA, Importer, Collector or Manufacturer activities.

10 - Referrals

No referrals made.

11 - Other

No other noteworthy information disclosed.

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12 - Closing Actions

On December 15, 2016, IO Investigator (b)(6) held a closing conference at the above listed premises with Mrs. Dayle Robertson, President. IO Investigator (b)(6) reviewed the Report of Violations with the licensee, as evidenced by Mrs. Robertson's signature on the form. **Reference ATF EF 5030.5, Report of Violations.** IO Investigator (b)(6) reviewed the Acknowledgement of Federal Firearms Regulations with Mrs. Robertson, as evidence by her signature on the form. **Reference Exhibit 5.** IO Investigator (b)(6) provided the following reference materials: ATF Ruling 2001-5 and ATF Important phone numbers.

13 - Violations

1. 27 CFR 478.125(e)

Nature of Violation:

- Failure to properly record the acquisition of (b)(6) firearms in the A&D Record no later than the close of the next business day following the date of acquisition when the firearms were in inventory, but were logged out of the A&D Record.
- Failure to record the disposition of (b)(6) firearms in the A&D Record no later than seven days following the date of disposition.

Licensee's Response:

Mrs. Robertson stated that she didn't know how this many firearms were not logged out of the A&D Record. She stated that she thinks they will be able to find the disposition of the firearms reported as missing.

Corrective Action:

Record the acquisition of any firearm no later than the close of business following the date of acquisition. Record the sale or disposition of any firearms not later than seven days following the date of such transaction. The A&D Record shall show the date of the sale or other disposition of each firearm, the name and address of the person to whom the firearm is transferred, or the name and full license number of the person to whom transferred if such person is a licensee. Record the disposition information for each firearm above as required. Report any firearms whose disposition cannot be determined as missing.

Worksheets and Exhibits:

Worksheet 1
Exhibit 2, parts 1 & 2

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2. 27 CFR 478.21(a)

Nature of Violation:

Failure to obtain all of the information required on each ATF Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form on (b)(3) forms: in item 11a, the transferee either answered "no" to or left blank the question "Are you the actual buyer of the firearm(s) listed on this form?" Examples: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

Licensee's Response:

Mrs. Robertson stated that they should be more careful in reviewing the forms, and that most of these mistakes are people who are redeeming their firearms. She stated that, since they are redeeming their own firearm, they don't think they are the transferee or buyer of the firearm.

Corrective Action:

Obtain all of the information required on each ATF Form 4473 as indicated by the headings on the form and the instructions on or pertaining to the form. If the customer indicates that they are not the transferee/buyer of the firearm, do not continue with the transaction. Review the completed ATF Form 4473 prior to the transfer of any firearms. If any mistakes are noted prior to the transfer of the firearm, have the transferee correct the mistake and initial and date the change made. If mistakes are found after the transfer of the firearm, make a copy of the ATF Form 4473 and have the transferee and/or transferor correct the mistakes and initial and date any changes made.

Worksheets and Exhibits:

Worksheet 2

Exhibit 3, part 1

3. 27 CFR 478.124(c)(1)

Nature of Violation:

Failure to obtain a complete and accurate ATF Form 4473 from the transferee prior to the transfer of a firearm with the certification by the transferee that they are not prohibited by the Act from transporting, shipping, receiving or possessing a firearm in interstate or foreign commerce on (b)(3) 112 forms, involving (b)(3) instances, in that:

- In item 1 on (b)(3) 112 forms, the transferee did not provide their full middle name or, if no middle name, state "NMN." Examples: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)
- In item 3 on (b)(3) 112 forms, the transferee did not provide their complete Place of Birth. Examples: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6).

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- In item 11d on (b)(3) 112 form, the transferee left the answer to the question “Are you a fugitive from justice?” blank. Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6).
- In item 11k on one form, the transferee left the answer to the question “Are you an alien illegally in the United States?” blank. Example: (b)(3) 112 Public Law 55 125 STAT 552.
- In item 11i on (b)(3) 112 form, the transferee answered “yes” to the question “Have you ever been convicted in any court of a misdemeanor crime of domestic violence?” but a background check conducted indicates that the transferee is not prohibited from possessing a firearm. Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6).
- In item 16 on (b)(3) 112 form, the transferee did not provide their signature. Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6).
- In item 17 on (b)(3) 112 forms, the transferee did not provide the certification date. Examples: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6).

Licensee’s Response:

Mrs. Robertson stated that they need to be more careful in reviewing the forms before they complete the transaction.

Corrective Action:

Prior to making a transfer of a firearm to a non-licensee, obtain a complete and accurate ATF Form 4473. If the transferee does not answer the certification questions, stop the transfer process. Review all ATF F 4473s prior to completing the transaction. If any mistakes are noted prior to the transfer of the firearm, have the transferee correct the mistake and initial and date the change made. If mistakes are found after the transfer of the firearm, make a copy of the ATF Form 4473 and have the transferee and/or transferor correct the mistakes and initial and date any changes made.

Worksheets and Exhibits:

Worksheet 2

Exhibit 3, parts 1, 2 & 3

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

Nature of Violation:

Failure to verify the identity of the transferee by examining the identification document presented and, when the identification document’s residence address does not match the residence address provided by the transferee in item 2 of the ATF Form 4473, obtaining additional government issued documentation as required by ATF Ruling 2001-5 and documenting this information in item 20b on one form. Example: (b)(3) 112 Public Law 55 125 STAT 552 (b)(6).

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Licensee's Response:

Mrs. Robertson stated that she did not know how this one got missed. She stated that she know they had to get additional information to match the residence address, but she did not know that the information had to be government issued.

Corrective Action:

All transferees must present an identification document, as defined in the Federal Firearms Regulations Reference Guide in 27 CFR 478.11, as a means for the licensee to verify the transferee's identity prior to the transfer of a firearm. The licensee must note on the ATF Form 4473 in item 20a the type of identification document presented, as well as the identification document number and expiration date (if any). If the residence address on the transferee's identification document does not match the residence address provided by the transferee in item 2, additional government issued documentation must be obtained to verify the transferee's residence address. This government issued documentation must be documented in item 20b. Reference ATF Ruling 2001-5.

Worksheets and Exhibits:

Worksheet 2
Exhibit 3, part 2

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

Nature of Violation:

Failure to record in item 21b on the ATF Form 4473 the NTN provided by NICS on form. Example: (b)(3) 112 Public Law 55-125 STAT 552 (b)(6) .

Licensee's Response:

Mrs. Robertson stated that they sometimes get busy and forget to write down the information on the form.

Corrective Action:

When the licensee contacts the NICS to conduct a background check on a purchaser, the licensee must note on every ATF Form 4473 the date on which the NICS is contacted in item 21a, as well as any response received from the NICS in items 21b through 21e as required.

Worksheets and Exhibits:

Worksheet 2
Exhibit 3, part 3

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6. 27 CFR 478.126a

Nature of Violation:

Failure to prepare a report of multiple sales or other disposition whenever the licensee sells 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 on (b)(7)(F) occasions. Examples: (b)(7)(F) Public Law 55-125 S.T.A. 152 (b)(7)(F)

Licensee's Response:

Mrs. Robertson stated that they sometimes get busy and they must have just missed filling out the forms for these.

Corrective Action:

The licensee must prepare a report of multiple sales or other disposition whenever the licensee sells 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 and forward to ATF as required.

Worksheets and Exhibits:

Worksheet 2
Exhibit 4

X

Industry Operations Investigator

Index of Worksheets and Exhibits

WORKSHEETS

- 1 – Inventory discrepancies
- 2 – ATF Form 4473 discrepancies

EXHIBITS

- 1 – Letter from Mrs. Robertson
- 2 – Copies for Violation Number 1
- 3 – Copies for Violation Numbers 2-5
- 4 – Copies for Violation Number 6
- 5 – Acknowledgement of Federal Firearms Regulations

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