

Assignment and Report

| | | | | |
|---|--|---|-------------------------------|------------------|
| 1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Fairchild, Carl Franklin & Toni A. CARLS PAWN & TRADING CO 1113 East Moore Avenue Terrell, TX 75160, Kaufman | 2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 781025-2016-0037-B1B | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">3. PERMIT/LICENSE NUMBER 575257028H04758</td> <td style="width: 33%;">4a. TARGET DATE 11/30/2015</td> <td style="width: 33%;">4b. TARGET HOURS</td> </tr> </table> | 3. PERMIT/LICENSE NUMBER 575257028H04758 | 4a. TARGET DATE 11/30/2015 | 4b. TARGET HOURS |
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| | 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, 10/01/2015

8. PURPOSE/SPECIAL INSTRUCTIONS
 Conduct a Full Recall Inspection with emphasis on SWBI. Obtain EIN and/or SSN for updating Licensing Center records. A full inventory is required. Please obtain the GPS coordinates for the premises.

| 9. INSPECTION RESULTS | | <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC | 10. TRAVEL EXPENSES (OPTIONAL) | |
|------------------------|----|---|--------------------------------|---------------------|
| NO. OF VIOLATIONS | 5 | NO. OF REFERRALS | | 2111 - PER DIEM |
| NO. OF TECS CHECKS | 15 | 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)** - Senior IOI

 Submitted on: 12/17/2015

 Viols ROV ONLY No Recall Inspection

| 12. TIME ACCOUNTING DATA | |
|---|---------------|
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) | (b)(6) |
| OCT 2015 | 67.00 |
| NOV 2015 | 6.00 |
| ATF OFFICER'S SUBTOTAL | 73.00 |
| TOTAL HOURS | 73.00 |

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION
 On October 20, 2015 IOI **(b)(6)** conducted a southwest border firearms compliance inspection on the licensee. The licensee was cited for Repeat Violations of 27CFR 478.21a (previously cited in December 2013 & April 2012); Repeat Violations of 478.124(c)(1) (previously cited in December 2013 & February 2008); Repeat Violation of 478.124(c)(3)(i) (previously cited in December 2013); Repeat Violations of 478.124(c)(3)(iv) (previously cited in December 2013 & April 2012); Repeat Violations of 478.125(e) (previously cited in December 2013, April 2012 & February 2008).

I recommend a Warning Letter and Recall Inspection considering the nature of Repeat violations for the licensee.

Viols WL ONLY and Recall Inspection

REVIEWED
 CONCUR
 SEE COMMENTS
 FINAL DISPOSITION

| | |
|--|---------------------------|
| SIGNATURE AND TITLE (b)(6) Director, Industry Operations | REVIEW DATE 11/27/2015 |
|--|---------------------------|

Assignment and Report

| | | | |
|---|---|-------------------------------|------------------|
| 1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Fairchild, Carl Franklin & Toni A. CARLS PAWN & TRADING CO 1113 East Moore Avenue Terrell, TX 75160, Kaufman | 2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 781025-2016-0037-B1B | | |
| | 3. PERMIT/LICENSE NUMBER 575257028H04758 | 4a. TARGET DATE 11/30/2015 | 4b. TARGET HOURS |
| | 5. REQUESTED BY (SIGNATURE, TITLE AND DATE) | | |

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

DIO Murphy concurs with the alternate recommendation.

Viols WL ONLY and Recall Inspection

REVIEWED CONCUR SEE COMMENTS FINAL DISPOSITION

| | |
|---|---------------------------|
| SIGNATURE AND TITLE KRMURPHY - Director, Industry Operations | REVIEW DATE 12/16/2015 |
|---|---------------------------|

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 Fairchild, Carl Franklin & Toni A. CARLS PAWN & TRADING CO | Street Address 1113 East Moore Avenue | City Terrell | State TX | Zip Code 75160- | County Kaufman | Page 1 of 2 Pages |
| License/Permit/Registry Number <i>(If any)</i> 575257022H04758 | | Expiration Date 8/1/2018 | Date(s) or Period of Inspection 10/14/2015 through 10/20/2015 | | | |

Inspection Results

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

Number: 1

Nature of Violation:

Failure to furnish all information called for in each ATF Form 4473 as indicated by the headings on the ATF Form 4473 and the instructions on or pertaining to the ATF Form. Number of forms (questions 31 & 32)

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: The licensee will ensure that all ATF Forms 4473 are properly completed.
(If not corrected immediately)

Number: 2

Nature of Violation:

Failure to obtain a properly completed ATF Form 4473 from a nonlicensee, who is a resident of the State which the licensee's premises are located, prior to the transfer of a firearm. Number of forms: (11j & questions 16-17).

Citation: 27 CFR 478.124(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: The licensee will always verify and correctly recorded all identification documents on the ATF Form 4473.
(If not corrected immediately)

Number: 3

Nature of Violation:

Failure to verify and correctly record identification document of transferee on ATF Form 4473. Number of forms: (expiration date of identification - question 20a).

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: The licensee will always verify and correctly recorded all identification documents on the ATF Form 4473.
(If not corrected immediately)

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 Fairchild, Carl Franklin & Toni A. CARLS PAWN & TRADING CO | Street Address 1113 East Moore Avenue | City Terrell | State TX | Zip Code 75160- | County Kaufman | Page 2 of 2 Pages |
| License/Permit/Registry Number <i>(If any)</i> 575257022H04758 | Expiration Date 8/1/2018 | Date(s) or Period of Inspection 10/14/2015 through 10/20/2015 | | | | |

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 note the NICS system contact date provided by the NICS system on the ATF Form 4473. Number of forms: █

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: The licensee will always ensure that the date provided by the NICS system is accurately recorded on the ATF Form 4473.

(If not corrected immediately)

Number: 5

Nature of Violation:

Failure to accurately record the firearm acquisition information in the Acquisition & Disposition Record. Number of Instances █ incorrect serial numbers

Citation: 27 CFR 478.125(e)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: The licensee will accurately and timely record the acquisition information in the Acquisition and Disposition Record.

(If not corrected immediately)

| | |
|---|------|
| I Have Received a Copy of This Report of Violations <i>(Proprietor's signature and title)</i> | Date |
| Signature and Title of ATF Officer | Date |



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

December 16, 2015

www.atf.gov

781025: (b)(6)
5000

Fairchild, Carl Franklin & Toni A.
CARLS PAWN & TRADING CO
1113 East Moore Avenue
Terrell, TX 75160
RE: 575257028H04758

Dear Mr. Carl Fairchild:

During a recent inspection at your firearms business covering the period July 23, 2013 to October 13, 2015 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 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.

Fairchild, Carl Franklin & Toni A.
CARLS PAWN & TRADING CO

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

Sincerely yours,

(b)(6)

Area Supervisor for Dallas Group V

Enclosure

cc: Federal Firearms Licensing Center
Dallas V (IO) Field Office

FIREARMS INSPECTION REPORT

Name: Fairchild, Carl Franklin & Toni A. **UI#:** 781025-2016-0037-B1B
Trade Name: Carls Pawn & Trading Co **FFL#:** 5-75-257-02-8H-04758

Address: 1113 E. Moore Ave
Terrell, Texas 75160 (Kaufman County)

1 - Introduction

Inspection Profile:

On October 14, 2015, ATF Senior Industry Operations Investigator (b)(6) (b)(6) initiated an on-site recall compliance inspection with emphasis on the Southwest Border Initiative at the business premises of Carl Franklin & Toni A. Fairchild doing business as (d.b.a.) Carl's Pawn & Trading Co. Investigator (b)(6) interviewed Mr. Carl Franklin Fairchild, responsible person, who positively identified himself with his Texas Driver's License, recorded as number (b)(6) DOB (b)(6) expiration date July 22, 2017. (b)(6) (b)(6) store manager, was also present and interviewed during the inspection. The inspection was conducted without prior notice. No other Federal, State, or local agencies were present during the inspection. The inspection period covered July 20, 2013 through October 13, 2015.

Prior to the inspection, Investigator (b)(6) queried ATF NForce data base in order to determine if the responsible persons were currently the focus of a criminal investigation. The query revealed no hits.

Investigator (b)(6) conducted NCIC/NLETS queries on the responsible persons, Carl Franklin and Toni Fairchild; which did not return any information suggesting that the responsible person currently had no criminal histories.

Business Profile:

Carl Franklin & Toni A. Fairchild d.b.a. Carl's Pawn & Trading Co. maintains a Type 02, Dealer including Pawnbroker in Firearms Other Than Destructive Devices, license. The licensee purchases, resells and offers loans on merchandise, which consists primarily of buying and selling (b)(4) retail new and used firearms. The business firearm inventory consists of approximately (b)(4) new and (b)(4) used firearms. The licensee does not conduct Internet sales of firearms, participate in gun shows, or perform any gunsmithing activities. The licensee stated they occasionally conduct some dealer to dealer transfers. The licensee conducts pawn broking activities and retail sales from the business premises.

The licensee's primary suppliers of used firearms are its customers that sell their firearms or fail to redeem their firearm from pawn. The licensee stated if he acquires new firearms they are purchased from (b)(4). The licensee acquired (b)(4) firearms (b)(4) handguns, (b)(4) long guns) and disposed of (b)(4) firearms (b)(4) handguns, (b)(4) long guns) during the inspection period July 20, 2013 through

FIREARMS INSPECTION REPORT

Name: Fairchild, Carl Franklin & Toni A.
Trade Name: Carls Pawn & Trading Co

UI#: 781025-2016-0037-B1B
FFL#: 5-75-257-02-8H-04758

October 13, 2015. The licensee acquired (b)(4) firearms (b)(4) handguns, (b)(4) long guns) and disposed of (b)(4) firearms (b)(4) handguns, (b)(4) long guns) during the last 12 months.

There are no other businesses operating from the license premises. The licensee does not possess any other ATF licenses or permits. The licensee has held his ATF license since July 2009.

The business premises are located inside the city limits Terrell, Texas (Kaufman County). During the inspection conducted under UIN 781025-2012-0171-B1B, verification was made that the licensee was in compliance with the zoning laws.

Ownership and Control:

Carl Franklin & Toni a. Fairchild d.b.a. Carl's Pawn & Trading Co. operates as a partnership. Investigator (b)(6) queried the Federal Licensing System (FLS) which correctly lists Carl Franklin and Toni Antonette Fairchild as the responsible persons on the firearms license.

Investigator (b)(6) queried the Texas Comptroller's website to ascertain the status of the licensee's taxpayer number. The query indicated that Carl Franklin & Toni A. Fairchild d.b.a. Carl's Pawn & Trading Co. has an active status. The licensee is utilizing tax payer number (b)(3) - 26 USC 6103. The licensee utilizes the Employee Identification Number of (b)(7) - 26 USC 6103.

Investigator (b)(6) queried the Office of Consumer Credit Commissioner and found the licensee's pawn license was active under license number 54981. Investigator (b)(6) noted the following employees have active pawn licenses: (b)(6) (Employee License No.: (b)(6)); and (b)(6) (b)(6) (Employee License No.: (b)(6)).

Investigator (b)(6) queried the Kaufman County Appraisal District's website to ascertain the owners of the business premises. During the inspection conducted under UIN 781025-2014-0043-B1B, Investigator (b)(6) learned that Carl F. Fairchild and Paul F. Wynn own the licensed premises. Mr. Fairchild stated that Mr. Wynn was his former partner and is now deceased. Mr. Fairchild stated that he acquired Mr. Wynn's interest in the business from Mr. Wynn's wife.

Investigator (b)(6) did not discover any unreported change in ownership or control. Mr. Fairchild did not add any new responsible persons to the license during this inspection.

Investigator (b)(6) did not review any documents, observe any activities nor did the licensee make any statements that indicated possible hidden ownership.

FIREARMS INSPECTION REPORT

Name: Fairchild, Carl Franklin & Toni A. **UI#:** 781025-2016-0037-B1B
Trade Name: Carls Pawn & Trading Co **FFL#:** 5-75-257-02-8H-04758

Variance:

The licensee maintains a computerized Acquisition and Disposition (A&D) Recordkeeping system for his license. The investigator found that the A&D meets the requirements of ATF Rul. 2013-5.

2 - Recommendation

Report of Violations, No Referrals, No Recall

3 - Inspection History

Date and Type of Inspection: December 18, 2013 - Full Recall Compliance Inspection with emphasis on SWBI

UI#: 781025-2014-0043-B1B

Inspection Results:

Reports of Violations and Recall Inspection was recommended.

Cited Violations:

27 CFR §§ 478.21(a), 478.124(c)(1), 478.124(c)(3)(i), 478.124(c)(3)(iv), 478.124(c)(5), 478.125(e), and 18 U.S.C. 923(g)(5)(A)

Date and Type of Inspection: April 19, 2012 – Full Compliance Inspection with emphasis on SWBI

UI#: 781025-2012-0171-B1B

Inspection Results:

Warning Letter sent on June 11, 2012.

Cited Violations:

27 CFR §§ 478.21(a), 478.124(c)(3)(i), 478.124(c)(3)(iv), 478.124(c)(5), 478.125(e)

Date and Type of Inspection: February 4, 2008 - Full Compliance Inspection with emphasis on SWBI

UI#: 781025-2008-0068-B1B

Inspection Results:

Report of Violations issued.

Cited Violations:

27 CFR §§ 478.124(c)(1), 478.125(e)

Date and Type of Inspection: April 27, 2009 – Qualification Inspection

UI#: 781025-2009-0178-B1B

Inspection Results:

Application Approved.

FIREARMS INSPECTION REPORT

Name: Fairchild, Carl Franklin & Toni A.
Trade Name: Carls Pawn & Trading Co

UI#: 781025-2016-0037-B1B
FFL#: 5-75-257-02-8H-04758

Cited Violations:

No Report of Violations issued.

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

Investigator (b)(6) conducted a full inventory of the licensee's firearms inventory. Based on a review of the licensee's A&D record, there were (b)(3)-(1)2 open entries. The licensee had 141 firearms in physical inventory. The investigator discovered the following discrepancies in comparing the A&D record with the physical inventory: There were (b)(3)-(1)2 firearms found with the incorrect serial number recorded in the Acquisition and Disposition Record.

Details of this violation can be found in Section 14 – Violations, Violation #5 – 27 CFR 478.125(e), Worksheet 1 – Inventory & A&D Review, **Exhibit 1**.

The licensee's A&D record was in the proper format. Investigator (b)(6) traced 20 firearms through the licensee's required records from acquisition through disposition.

Investigator (b)(6) did not discover any firearms with altered or obliterated serial numbers and did not discover any illegal firearms. Investigator (b)(6) discovered no unregistered NFA weapons. No theft/loss reports were submitted during the inspection period.

The licensee stated that they document the acquisition and disposition of firearms in his A&D record as soon as they are received and/or transferred; and conducts a firearms inventory every 90 days. The licensee has surveillance cameras, monitored alarm system, and gun vault. Display hand guns are secured in a locked display case; and long guns are placed behind the counter. The licensee stated that all firearms are (b)(4)

5 - ATF Forms 4473 – NICS & Other Dispositions

Investigator (b)(6) requested the entire licensee's ATF Forms 4473 on file for the review period of July 20, 2013 through October 13, 2015. There were (b)(3)-(1) ATF Forms 4473 on file for the review period. Investigator (b)(6) reviewed all forms for accuracy. There were (b)(3)-(1)2 ATF Forms 4473 on file for the last 12 months.

Prior to the inspection, Investigator (b)(6) obtained a NICS Audit Log, which showed all NICS Transaction Numbers (NTNs) generated within the last 60 days (August 6, 2015 through October 5, 2015). These transactions include five denials, one open transaction, and 36 proceed responses for the review period. Investigator (b)(6) found that the open transaction had been transferred with a no resolution. A NCIC/NLETS query was conducted, which resulted in no hit.

FIREARMS INSPECTION REPORT

Name: Fairchild, Carl Franklin & Toni A.
Trade Name: Carls Pawn & Trading Co

UI#: 781025-2016-0037-B1B
FFL#: 5-75-257-02-8H-04758

Investigator (b)(6) compared 37 NTN's to the corresponding ATF Form 4473 and found no discrepancies involving the NICS Transaction number, date, and/or response. Investigator (b)(6) did discover (b)(3)-112 instances where there licensee failed to record the correct NICS contact date on the form in the review period.

Investigator (b)(6) found (b)(3)-112 form where the prohibiting question was left blank on question 11j; and (b)(3)-112 form where the transferee did not sign and date the form certifying that the information provided was true. NCIC/NLETS queries were conducted on the transferees; the queries resulted in no hit.

Investigator (b)(6) found the additional errors on ATF Forms 4473: (b)(3)-112 forms where the licensee failed to record the trade name and address and Federal Firearms License Number; and (b)(3)-112 form where the transferee provided an expired identification document.

The licensee was cited for Violation 1 – 27 CFR 478.21(a), Violation #2 – 27 CFR 478.124(c)(1), Violation #3 – 27 CFR 478.124(c)(3)(i), and Violation # 4 - 27 CFR 478.124(c)(3)(iv). Details of this violation can be found in Section 14 – Violations, **Exhibit 2**.

The licensee stated that he has not transferred any firearms to law enforcement officers; and made one dealer-to-dealer transfer within the last year.

6 – Multiple Sales

Prior to the inspection, Investigator (b)(6) requested a Firearm Trace History (FFL Master Query) from the Violent Crime Analysis Branch. Based on a review of the FFL Master Query, the licensee submitted (b)(3)-112 report of multiple sales involving (b)(3)-112 handguns during the inspection period. Investigator (b)(6) did not discover any unreported multiple sales of handguns or multiple sales of certain rifles larger than .22 caliber with the ability to accept a detachable magazine.

7 – Suspicious/Prohibited Purchasers

Prior to the inspection, Investigator (b)(6) requested a Firearm Trace History from the Violent Crime Analysis Branch (VCAB) for the period of October 6, 2012 to October 6, 2015. The query revealed that the licensee was not associated with any FFL theft report.

Investigator (b)(6) conducted NCIC/NLETS queries on thirteen (13) purchasers recorded on ATF Form 4473 in which the firearm(s) transferred were conducted with a No Resolution disposition and/or suspicious purchases. The query resulted in no hits.

FIREARMS INSPECTION REPORT

Name: Fairchild, Carl Franklin & Toni A.
Trade Name: Carls Pawn & Trading Co

UI#: 781025-2016-0037-B1B
FFL#: 5-75-257-02-8H-04758

Investigator (b)(6) conducted NLETS queries on 12 purchasers that bypassed NICS because ATF Forms 4473 recorded they had a valid Texas Concealed Handgun License. The investigation of these purchases disclosed that all individuals had active licenses.

Investigator (b)(6) conducted a comparison of the ATF Forms 4473 on file for the inspection period for individuals with repeat firearm purchases, same addresses, and similar last names. Most of the transactions were a result of pawn redemptions.

Investigator (b)(6) did not identify any other possible traffickers, straw purchasers or any suspicious or prohibited purchasers during the inspection.

8 - Trace Activity

Investigator (b)(6) obtained the Firearm Trace History from the VCAB. The licensee was associated with (b)(6) trace during the period December 20, 2013 through October 13, 2015. There were no unsuccessful traces within the last 12 months with the completion code "D" or "M". Investigator Bradley did not resolve any unsuccessful traces.

Investigator (b)(6) conducted a secondary review of the Firearm Trace History report to identify any firearms traces for firearms recovered outside of the United States. This review disclosed no international traces.

9 - NFA/Importer/Collector/Manufacturer

The licensee is not a NFA dealer, an importer, collector or manufacturer.

10 - Referrals

No referrals were generated as a result of this inspection.

11 - Other

The licensee has secure gun storage and safety devices available for purchasers of firearms. The premises are not located within 1,000 feet of a school zone. Investigator (b)(6) also observed that the licensee had the Youth Handgun Safety Act Poster hung at the premises. A Youth Handgun Safety Act Notice (ATF I 5300.2) is given to each individual with the purchase of a handgun.

12 - Closing Actions

FIREARMS INSPECTION REPORT

Name: Fairchild, Carl Franklin & Toni A.
Trade Name: Carls Pawn & Trading Co

UI#: 781025-2016-0037-B1B
FFL#: 5-75-257-02-8H-04758

On October 20, 2015, Investigator (b)(6) held a closing conference with Mr. Carl Fairchild, responsible person, and (b)(6), store manager. Investigator (b)(6) issued the licensee a Report of Violations (ROV) and discussed each violation and corrective action thoroughly with Mr. Fairchild. Investigator (b)(6) afforded him the opportunity to ask questions and asked Mr. Fairchild to sign the ROV. Mr. Fairchild was provided a copy of the ROV for the licensee's records.

Investigator (b)(6) reviewed the Acknowledgement of Federal Firearms Regulations with the Mr. Fairchild and afforded him the opportunity to ask questions. Investigator (b)(6) asked Mr. Fairchild to sign the acknowledgement and he was provided a copy for the licensee's records {Exhibit 3}.

13 - Violations

1. 27 CFR 478.21a

REPEAT OF VIOLATION CITED ON DECEMBER 18, 2013 and APRIL 19, 2012

Nature of Violation: Failure to furnish all information called for in each ATF Form 4473 as indicated by the headings on the ATF Form 4473 and the instructions on or pertaining to the ATF Form. *Number of forms* (b)(3)

Specifically, the licensee had (b)(3)-112 Public blanks with recording the trade name and address of transferor and FFL number (questions 31 and 32) on ATF Forms 4473.

Licensee's Response: Mr. Fairchild stated that he overlooked that section. He stated he would do his best to make sure it doesn't happen again.

Corrective Action: The licensee will ensure that all ATF Forms 4473 are properly completed.

Reference: Worksheet 2, Exhibit 2

2. 27 CFR 478.124(c)(1)

REPEAT OF VIOLATION CITED ON DECEMBER 18, 2013 and FEBRUARY 8, 2008

Nature of Violation: Failure to obtain a properly completed ATF Form 4473 from a nonlicensee, who is a resident of the State which the licensee's premises are located, prior to the transfer of a firearm. *Number of forms:* (b)(3)-112 Public

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Name: Fairchild, Carl Franklin & Toni A.
Trade Name: Carls Pawn & Trading Co

UI#: 781025-2016-0037-B1B
FFL#: 5-75-257-02-8H-04758

Specifically, the licensee had a blank in question 11j; and blanks for the transferee's signature and certification date (questions 16 and 17) on [REDACTED] ATF Forms 4473.

Licensee's Response: Mr. Fairchild stated that there was no excuse and it was simply overlooked. Mr. Fairchild stated that in the future they will look more closely at the forms. (b)(6) stated that they would implement a triple check system.

Corrective Action: The licensee will always verify and correctly recorded all identification documents on the ATF Form 4473.

Reference: Worksheet 2, Exhibit 2

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

REPEAT OF VIOLATION CITED ON DECEMBER 18, 2013

Nature of Violation: Failure to verify and correctly record identification document of transferee on ATF Form 4473. *Number of forms:* [REDACTED]

Specifically, the licensee had one error on a form with recording the expiration date of identification (question 20a). The transferee provided an expired driver's license.

Licensee's Response: (b)(6) stated that they did not notice the error until after the transferred had occurred. Mr. Fairchild stated that the error will not occur again in the future.

Corrective Action: The licensee will always verify and correctly recorded all identification documents on the ATF Form 4473.

Reference: Worksheet 2, Exhibit 2

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

REPEAT OF VIOLATION CITED ON DECEMBER 18, 2013 and APRIL 19, 2012

Nature of Violation: Failure to note the NICS system contact date provided by the NICS system on the ATF Form 4473. *Number of forms:* [REDACTED]

Specifically, the licensee contacted the NICS system prior to the transfer of the firearm to a nonlicensee, but failed to accurately record the date NICS was contacted on the form.

FIREARMS INSPECTION REPORT

Name: Fairchild, Carl Franklin & Toni A.
Trade Name: Carls Pawn & Trading Co

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Licensee's Response: (b)(6) stated that they will be more careful in the future and make sure the error does not occur. Mr. Fairchild stated that they will pay more attention to details on the form in the future.

Corrective Action: The licensee will always ensure that the date provided by the NICS system is accurately recorded on the ATF Form 4473.

Reference: Worksheet 2, Exhibit 2

5. **27 CFR 478.125(e)**

REPEAT OF VIOLATION CITED ON DECEMBER 18, 2013, APRIL 19, 2012, AND FEBRUARY 4, 2008.

Nature of Violation: Failure to accurately record the firearm acquisition and disposition information in the Acquisition & Disposition Record. *Number of Instances:* (b)(6)

Specifically, the licensee did not accurately provide the serial number of firearms in the acquisition and disposition record.

Licensee's Response: Mr. Fairchild stated that sometimes it is difficult to see the serial numbers. (b)(6) stated that they will use a high power magnifier in the future.

Corrective Action: The licensee will accurately and timely record the acquisition information in the Acquisition and Disposition Record. The licensee corrected the A&D record prior to the closing conference.

Reference: Worksheet 1, Exhibit 1

X

(b)(6)

Industry Operations Investigator

FIREARMS INSPECTION REPORT

Name: Fairchild, Carl Franklin & Toni A.
Trade Name: Carls Pawn & Trading Co

UI#: 781025-2016-0037-B1B
FFL#: 5-75-257-02-8H-04758

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Worksheet 2 – ATF Form 4473 (July 2012 Edition) Review Worksheet

Firearms Inspection – Statistical Page

Exhibit 1 – Support documents for A & D violation

Exhibit 2 - Support documents for ATF Forms 4473 violations

Exhibit 3 - Acknowledgement of Federal Firearms Regulations