

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Michael Edward SENSENEY Red Barn Guns 10962 North Locust St Florence, AZ 85132, Pinal		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 785090-2016-0196-B1B		
		3. PERMIT/LICENSE NUMBER 986021077L05107	4a. TARGET DATE 9/26/2016	4b. TARGET HOURS
		5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		
6. ATF OFFICER(S) ASSIGNED (b)(6) - Lead Investigator (b)(6) - Assigned Investigator				
7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6), Area Supervisor, 05/13/2016				
8. PURPOSE/SPECIAL INSTRUCTIONS CONDUCT FULL RECALL INSPECTION.				
9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC				
NO. OF VIOLATIONS	8	NO. OF REFERRALS		2111 - PER DIEM
NO. OF TECS CHECKS	6	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: 07/08/2016 Violts WC with WL and Recall				
12. TIME ACCOUNTING DATA				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
MAY 2016		2.00		
JUN 2016		46.50		
JUL 2016		3.00		
ATF OFFICER'S SUBTOTAL		51.50	ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
JUN 2016		11.00		
ATF OFFICER'S SUBTOTAL		11.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS		62.50		

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Michael Edward SENSENEY Red Barn Guns 10962 North Locust St Florence, AZ 85132, Pinal	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 785090-2016-0196-B1B		
	3. PERMIT/LICENSE NUMBER 986021077L05107	4a. TARGET DATE 9/26/2016	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

Field inspection performed 06/09-06/15/16; the licensee was issued a ROV for seven recordkeeping/reporting violations (five of which are reduced repeat violations) and a single (reduced repeat) administrative violation. Although the licensee's failure to completely/correctly record all required acquisition and disposition information within their A&D Record merits a Warning Conference by policy, it is alternatively recommended that the licensee receive the Warning Letter and a Recall inspection for the following reasons: (1.) the licensee immediately reconciled all identified A&D Record discrepancies; (2.) the A&D acquisition/disposition errors are 13% and 15% respectively and have been reduced (overall) by 60% since the last inspection; and (3.) the six remaining violations merit a Warning Letter or ROV only (two and four, in respective totals).

Viols WL ONLY and Recall Inspection

☒ REVIEWED

☐ CONCUR

☒ SEE COMMENTS

☒ FINAL DISPOSITION

SIG. (b)(6)	TITLE Area Supervisor	(b)(6)	REVIEW DATE 06/24/2016
-------------	--------------------------	--------	---------------------------

REVIEW COMMENTS AND RECOMMENDATION

The licensee was subject to a recall inspection June 9, 2016 through June 15, 2016. The licensee was cited for eight violations. Specifically, the licensee was cited with violating 27 CFR 478.123(a) – Failure to record all required information on the manufacture or other acquisition of firearms in the A&D Record and 27 CFR 478.123(d) – Failure to record the disposition of firearm to a non-licensee in the Acquisition and Disposition (A&D) Record and failure to record all required disposition information of firearms to a non-licensee in the A&D Record. The licensee was able to reconcile the open disposition; therefore no firearms were reported missing. The licensee was also able to correct all of the missing or incomplete information in the A&D Record. These violations equate to an error rate of 13 percent of acquisitions and over 15 percent of dispositions. The licensee was cited for violating both of these regulations during the previous inspection in February 2015 and September 2013. That inspection resulted in a DIO led Warning Conference in lieu of Revocation.

I concur with the Area Supervisor's alternate recommendation of Warning Letter and Recall inspection for the following reasons: (1.) the licensee immediately reconciled all identified A&D Record discrepancies; (2.) the A&D acquisition/disposition errors have been reduced (overall) by 60% since the last inspection; and (3.) the six remaining violations merit a Warning Letter.

Viols WL ONLY and Recall Inspection

☒ REVIEWED

☐ CONCUR

☒ SEE COMMENTS

☐ FINAL DISPOSITION

SIGNATURE AND TITLE MSMITCHEM - Director of Industry Operations	REVIEW DATE 07/05/2016
--	---------------------------

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 3 Pages
Senseney, Michael Edward Red Barn Guns	10962 North Locust St	Florence	AZ	85132-	Pinal	


License/Permit/Registry Number (If any)	Expiration Date	Date(s) or Period of Inspection
986021077L05107	11/1/2017	06/09/2016 through 06/15/2016

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 record all required information on the manufacture or other acquisition of  firearms in the A&D Record.

Citation: 27 CFR 478.123(a)

Date Corrections to be Made:

(If not corrected immediately)

06/15/2016


Corrective Action to be Taken:

(If not corrected immediately)

The licensee will ensure that entries into the Acquisition and Disposition Record Book be timely and correctly recorded. The licensee was instructed to correct all discrepancies in the A&D Record Book.

Number: 2

Nature of Violation:

Failure to record the disposition of one firearm to a nonlicensee in the Acquisition and Disposition (A&D) Record. Failure to record all required disposition information of  firearms to a nonlicensee in the A&D Record.

Citation: 27 CFR 478.123(d)

Date Corrections to be Made:

(If not corrected immediately)

06/15/2016


Corrective Action to be Taken:

(If not corrected immediately)

The licensee will ensure that entries into the Acquisition and Disposition Record Book be timely and correctly recorded. The licensee was instructed to correct all discrepancies in the Acquisition and Disposition (A&D) Record Book.

Number: 3

Nature of Violation:

Failure to furnish or obtain all information as required by headings and instructions on  ATF Form 4473.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will ensure that all information as required by the headings of the ATF Form 4473 will be completed in its entirety and reviewed for accuracy prior to the transfer of any firearm.

August 9 2019 Document Production

280

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 Senseney, Michael Edward Red Barn Guns	Street Address 10962 North Locust St	City Florence	State AZ	Zip Code 85132-	County Pinal	Page 2 of 3 Pages
License/Permit/Registry Number <i>(If any)</i> 986021077L05107		Expiration Date 11/1/2017		Date(s) or Period of Inspection 06/09/2016 through 06/15/2016		


Inspection Results

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

Citation: 27 CFR 478.21(a)

Number: 4


Nature of Violation:

Failure to obtain and record all required transferee information on  ATF Forms 4473.

Citation: 27 CFR 478.124(c)(1)

Number: 5


Nature of Violation:

Failure to verify and record proper transferee's identification documents on  ATF Forms 4473.

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

Number: 6

Nature of Violation:

Failure to record all required NICS transaction information on  ATF Form 4473.

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)

The licensee will ensure that all information as required by the headings of the ATF Form 4473 be entered correctly and reviewed for accuracy prior to the transfer of any firearm.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will ensure that all required information is accurately recorded on the ATF Form 4473.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will ensure that the required information is completely and accurately recorded.

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 Senseney, Michael Edward Red Barn Guns	Street Address 10962 North Locust St	City Florence	State AZ	Zip Code 85132-	County Pinal	Page 3 of 3 Pages
License/Permit/Registry Number (If any) 986021077L05107		Expiration Date 11/1/2017		Date(s) or Period of Inspection 06/09/2016 through 06/15/2016		

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:
Failure to record all required firearm identification information on (b)(3) ATF Form 4473.

Date Corrections to be Made:
(If not corrected immediately)
Corrective Action to be Taken: The licensee was told make a copy of the ATF Form 4473 and make corrections to the copy. The licensee will ensure that the required information is completely and accurately recorded.

Citation: 27 CFR 478.124(c)(4)

Number: 8
Nature of Violation:
Failure to timely or correctly report the sale of two or more pistols, or revolvers, or a combination thereof, on the same day or within five consecutive business days in (b)(3) instance involving (b)(3) firearms.

Date Corrections to be Made:
(If not corrected immediately)
Corrective Action to be Taken: The licensee will ensure that a Report of Multiple Sales or Other Disposition of Pistols and Revolvers (ATF Form 3310.4) will be completed when two or more handguns are sold to the same person at one time or within five business days. The licensee was instructed to immediately submit the unreported multiple sales.

Citation: 27 CFR 478.126a

I Have Received a Copy of This Report of Violations (Proprietor's signature and title)	Date
Signature and Title of ATF Officer	Date



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Phoenix Field Division

July 8, 2016

www.atf.gov

785090: (b)(6)
5300

Michael Edward Senseney
d/b/a Red Barn Guns
10962 N. Locust St.
Florance, AZ 85132

Re: FFL# 9-86-021-07-7L-05107

Mr. Senseney:

During a recent inspection at your firearms business covering the period from October 1, 2013 to June 9, 2016 you were cited for violations of Title 27, Code of Federal Regulations, Part 478. A copy of the Report of Violations, ATF F 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. You or your responsible person indicated that you understood the requirements of the firearms laws and regulations and 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.

Mr. Michael Senseney
Red Barn Guns

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

(b)(6)

Area Supervisor Industry Operations

cc: Federal Firearms Licensing Center
Phoenix VI Field Office

Address: 10962 North Locust Street
Florence, AZ 85132

Pinal County

1 - Introduction

Inspection Profile:

On June 9, 2016, Industry Operations Investigators (IOIs) (b)(6) and (b)(6) went to 10962 North Locust Street Florence, AZ 85132 to conduct an unannounced Federal firearms license Type 07 manufacturer of firearms recall inspection of Senseney, Michael E d/b/a Red Barn Guns.

The investigators met with Mr. Michael Senseney, owner and responsible person.

The investigators identified themselves as Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) Investigators and presented their credentials.

Mr. Senseney was identified by his Arizona driver's license # (b)(6) (expiration date 11/04/2017).

Due to identified A&D record discrepancies, the standard 12-month period of review for this inspection was expanded to include firearm transactions occurring between October 1, 2013, and June 9, 2016.

The onsite inspection start date was June 9, 2016, and the onsite end date was June 15, 2016.

The closing conference was conducted on June 15, 2016, with Mr. Senseney in attendance. A Report of Violations (RoV) was issued at the closing conference.

Email address for the business was mike@redbarnguns.com.

Business Profile:

Senseney, Michael E d/b/a Red Barn Guns currently conducts business out of a private residence located at 10962 North Locust Street Florence, AZ 85132. The residence is owned by Mr. Senseney. Red Barn Guns operates as a Type 07 manufacturer of firearms from that location and is in business to conduct sales of new and used handguns and long guns. The licensee uses his manufacturer's license primarily to assemble AR-15 style rifles. The licensee does not manufacture ammunition at the location. Other business includes sales of firearms ammunition and accessories. The licensee does not deal in black powder.

The licensee has a valid home occupation permit and valid Arizona Transaction Privilege Tax License.

The licensee acquired (b)(4) firearms and disposed of (b)(4) firearms over the course of the entire inspection period. The licensee acquired (b)(4) firearms and disposed of (b)(4) during the past 12 months.

The business' firearms sales consisted of approximately (b)(4) handguns and (b)(4) long guns. The licensee has paid a manufacturer's Special Occupation Tax (SOT) but did not manufacture any NFA items during the inspection period.

One-hundred percent of the licensee's firearms sales involved retail sales with no business in wholesale.

The licensee's primary firearms suppliers are (b) (4)

The licensee did not participate in gun shows during the inspection period.

The licensee's website is www.redbarnguns.com. The website is not active. The licensee does conduct internet transfers.

A query of the Federal Licensing System (FLS) disclosed that the licensee had no other ATF licenses.

The licensee has held this Federal Firearms License (FFL) since October 14, 2011, and the current license will expire on November 1, 2017.

There was no off-site storage utilized.

Ownership and Control:

Senseney, Michael E d/b/a Red Barn Guns is a sole proprietorship.

No additional persons were added to or removed from the license at the time of the inspection.

No hidden ownership was suspected.

Variance:

The licensee had no variances at the time of the inspection.

2 - Recommendation

Viols WC with WL and Recall

3 - Inspection History

A review of the Area Office file disclosed three previous inspections for Senseney, Michael E d/b/a Red Barn Guns during the past five years:

Date of Inspection:	January 8, 2015
Type of Inspection:	Recall Inspection
UI#:	785090-2015-0029
Inspection Results:	Viols DIO (or Delegate) Held WC ILO Revocation. Acknowledgement of Federal Firearms Regulations was reviewed and signed on January 14, 2015. A copy is maintained in the area office file.
Cited Violations:	<p>27 CFR 478.123(a); Failure to record all required information on the manufacture or other acquisition of (b)(3) firearms in the A&D Record.</p> <p>27 CFR 478.123(d); Failure to record the acquisition of a firearm correctly in (b)(3) instances.</p> <p>27 CFR 478.21(a); Failure to furnish or obtain all information as required by headings and instructions on (b)(3) ATF Forms 4473.</p> <p>27 CFR 478.124(c)(1); Failure to obtain and record all required transferee information on (b)(3) ATF Forms 4473.</p> <p>27 CFR 478.124(c)(3)(i); Failure to verify and record proper transferee's identification documents on (b)(3) ATF Forms 4473.</p> <p>27 CFR 478.124(c)(3)(iv); Failure to record all required NICS transaction information on (b)(3) ATF Forms 4473.</p> <p>27 CFR 478.124(c)(5); Failure to properly sign and/or record the correct date of transfer of a firearm on (b)(3) ATF Forms 4473.</p>
Date of Inspection:	September 4, 2013
Type of Inspection:	Compliance Inspection
UI#:	785090-2013-0319
Inspection Results:	Viols WC with WL and Recall. Acknowledgement of Federal Firearms Regulations was reviewed and signed on September 27, 2013. A copy is maintained in the area office file.

FIREARMS INSPECTION REPORT

Name: Senseney, Michael E
Trade Name: Red Barn Guns

UI#: 785090-2016-0196-B1B
FFL#: 9-86-021-07-7L-05107

Cited Violations: **27 CFR 478.21(a)**; Failure to furnish or obtain all information as required by headings and instructions on (b)(3) 112 ATF Form 4473.
27 CFR 478.124(c)(1); Failure to obtain and record all required transferee information on (b)(3) 112 ATF Forms 4473.
27 CFR 478.124(c)(3)(i); Failure to verify and record proper transferee's identification documents on (b)(3) 112 ATF Forms 4473.
27 CFR 478.124(c)(3)(iv); Failure to record all required NICS transaction information on (b)(3) 112 ATF Forms 4473.
27 CFR 478.123; Failure to record required acquisition and disposition information in an Acquisition and Disposition (A&D) Record on (b)(3) instances.
27 CFR 478.92(a)(1); Failure to properly mark firearms manufactured in (b)(3) 112 instances.

Type of Inspection: Qualification Inspection
Date of Inspection: October 11, 2011
UI#: 785090-2012-0032
Inspection Results: Application Approved. Acknowledgement of Federal Firearms Regulations was reviewed and signed on October 11, 2011. A copy is maintained in the area office file.

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

The investigators conducted a full inventory of all firearms found at the business premises. There were 202 firearms found in inventory. Of the 202 firearms found in inventory, all were recorded as acquisitions in the Acquisition and Disposition (A&D) Record.

Investigator (b)(6) reviewed the licensee's A&D Record and found (b)(3) - 112 open firearms dispositions. All (b)(3) - 112 open dispositions were compared to the physical inventory. Of the (b)(3) - 112 open dispositions, (b)(3) 112 did not correspond to a firearm in inventory.

Investigator (b)(6) resolved the open dispositions with an ATF Form 4473 indicating that the firearm was transferred but the licensee failed to record the disposition information in the A&D Record.

Investigator (b)(6) reviewed the A&D Record to verify all required information was recorded and accurate. In (b)(3) instances, acquisition information was either incorrect or not recorded properly.

Due to the licensee's failure to record required acquisition and disposition information in the A&D Record, the licensee was cited with violating 27 CFR 478.123(a) in (b)(3) instances and 27 CFR 478.123(d) in (b)(3) instances. See Worksheet #1: Inventory and A&D Review, Exhibit #1: A&D Records, and ATF Form 5030.5-Report of Violations. The licensee was instructed to immediately correct all acquisition and disposition information in the A&D Record Book. On June 15, 2016, Mr. Senseney advised that the required corrections were made.

There were no Theft/Loss Reports submitted by the licensee during the inspection period or as a result of this inspection.

The licensee uses a handwritten A&D Record that was in the proper format. All the required information was not accurate and entries were not timely made.

Investigator (b)(6) reviewed the acquisition records for 25 firearms acquired by the licensee and found that those were recorded in a timely manner as acquisitions and also compared the dispositions of those firearms to the corresponding records and found no discrepancies.

There were no trafficking issues noted with the licensee's A&D Record.

There were no firearms with obliterated serial numbers or illegal firearms found during the inspection.

The licensee advised that when a firearm is received at the business premises, the firearm is removed from the box or packaging and examined for physical condition. The identification information for the firearm is entered into the A&D Record Book.

5 - ATF Forms 4473 – NICS & Other Dispositions

Investigator (b)(6) reviewed all (b)(3) ATF Forms 4473 completed in the 12 months prior to the inspection. The review of these forms disclosed the following violations:

On (b)(3) ATF Form 4473 the licensee failed to furnish or obtain all information as required by headings and instructions. The licensee was cited for violating 27 CFR 478.21(a). Reference Worksheet #2: ATF Form 4473 Review, Exhibit #2: ATF Forms 4473 reference 27 CFR 478.21(a), and ATF Form 5030.5 – Report of Violations.

On (b)(3) ATF Forms 4473 the licensee failed to obtain and record all required transferee information. The licensee was cited for violating 27 CFR 478.124(c)(1). Reference Worksheet #2: ATF Forms 4473 Review, Exhibit #3: ATF Forms 4473 reference 27 CFR 478.124(c)(1), and ATF Form 5030.5 – Report of Violations.

On (b)(3) ATF Forms 4473 the licensee failed to verify and record proper transferee's identification documents. The licensee was cited for violating 27 CFR 478.124(c)(3)(i). Reference Worksheet #2: ATF Form 4473 Review, Exhibit #4: ATF Forms 4473 reference 27 CFR 478.124(c)(3)(i), and ATF Form 5030.5 – Report of Violations. On (b)(3) ATF Form 4473 the licensee failed to record all required NICS information. The licensee was cited for violating 27 CFR 478.124(c)(3)(iv). Reference Worksheet #2: ATF Form 4473 Review, Exhibit #5: ATF Form 4473 reference 27 CFR 478.124(c)(3)(iv), and ATF Form 5030.5 – Report of Violations.

On (b)(3) ATF Form 4473 the licensee failed to record all required firearm identification information. The licensee was cited for violating 27 CFR 478.124(c)(4). Reference Worksheet #2: ATF Form Review, Exhibit #6: ATF Form 4473 reference 27 CFR 478.124(c)(4), and ATF Form 5030.5 – Report of Violations.

The licensee properly completed transfers to other licensees.

According to the FFL audit log, the licensee had (b)(3) NICS responses. The FFL audit log checks were compared to the ATF Forms 4473 on file and did not disclose any discrepancies.

The licensee advised that there were no sales to law enforcement officers.

The licensee advised that when a customer picks up a firearm, he will obtain identification from the customer then instruct the customer to complete Section A of the ATF Form 4473.

A NICS background check is conducted unless the customer possesses a valid Arizona Concealed Weapons Permit.

The disposition information is usually recorded shortly after the transfer.

6 - Multiple Sales

According to the Violent Crime Analysis Branch (VCAB), there were (b)(3) multiple sales reported during the inspection period. The investigator's review of the ATF Forms 4473 disclosed (b)(3) unreported multiple sales involving (b)(3) handguns. The licensee was cited with violating 27 CFR 478.126a. Reference Worksheet #2: ATF Form 4473 Review, Exhibit #7: ATF Form 4473 reference 27 CFR 478.126a, and ATF Form 5030.5 – Report of Violations. Investigator (b)(6) verified that a form was completed and submitted.

7 - Suspicious/Prohibited Purchasers

No suspected traffickers, straw purchasers, or prohibited persons were revealed during this inspection. No referrals were made as a result of this inspection.

8 - Trace Activity

According to the VCAB, the licensee had [REDACTED] trace requests during the inspection period. All trace requests were successful. There were no unsuccessful traces during that same period.

Investigator (b)(6) conducted a query of the E-trace and Open Fox databases on [REDACTED] used firearms found at the location. The checks did not disclose any firearms traced or stolen

9 - NFA/Importer/Collector/Manufacturer

The licensee did not engage in importing or collecting activities during the inspection period.

The licensee is an NFA manufacturer but did not manufacture or sell any NFA items during the inspection period. The licensee had four NFA firearms registered to the business according to the National Firearms Registration and Transfer Record (NFRTR). The NFRTR was compared to the NFA inventory with no discrepancies found.

The licensee has submitted the business' Annual Firearms Manufacturing and Exportation Reports in a timely manner.

10 - Referrals

There were no referrals generated from the inspection of Senseney, Michael E d/b/a Red Barn Guns.

11 - Other

The investigator observed the Youth Handgun Safety Act Poster and pamphlets were available for handgun transfers.

The licensee maintains safety devices that are available to customers for firearms that do not have a safety device.

The following queries were conducted concerning the responsible person:

- N-Force: No record of the responsible person being part of any criminal investigation.

- OpenFox: No criminal record pertaining to the responsible person was revealed.
- Arizona Judicial Branch: No criminal information pertaining to the responsible person was listed in the Court Case Information.

12 - Closing Actions

On June 15, 2016, a Closing Conference was conducted with Mr. Senseney. The Federal Regulatory Requirements were discussed and reviewed with the licensee. The licensee indicated that he understood all of the information by initialing, signing, and dating the Acknowledgement of Federal Firearms Regulations. The licensee was provided a copy of the Acknowledgement of Federal Firearms Regulations. See Exhibit #8: Acknowledgement of Federal Firearms Regulations.

The licensee was provided with the following reference material:

- Federal Firearms Licensee Quick Reference and Best Practices Guide, ATF P 5300.15;
- Report of Multiple Sale or Other Disposition of Pistols and Revolvers, ATF F 3310.4.

The licensee was referred to www.atf.gov to download that latest version of the Federal Firearms Regulations Reference Guide, ATF P 5300.4.

In addition, the licensee was advised of the proper procedures for recording acquisitions and dispositions into the A&D Record Book. The licensee was further advised of the proper procedures for making corrections to the A&D Record Book and to the ATF Form 4473.

On June 15, 2016, the Report of Violations (RoV); ATF Form 5030.5, was reviewed with the licensee and each violation and the corresponding corrective action was discussed in detail. The licensee indicated that he understood the violations by signing and dating the RoV. The licensee was provided a copy of the RoV.

The licensee was also provided with contact information for the local ATF Field Office and instructed to contact the office with any questions that he should have in the future.

13 - Violations

1. 27 CFR 478.123(a)

REPEAT OF VIOLATION CITED ON FEBRUARY 3, 2015, AND SEPTEMBER 27, 2013.

Nature of Violation: Failure to record all required information on the manufacture or other acquisition of (b)(3) firearms in the A&D Record. Specifically, failure to correctly record firearms manufacturer information in (b)(3) instances, importer information in (b)(3) instances, firearm type in (b)(3) instances, firearm serial number in (b)(3) instances, firearm model number in (b)(3) instances, and firearm caliber in (b)(3) instances.

Licensee's Response: The licensee stated that he was inattentive when entering the information into the A&D Record Book. He further said that he did not understand the requirements to enter importer information, as well as, manufacturer information.

Corrective Action: The licensee will ensure that entries into the Acquisition and Disposition Record Book be timely and correctly recorded. The licensee was instructed to correct all discrepancies in the A&D Record Book.

Reference Report of Violations; ATF F 5030.5, Worksheet #1: Inventory and A&D Review Worksheet, Exhibit #1: A&D Records.

2. **27 CFR 478.123(d)**

REPEAT OF VIOLATION CITED ON FEBRUARY 3, 2015, AND SEPTEMBER 27, 2013.

Nature of Violation: Failure to record the disposition of (b)(3) firearm to a non-licensee in the Acquisition and Disposition (A&D) Record. Failure to record all required disposition information of (b)(3) firearms to a non-licensee in the A&D Record. Specifically, failure to record the transfer of a firearms to a non-licensee in (b)(3) instance and failure to record an address in the disposition section in (b)(3) instances.

Licensee's Response: The licensee stated he must have forgotten to return to the A&D Record to record the disposition information after the transfer occurred. The licensee said that he did not record an address in the above instances because he did not think he had to as they were the return of a repaired firearm from whom they were received.

Corrective Action: The licensee will ensure that entries into the Acquisition and Disposition Record Book be timely and correctly recorded. The licensee was instructed to correct all discrepancies in the Acquisition and Disposition (A&D) Record Book.

Reference Report of Violations; ATF F 5030.5, Worksheet #1: Inventory and A&D Review Worksheet, Exhibit #1: A&D Records.

3. **27 CFR 478.21(a)**

REPEAT OF VIOLATION CITED ON FEBRUARY 3, 2015, AND SEPTEMBER 27, 2013.

Nature of Violation: Failure to furnish or obtain all information as required by headings and instructions on (b)(3)(1)(2) ATF Form 4473. Specifically, failure to correctly complete item 10a in (b)(3)(1)(2) instance.

Licensee's Response: The licensee stated that he was complacent when reviewing the form.

Corrective Action: The licensee will ensure that all information as required by the headings of the ATF Form 4473 will be completed in its entirety and reviewed for accuracy prior to the transfer of any firearm.

Reference Report of Violations; ATF F 5030.5, Worksheet #2: ATF Form 4473 Review, Exhibit #2 ATF Form 4473 reference 27 CFR 478.21(a).

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

REPEAT OF VIOLATION CITED ON FEBRUARY 3, 2015, AND SEPTEMBER 27, 2013.

Nature of Violation: Failure to obtain and record all required transferee information on three ATF Forms 4473. Specifically, failure to correctly complete item 2 in (b)(3)(1)(2) instances and item 3 in (b)(3)(1)(2) instance.

Licensee's Response: The licensee stated that he was in a hurry and was complacent when reviewing the ATF Forms 4473.

Corrective Action: The licensee will ensure that all information as required by the headings of the ATF Form 4473 be entered correctly and reviewed for accuracy prior to the transfer of any firearm.

Reference Report of Violations; ATF F 5030.5, Worksheet #2: ATF Form 4473 Review, Exhibit #3 ATF Forms 4473 reference 27 CFR 478.124(c)(1).

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

REPEAT OF VIOLATION CITED ON FEBRUARY 3, 2015, AND SEPTEMBER 27, 2013.

Nature of Violation: Failure to verify and record proper transferee's identification documents on (b)(3) ATF Forms 4473. Specifically, failure to correctly complete item 20a in (b)(3) instances.

Licensee's Response: The licensee stated that he did not think to write whether the identification presented was a license or an identification card.

Corrective Action: The licensee will ensure that all required information is accurately recorded on the ATF Form 4473.

Reference Report of Violations; ATF F 5030.5, Worksheet #2: ATF Form 4473 Review, Exhibit #4 ATF Forms 4473 reference 27 CFR 478.124(c)(3)(i).

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

REPEAT OF VIOLATION CITED ON FEBRUARY 3, 2015, AND SEPTEMBER 27, 2013.

Nature of Violation: Failure to record all required NICS transaction information on (b)(3)(12) ATF Form 4473. Specifically, failure to correctly complete item 21a in (b)(3)(12) instance.

Licensee's Response: The licensee stated that the error occurred due to inattentiveness on his part.

Corrective Action: The licensee will ensure that the required information is completely and accurately recorded.

Reference Report of Violations; ATF F 5030.5, Worksheet #2: ATF Form 4473 Review, Exhibit #5 ATF Form 4473 reference 27 CFR 478.124(c)(3)(iv).

7. **27 CFR 478.124(c)(4)**

Nature of Violation: Failure to record all required firearm identification information on (b)(3)(12) ATF Form 4473. Specifically, failure to correctly complete item 26 in (b)(3)(12) instance.

Licensee's Response: The licensee stated that the error occurred due to inattentiveness on his part.

FIREARMS INSPECTION REPORT

Name: Senseney, Michael E
Trade Name: Red Barn Guns

UI#: 785090-2016-0196-B1B
FFL#: 9-86-021-07-7L-05107

Corrective Action: The licensee was told make a copy of the ATF Form 4473 and make corrections to the copy. The licensee will ensure that the required information is completely and accurately recorded.

Reference Report of Violations; ATF F 5030.5, Worksheet #2: ATF Form 4473 Review, Exhibit #6 ATF Form 4473 reference 27 CFR 478.124(c)(4).

8. 27 CFR 478.126a

Nature of Violation: Failure to timely or correctly report the sale of two or more pistols, or revolvers, or a combination thereof, on the same day or within five consecutive business days in (b)(3) 112 instance involving (b)(3) 112 firearms.

Licensee's Response: The licensee stated that he miscounted the days when deciding on if a multiple sale form was required.

Corrective Action: The licensee will ensure that a Report of Multiple Sales or Other Disposition of Pistols and Revolvers (ATF Form 3310.4) will be completed when two or more handguns are sold to the same person at one time or within five business days. The licensee was instructed to immediately submit the unreported multiple sales.

Reference Report of Violations; ATF F 5030.5, Worksheet #2: ATF Form 4473 Review, Exhibit #7 ATF Forms 4473 reference 27 CFR 478.126a.

X

Industry Operations Investigator

Index of Worksheets and Exhibits

Worksheets:

- Worksheet #1: Inventory and A&D Review
- Worksheet #2: ATF Form 4473 Review
- Other Statistics

Exhibits:

- Exhibit #1: A&D Records.
- Exhibit #2: ATF Form 4473 reference 27 CFR 478.21(a).
- Exhibit #3: ATF Forms 4473 reference 27 CFR 478.124(c)(1).
- Exhibit #4: ATF Forms 4473 reference 27 CFR 478.124(c)(3)(i).
- Exhibit #5: ATF Form 4473 reference 27 CFR 478.124(c)(3)(iv).

- Exhibit #6: ATF Form 4473 reference 27 CFR 478.124(c)(4).
- Exhibit #7: ATF Form 4473 reference 27 CFR 478.126a.
- Exhibit #8: Acknowledgement of Federal Firearms Regulations.