

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) BLUFFS FINANACIAL SERVICES INC BLUFFS CHECK CASHING PAWN & LOAN 501 VETERANS MEMORIAL HIGHWAY COUNCIL BLUFFS, IA 51501, POTTAWATTAMIE (155)		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 779080-2016-0144-B1B		
		3. PERMIT/LICENSE NUMBER 542155028J35498	4a. TARGET DATE 8/30/2016	4b. TARGET HOURS
		5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		
6. ATF OFFICER(S) ASSIGNED (b)(6) - Assigned Investigator (b)(6) - Lead Investigator				
7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6) Area Supervisor, 10/01/2015				
8. PURPOSE/SPECIAL INSTRUCTIONS DE				
9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC				
NO. OF VIOLATIONS	8	NO. OF REFERRALS		10. TRAVEL EXPENSES (OPTIONAL)
NO. OF TECS CHECKS	34	NO. OF TECS HITS		2111 - PER DIEM
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2112 - P.O.A.
		\$ VALUE OF TAX DECREASES		2113 - COMM. AIR
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2114 - RENTAL CAR
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2115 - GPV EXPENSES
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		2116 - MISC.
				TOTAL \$ FOR INSP.
11. ATF OFFICER'S RECOMMENDATION Submitted by (b)(6) - Industry Operations Investigator Submitted on: 01/31/2017 Onsite compliance inspection 12/6 - 12/8/16. Closing conference on 12/13/16. Corrective actions completed by 1/5/17. See attached alternate recommendation memo, requesting WL instead of WC. (b)(6) are no longer employed by licensee, and should be removed as RPs. Licensee advised notification to FFLC has already been sent. WL delivered on 1/19/17 Viols WL ONLY and Recall Inspection				
12. TIME ACCOUNTING DATA				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
NOV 2016		12.00		
DEC 2016		60.50		
ATF OFFICER'S SUBTOTAL		72.50	ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
DEC 2016		41.00		
JAN 2017		7.00		
ATF OFFICER'S SUBTOTAL		48.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS		120.50		

Assignment and Report

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	3. PERMIT/LICENSE NUMBER 542155028J35498	4a. TARGET DATE 8/30/2016	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

SYNOPSIS OF VIOLATIONS:

- 1) 27 CFR 478.102(a) - MEETS CRITERIA FOR WARNING CONFERENCE
- 2) 27 CFR 478.126a - MEETS CRITERIA FOR WARNING CONFERENCE
- 3) 27 CFR 478.125(e) - DOES NOT MEET CRITERIA FOR ADVERSE ACTION
- 4) 27 CFR 478.124(c)(1) - DOES NOT MEET CRITERIA FOR ADVERSE ACTION
- 5) 27 CFR 478.(c)(3)(i) - DOES NOT MEET CRITERIA FOR ADVERSE ACTION
- 6) 27 CFR 478.124(c)(4) - DOES NOT MEET CRITERIA FOR ADVERSE ACTION
- 7) 27 CFR 478.124(5) - DOES NOT MEET CRITERIA FOR ADVERSE ACTION
- 8) 27 CFR 478.21(a) - DOES NOT MEET CRITERIA FOR ADVERSE ACTION

VIOLATIONS CITED WARRANT RECOMMENDATION OF: VIOLS WC WITH WL AND RECALL.

IOI RECOMMENDING ALTERNATIVE RECOMMENDATION OF: VIOL WL ONLY AND RECALL INSPECTION BASED ON: 1) FIRST COMPLIANCE INSPECTION 2006, FFL'S MISUNDERSTANDING OF BEING ABLE TO ACCEPT OUT OF STATE PERMITS, AND NOT KNOWING THAT PERMITS HAVE EXPIRATION DATES.

CONCUR WITH IOI RECOMMENDATION OF: VIOLS WL ONLY AND RECALL INSPECTION

Viols WL ONLY and Recall Inspection

☒ REVIEWED ☒ CONCUR ☒ SEE COMMENTS ☐ FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - Area Supervisor	REVIEW DATE 01/12/2017
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REVIEW COMMENTS AND RECOMMENDATION

Concur with alternate for warning letter.

Viols WL ONLY and Recall Inspection

☒ REVIEWED ☒ CONCUR ☒ SEE COMMENTS ☒ FINAL DISPOSITION

SIGNATURE AND TITLE WLBOWERS - Director Industry Operations	REVIEW DATE 02/02/2017
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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 BLUFFS FINANACIAL SERVICES INC BLUFFS CHECK CASHING PAWN & LOAN	Street Address 501 VETERANS MEMORIAL HIGHWAY	City COUNCIL BLUFFS	State IA	Zip Code 51501-	County POTTAWATTAMIE (15:	Page 1 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 542155028J35498		Expiration Date 9/1/2018	Date(s) or Period of Inspection 12/06/2016 through 12/13/2016			

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:

Background Checks; Accepting invalid NICS alternatives

On (b)(3) - 112 P occasions, a non-qualifying permit was accepted as an alternative to conducting a NICS background check. (See forms (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Citation: 27 CFR 478.102(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Reviewed Requirements

(If not corrected immediately)

Number: 2

Nature of Violation:

Reporting multiple sales or other disposition of pistols and revolvers.

On (b)(3) occasions, two or more handguns were transferred to a non-licensee within a period of five or less business days, without the completion and/or submission of ATF Form 3310.4, "Report of Multiple Sale or Other Disposition of Pistols and Revolvers". (b)(3) 112 Public Law

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

Citation: 27 CFR 478.126a

Date Corrections to be Made: 12/27/2016

(If not corrected immediately)

Corrective Action to be Taken: Submit ATF Form 3310.4 for each unreported multiple sale.

(If not corrected immediately)

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License/Permit/Registry Number <i>(If any)</i> 542155028J35498	Expiration Date 9/1/2018	Date(s) or Period of Inspection 12/06/2016 through 12/13/2016				

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: Firearms receipt and disposition by licensed dealers

Date Corrections to be Made: 12/27/2016
(If not corrected immediately)

Corrective Action to be Taken: Make corrections to A&D record
(If not corrected immediately)

On (b)(3) occasions, the disposition of a firearm was not recorded at the time of inspection
On (b)(3) occasions, the disposition of a firearm was recorded incorrectly (incorrect date, address).
On (b)(3) occasions, acquisition of a firearm was recorded incorrectly or incompletely.
Incorrectly recorded information included serial number (b)(3), manufacturer/importer (b)(3), FFL number (b)(3), and address (b)(3).

Citation: 27 CFR 478.125(e)

Report of Violations

Instructions

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License/Permit/Registry Number (If any) 542155028J35498		Expiration Date 9/1/2018		Date(s) or Period of Inspection 12/06/2016 through 12/13/2016		

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:

Transferee information on ATF Form 4473

Required transferee information was not fully or accurately recorded on (b)(3) ATF Forms 4473.

On (b)(3) occasion, the transferee's full name was not provided on Item 1 of ATF Form 4473.

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

On (b)(3) 11 occasions, incorrect or incomplete address information was recorded on Item 2.

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

On (b)(3) 11 forms, height, weight, gender, and birth date were not recorded on Items 4 through 7.

On (b)(3) 11 additional form, the birth date was recorded incorrectly. (b)(3) 112 Public Law 55 125 STAT 552

On (b)(3) 11 form, transferee answered "yes" to question 11i, "Have you ever been convicted in any court of a misdemeanor crime of domestic violence?", and did not answer 11j. (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

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

On (b)(3) 11 form, question 11k was not answered. (b)(3) 112 Public Law 55 125 STAT 552

On (b)(3) 11 forms, question 11l was not answered. (b)(3) 112 Public Law 55 125 STAT 552

On (b)(3) 11 forms, state of residence and country of citizenship was not recorded on Items 13 and/or 14, respectively.

On (b)(3) 11 occasion, a transferee that is not a U.S. citizen did not provide a U.S. issued alien number or admission number on 15. (b)(3) 112 Public Law 55 125 STAT 552

On (b)(3) 11 occasions, an incorrect certification date was recorded on Item 17. (b)(3) 112 Public Law 55 125 STAT 552

Citation: 27 CFR 478.124(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Reviewed Requirements

(If not corrected immediately)

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.

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

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

Citation: 27 CFR 478.124(c)(4)

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Report of Violations

Instructions

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Name of Proprietor BLUFFS FINANACIAL SERVICES INC BLUFFS CHECK CASHING PAWN & LOAN	Street Address 501 VETERANS MEMORIAL HIGHWAY	City COUNCIL BLUFFS	State IA	Zip Code 51501-	County POTTAWATTAMIE (15:	Page 5 of 6 Pages
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License/Permit/Registry Number (If any) 542155028J35498	Expiration Date 9/1/2018	Date(s) or Period of Inspection 12/06/2016 through 12/13/2016
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Inspection Results

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

Number: 7

Nature of Violation:
Licensee Certification on ATF Form 4473
On (b)(3) occasions, licensee did not sign or date Items 34 and 36, respectively.
(See forms (b)(3) 112 Public Law 55 125 STAT 552
On (b)(3) occasions, licensee recorded an incorrect date, or failed to record the date on Item 36
(b)(3) 112 Public Law 55 125 STAT 552

Citation: 27 CFR 478.124(c)(5)

Date Corrections to be Made: 12/27/2016
(If not corrected immediately)

Corrective Action to be Taken: Make corrections to a photocopy of the ATF Form 4473,
(If not corrected immediately) and attach the copy to the original.

For Official Use Only

October 9 2019 Production

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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 BLUFFS FINANACIAL SERVICES INC BLUFFS CHECK CASHING PAWN & LOAN	Street Address 501 VETERANS MEMORIAL HIGHWAY	City COUNCIL BLUFFS	State IA	Zip Code 51501-	County POTTAWATTAMIE (15:	Page 6 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 542155028J35498	Expiration Date 9/1/2018	Date(s) or Period of Inspection 12/06/2016 through 12/13/2016				

Inspection Results

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

Number: 8

Date Corrections to be Made: 12/27/2016
(If not corrected immediately)

Nature of Violation:

Furnishing all information as indicated by the headings on the form and the instructions on or pertaining to the form.

Corrective Action to be Taken: For 10a/10b: Review Requirements
(If not corrected immediately)

Others: Make corrections to a photocopy of the ATF Form 4473, and attach the copy to the original.

Information was not furnished as indicated by form instructions and/or headers on ATF forms 4473:

On occasions, ethnicity was not recorded on Item 10a.

On occasions, race was not recorded on Item 10b.

On occasions, the type of firearm(s) was not recorded on Item 18: Or occasions it was incorrect. (b)(3) 112 Public Law 55 125 STAT 552 (b)(6)

On occasions, the total number of firearms, name, and title of the transferor/seller was not recorded on Items 30a, 33, and 35, respectively (b)(3) 112 Public Law 55 125 STAT 552

Citation: 27 CFR 478.21(a)

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
17310 Wright St
Suite 204
Omaha, NE 68130

www.atf.gov

January 13, 2017

CERTIFIED MAIL
Return Receipt Requested

Bluffs Financial Services Inc.
Bluffs Check Cashing Pawn & Loan
501 Veterans Memorial Highway
Council Bluffs, IA 51501

RE: 5-42-155-02-8J-35498

Dear Mr. Earlywine:

During a recent inspection at your firearms business covering the period 12/1/2015 to 12/6/2016 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 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. Should you have any questions regarding this matter, please contact (b)(6) Area Supervisor at (b)(6).

Sincerely yours,

(b)(6)

Area Supervisor

Enclosure

cc: National Licensing Center
Omaha II Field Office

7014 0510 0002 3458 7630

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage \$	Postmark JAN 13 2017
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Sent To Bluffs Check Cashing Pawn Loan Street, Apt. No.; or PO Box No. 501 Veterans Memorial HWY City, State, ZIP+4 Council Bluffs, IA. 51501	
PS Form 3800, August 2006 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.	<div>(b)(6)</div> <div><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</div> <div>Date of Delivery 1-19-17</div> <div>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</div>
1. Article Addressed to: Bluffs Check Cashing Pawn Loan 501 Veterans Memorial HWY Council Bluffs, IA. 51501	3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery
2. Article Number (Transfer from service label)	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
7014 0510 0002 3458 7630	
PS Form 3811, July 2013 Domestic Return Receipt	

FIREARMS INSPECTION REPORT

Name: Bluffs Financial Services Inc.
Trade Name: Bluffs Check Cashing Pawn and Loan

UI#: 779080-2016-0144
FFL#: 5-42-155-02-8J-35498

Address: 501 VETERANS MEMORIAL HWY
COUNCIL BLUFFS, IA 51501

POTTAWATTAMIE (155)

1 - Introduction

Inspection Profile:

From 12/6/2016 to 12/8/2016, IOIs (b)(6) conducted an unannounced compliance inspection at the licensed premises of Bluffs Financial Services Inc. (d/b/a Bluffs Check Cashing Pawn & Loan). Rodney Earlywine (President) was identified (IA DL (b)(6)). Mr. Earlywine assisted with the inspection, allowing access to all records and firearm storage areas. The inspection period is 12/1/2015 - 12/6/2016.

Business Profile:

Bluffs Check Cashing Pawn & Loan (BCCP&L) is a Type 02 (pawnbroker) FFL, operating from a commercially zoned storefront in Council Bluffs, IA. BCCP&L facilitates transfers between Iowa residents and out-of-state FFLs (such as Cabela's, Scheel's, and Guns Unlimited in Omaha, NE), conducts retail sales of new and used firearms, and issues loans against pawned firearms. BCCP&L also buys and sells jewelry, tools, electronics, other miscellaneous merchandise, and provides check cashing services.

Long guns are on display on a rack behind the counter, and handguns are displayed in a locked glass case. Pawned handguns are stored (b)(4)

(b)(4)

ATF forms 4473 and other records are stored in filing cabinets in the office. The licensee does not store firearms at an off-site location.

Over the past 12 months, the licensee acquired (b)(4) firearms and disposed of (b)(4) firearms. Of the acquisitions, the proportion of handguns to long guns was estimated at (b)(4) to (b)(4) and the proportion of new to used firearms was estimated at (b)(4) to (b)(4). Approximately (b)(4) of acquisitions were from pawns. The licensee advertises goods and services on a website and on social media, but doesn't sell firearms online. The licensee does not conduct business at gun shows, offer gunsmithing services, engage in the business of importing or manufacturing firearms, or deal NFA firearms. The Type 02 license is appropriate for the business conducted.

The FFL was posted along with the Retail Sales Tax Permit, Council Bluffs Pawnbroker's License, and Iowa Delayed Deposit Services Business Permit. The licensee appears to be in compliance with state and local laws. Security

FIREARMS INSPECTION REPORT

Name: Bluffs Financial Services Inc.
Trade Name: Bluffs Check Cashing Pawn and Loan

UI#: 779080-2016-0144
FFL#: 5-42-155-02-8J-35498

measures at the premises include (b)(4)

Bluffs Financial Services Inc. has held this FFL since 8/11/1997. The licensee held two additional FFLs; Glenwood Check Cashing Pawn & Loan (5-42-00189) and Bellevue Check Cashing and Pawn (5-47-00383). Both of these FFLs are out-of-business.

Ownership and Control:

BCCP&L is a trade name of Bluffs Financial Services Inc., a corporation registered in the state of Iowa as of 1/24/1997. Rodney Earlywine is the President of the corporation and Callie Earlywine is the Secretary/Treasurer, both of whom are listed as responsible persons (RP) in FLS. Kyle Miller, listed as an RP, is an employee who also conducts firearms transactions.

(b)(6) are listed as RPs in FLS, but are no longer employees of BCCP&L. Mr. Earlywine stated that Christo and Peterson should be removed as active RPs, and that correspondence was sent to FFLC to remove Christo as an active RP.

Variance:

No variances currently held or requested.

2 - Recommendation

Violations, ROV with WL and Recall Inspection (See Alternate Recommendation Memo)

3 - Inspection History

Per FLS, this FFL was issued on 8/11/1997.

Date of Inspection: 12/20/2006
Type of Inspection: Pawnbroker Initiative, Field Inspection
UI#: 779025-2007-0097
Inspection Results: Violations, ROV ONLY, No Recall Inspection
Cited Violations: 27 CFR 478.124(c) - (b)(3) - 112 forms where transferee answered "Y" or "N" on Item 11 rather than "Yes" or "No"

Date of Inspection: 7/23/1997
Type of Inspection: Application Inspection
UI#: 73102 970693 FQ
Inspection Results: Application Approved
Cited Violations: N/A

FIREARMS INSPECTION REPORT

Name: Bluffs Financial Services Inc.
Trade Name: Bluffs Check Cashing Pawn and Loan

UI#: 779080-2016-0144
FFL#: 5-42-155-02-8J-35498

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

A complete inventory was conducted on 12/6/16. A total of (72) firearms were located in inventory. A review of the licensee's A&D books resulted in a total of (b)(3)-(1)(2) open dispositions. Mr. Earlywine was able to reconcile all discrepancies by 12/7/16. On all (b)(3)-(1)(2) instances, the licensee failed to log out the firearms as they were sold or transferred. These discrepancies are documented on **Worksheet #1** and **Exhibit 1**, and referenced under **Violation #3**.

Each firearm in inventory was compared against the A&D record to ensure that it was properly recorded. On (b)(3) instances, the serial number was incorrect. On at least (b)(3) instances, the licensee did not accurately record the manufacturer and/or importer name marked on the firearm. These discrepancies are documented on **Worksheet #1** and **Exhibit 1**, and referenced under **Violation #3**. It was observed that under "Type" the licensee would list the type of action (bolt, semi-auto, etc.) instead of the type of firearm (pistol, rifle, etc.). This issue was reviewed with the licensee; no violation cited.

Each acquisition and disposition entry over the inspection period was reviewed to ensure it contained the required information. On (b)(3) instances the licensee did not record or accurately record the FFL# under "From Whom Received." On (b)(3) instances, the licensee did not record the address under "From Whom Received." These discrepancies are documented on **Worksheet #1** and **Exhibit 1**, and referenced under **Violation #3**.

A sample of (30) ATF F 4473s was selected and compared to the A&D record. On (b)(3) instances, the disposition information listed in the A&D book did not match the information recorded on the respective F4473. On (b)(3)-(1)(2) instance, the wrong transferee address was recorded, on (b)(3)-(1)(2) Public Law instance the disposition date was incorrect. These discrepancies are documented on **Worksheet #1** and **Exhibit 1**, and referenced under **Violation #3**.

Nine (9) pawn tickets from the inspection period were reviewed and compared against the A&D record; no discrepancies found. No theft/loss reports submitted by the licensee over the inspection period or as a result of the inspection. No illegal firearms or firearms with obliterated serial numbers discovered.

Regarding standard operating procedures, Mr. Earlywine stated that he conducts an inventory in December each year to make sure his A&D record is up to date. A&D entries are conducted by RPs Rod Earlywine, Callie Earlywine, and Kyle Miller. A&D books are kept in the large safe behind the sales counter.

FIREARMS INSPECTION REPORT

Name: Bluffs Financial Services Inc.
Trade Name: Bluffs Check Cashing Pawn and Loan

UI#: 779080-2016-0144
FFL#: 5-42-155-02-8J-35498

5 - ATF Forms 4473 – NICS & Other Dispositions

A total of [REDACTED] ATF F 4473s were on file for the inspection period. All [REDACTED] were reviewed. The forms were filed in sequential order by transferor's transaction serial number. The transaction serial number was linked to the gun number listed in the licensee's A&D record. On instances where multiple guns were sold on one form, the original form was placed on file under the lowest number, and photocopies of the front page were made and used as place holders for the higher/highest number(s). Gaps in the sequence were found to be the result of guns transferred to other dealers or firearms still in inventory.

[REDACTED] instances, the licensee accepted non-qualifying permits in lieu of conducting NICS checks. (b)(3) - 112 Public Law 55 125 Stat 552 [REDACTED]

[REDACTED] These discrepancies are documented on **Worksheet #2** and **Exhibit 2**, and referenced under **Violation #1**.

[REDACTED] forms, errors were found on Section A of ATF F 4473. Required items were either blank, incorrect, or incomplete. These discrepancies are documented on **Worksheet #2** and **Exhibit 2**, and referenced under **Violation #4**.

[REDACTED] forms, the licensee failed to completely record on ATF F 4473 the identification document used to verify the identity of the transferee. [REDACTED] instances, Item 20a was left blank. [REDACTED] instances, the address on Item 2 did not match the address listed on the ID, and no information was noted on Item 20b. These discrepancies are documented on **Worksheet #2** and **Exhibit 2**, and referenced under **Violation #5**.

[REDACTED] forms, the licensee failed to accurately and/or completely record firearm information on Section D of ATF F 4473. [REDACTED] forms, no firearm information was recorded on Items 26-30. [REDACTED] form, Items 27-28 and 30 were left blank. [REDACTED] forms, the serial number was not recorded on Item 28. Finally, [REDACTED] forms, Item 29 (type) was left blank or incorrectly recorded. These discrepancies are documented on **Worksheet #2** and **Exhibit 2**, and referenced under **Violation #6**.

[REDACTED] forms, the licensee failed to sign and date ATF F on Items 34 & 36. [REDACTED] instances, the licensee did not complete Items 34 and 36. [REDACTED] instances the licensee recorded an incorrect date, or failed to record any date on Item 36. These discrepancies are documented on **Worksheet #2** and **Exhibit 2**, and referenced under **Violation #7**.

On at least [REDACTED] forms, the licensee failed to complete ATF F 4473 in accordance to the directions listed on the form. On at least [REDACTED] instances, Item 10a was left blank. [REDACTED] instances, Item 10b was left blank. [REDACTED] instances, Item 18 was either blank or

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incorrect. (b)(3) - 112 Public forms, Items 30a, 33, and 35 were left blank. These discrepancies are documented on **Worksheet #2** and **Exhibit 2**, and referenced under **Violation #8**.

A sample of (23) transfers to four other dealers was selected for review. Each transfer appeared to be properly completed. IOI (b)(6) confirmed that the FFLs were active at the time of transfer. No dispositions to law enforcement officers or agencies conducted.

Per the NICS FFL Audit Log (submitted as **Exhibit 3**) a total of (8) NICS checks were conducted by the licensee between 10/1/16 and 11/25/16. All (8) NICS checks were located on F4473s; no discrepancies found. No "denied" responses received by the licensee over the inspection period; the last NICS denial was received in June 2014.

6 - Multiple Sales

Per the VCAB Report (see **Exhibit 4**), the licensee reported (b)(3) - 112 multiple sales (involving (b)(3) - 1 handguns) over the inspection period. A total of (b)(3) - 1 unreported sales were discovered. On (b)(3) - 1 instances, the licensee sold (b)(3) - 112 handguns to the same person on the same day, and failed to submit the ATF F 3310.4. (b)(3) - 112 instances, the licensee had a partially completed F 3310.4 attached to the F 4473, but never submitted the form to ATF. (b)(3) - 112 instances, the licensee sold two or more handguns to the same person, on different days within a five-day period. The unreported multiple sales are documented on **Worksheet #2** and **Exhibit 5**, and referenced under **Violation #8**.

7 - Suspicious/Prohibited Purchasers

A total of (14) individuals were selected for Open Fox and E-Trace checks to confirm that firearms were not acquired by prohibited persons. One result merits further discussion:

(b)(6), (b)(7)(C)

8 - Trace Activity

Per the VCAB Report (see **Exhibit 4**), the licensee received six trace requests over the past twelve months. All trace requests were successfully completed. Per E-Trace, no unsuccessful trace requests are associated with the licensee.

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A sample of (15) used firearms acquired over the past twelve months was selected for Secondary Market Analysis. Open Fox and E-Trace queries did not result in any hits.

9 - NFA/Importer/Collector/Manufacturer

NFA, Importer, Collector, or Manufacturer operations are not conducted by the licensee.

10 - Referrals

No referrals generated.

11 - Other

No additional information to report.

12 - Closing Actions

Initial findings were reviewed with Mr. Earlywine on 12/8/16. A closing conference was held with the licensee on 12/13/16 at the licensed premises. The Report of Violations was issued and corrective actions discussed. Federal Firearms Regulations were reviewed; a signed Acknowledgement is submitted as **Exhibit 7**.

On 12/28/16, IOI (b)(6) contacted the licensee to check on the status of the corrective actions. Mr. Earlywine reported that he is working on them in his free time, and would call ATF when they were complete.

On 1/5/17, Mr. Earlywine advised via phone that the corrective actions were complete.

13 - Violations

1. 27 CFR 478.102(a)

Nature of Violation: During a review of the licensee's ATF Forms 4473, IOIs (b)(6) and (b)(6) discovered (b)(3) instances where the licensee accepted a non-qualifying permit in lieu of conducting a NICS background check.

- (b)(3) - 112 Public Law 55 occasion, the licensee accepted an expired permit (b)(3) - 112 Public Law 55
- (b)(3) - 112 Public Law 55 occasions, the licensee accepted an out-of-state permit (b)(3) - 112 Public Law 55 Stat 552
- (b)(3) - 112 Public Law 55 occasion, the licensee accepted an Iowa Peace Officer Permit to Carry, which was over 5 years old (b)(3) - 112 Public Law 55

Licensee's Response: The licensee stated that he believed valid out-of-state permits were acceptable as NICS alternatives, because Iowa allows those with out-of-state concealed carry permits to carry concealed weapons. He stated that he now knows that only valid Iowa permits are acceptable.

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Corrective Action: IOIs (b)(6) educated Mr. Earlywine on background check requirements under 27 CFR 478.102, and provided Mr. Earlywine with printed reference material regarding qualifying permits in the state of Iowa. Mr. Earlywine acknowledged that he understood.

Reference **Worksheet #2** and **Exhibit 2**

2. 27 CFR 478.126a

Nature of Violation: During review of the licensee's ATF Forms 4473, IOIs (b)(6) and (b)(6) discovered (b)(3) - 112 transactions where the licensee transferred two or more handguns to the same person in a period of five or less business days, but failed to submit ATF Form 3310.4, "Report of Multiple Sale or Other Disposition of Pistols and Revolvers" as required.

- (b)(3) - 112 Pub instances, the licensee sold (b)(3) - 112 handguns to a person on the same day, and attached an ATF Form 3310.4 to the ATF Form 4473. In these instances, the ATF Form 3310.4 was partially completed and never submitted. (b)(3) - 112 Public Law 55 125 Stat 552.
- In (b)(3) - 112 instances, the licensee sold (b)(3) - 112 handguns to the same person on the same day without completing and submitting ATF Form 3310.4. (b)(3) - 112 Public Law 55 125 Stat 552.
- In (b)(3) - 112 instances, the licensee sold two or more handguns to the same person, on different days within a five-day period.

(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee's Response: After a review of reporting requirements, Mr. Earlywine acknowledged that he understood. He stated he would be more careful to ensure multiple sales are reported as required, and would submit an ATF Form 3310.4 for each previously unreported multiple sale.

Corrective Action: IOIs (b)(6) educated Mr. Earlywine on the requirement to submit an ATF Form 3310.4. IOIs (b)(6) also instructed Mr. Earlywine to submit an ATF Form 3310.4 for each unreported multiple sale by 12/27/2016.

Reference **Worksheet #2** and **Exhibit 5**

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3. 27 CFR 478.125(e)

Nature of Violation: During a review of the licensee's Acquisition and Disposition record, IOIs (b)(6) discovered (b)(3) - 112 discrepancies.

- Comparison of the licensee's inventory to the A&D record revealed (b)(3) - 112 firearms that were sold, but not logged out of the A&D record.
- (b)(3) - 112 occasions, the disposition of a firearm was recorded incorrectly (incorrect date, address).
- (b)(3) - 112 occasions, acquisition of a firearm was recorded incorrectly or incompletely. Incorrectly recorded information included serial number (4), manufacturer/importer (5), FFL number (5), and address (4).

IOIs (b)(6) provided Mr. Earlywine a detailed list of all discrepancies with the ROV.

Licensee's Response: Mr. Earlywine stated he would be more careful to ensure all information is entered correctly. After a review of recordkeeping requirements, Mr. Earlywine acknowledged that he understood. He stated he would make necessary corrections to the A&D record.

Corrective Action: IOIs (b)(6) instructed Mr. Earlywine to make corrections to the A&D record by 12/27/2016. IOIs (b)(6) also educated Mr. Earlywine on recordkeeping requirements, with emphasis on timely completion and ensuring both manufacturer and importer are properly recorded.

Reference **Worksheet #1** and **Exhibit 1**

4. 27 CFR 478.124(c)(1)

REPEAT OF VIOLATION CITED ON 11/20/2006

Nature of Violation: During review of the licensee's ATF Forms 4473, IOIs (b)(6) and (b)(6) discovered (b)(3) - 112 instances where required transferee information was incompletely or incorrectly recorded.

- Required transferee information was not fully or accurately recorded (b)(3) - 112 ATF Forms 4473.
- (b)(3) - 112 occasion, the transferee's full name was not provided on Item 1 of ATF Form 4473. (See form (b)(3) - 112)
- (b)(3) - 112 occasions, incorrect or incomplete address information was recorded on Item 2. (b)(3) - 112 Public Law 55 125 Stat 552)

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- On (b)(3) - 112 forms, height, weight, gender, and birth date were not recorded on Items 4 through 7. On (b)(3) - 112 additional form, the birth date was recorded incorrectly. (b)(3) - 112 Public Law 55 125 Stat 552)
- On (b)(3) - 112 form, transferee answered "yes" to question 11i, "Have you ever been convicted in any court of a misdemeanor crime of domestic violence?", and did not answer 11j. (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6))
- On (b)(3) - 112 form, question 11k was not answered. (b)(3) - 112 Public Law 55 125 Stat 552)
- On (b)(3) - 112 forms, question 11l was not answered. (b)(3) - 112 Public Law 55 125 Stat 552)
- On (b)(3) - 112 forms, state of residence and country of citizenship was not recorded on Items 13 and/or 14, respectively.
- On (b)(3) - 112 occasion, a transferee that is not a U.S. citizen did not provide a U.S. issued alien number or admission number on 15. (b)(3) - 112 Public Law 55 125 Stat 552)
- On (b)(3) - 112 occasions, an incorrect certification date was recorded on Item 17. (b)(3) - 112 Public Law 55 125 Stat 552)

Licensee's Response: The licensee stated he would be more careful to ensure ATF forms 4473 are thoroughly and accurately completed in the future.

He also stated he believed an individual holding a valid Iowa permit that qualifies as a NICS alternative would not be prohibited from purchasing a firearm, despite answering "yes" to a prohibiting question. Mr. Earlywine claimed he that he received this determination from the Des Moines ATF office.

After a review of requirements under this section, Mr. Earlywine acknowledged that he understood.

Corrective Action: IOIs (b)(6) advised Mr. Earlywine of requirements to ensure transferees provide all required information on ATF Forms 4473 prior to completing a transaction. IOIs (b)(6) also educated Mr. Earlywine on categories of prohibited persons, and instructed him not to transfer a firearm to any person he has reason to believe is prohibited, regardless of any permit that person may provide.

Reference **Worksheet #2** and **Exhibits 2 & 6**

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

Nature of Violation: During review of the licensee's ATF Forms 4473, IOIs (b)(6) discovered (b)(6) instances where required identification information was incompletely or incorrectly recorded.

- (b)(3) - 112 occasions, the identification document information was not recorded on Item 20a. (See forms (b)(3) - 112 Public Law 55 125 Stat 552)

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- (b)(3) - 112 Public L occasions, alternate ID information was not recorded on Item 20b when the identity document provided for Item 20a did not show current address.

Licensee's Response: The licensee stated he would be more careful in the future to ensure required information is properly documented. The licensee also stated he didn't know the address provided by the transferee on Item 2 of ATF Form 4473 must match the address on provided ID, or else secondary ID information must be recorded in Item 20b. Mr. Earlywine claimed that he was advised by the Des Moines ATF office that the addresses did not have to match. After a review of the requirements, Mr. Earlywine acknowledged he understood, and stated he would make necessary corrections and ensure future compliance.

Corrective Action: IOIs (b)(6) instructed Mr. Earlywine to make corrections to a photocopy of ATF Forms 4473 attached to the originals, where able to do so.

IOIs (b)(6) also educated Mr. Earlywine on requirements to record secondary ID information on Item 20b in cases where address information provided in Section A didn't match the ID provided.

Reference **Worksheet #2** and **Exhibit 2**

6. 27 CFR 478.124(c)(4)

Nature of Violation: During review of the licensee's ATF Forms 4473, IOIs (b)(6) discovered (b)(3) - 112 Public L forms where firearms information required by 27 CFR 478.124(c)(4) was incompletely or incorrectly recorded.

- (b)(3) - 112 Public L forms, no firearms information was recorded on Items 26-30. (See forms (b)(3) - 112 Public Law 55 125 Stat 552)
- (b)(3) - 112 Public L form, Items 27-28 and 30 were left blank. (b)(3) - 112 Public L)
- (b)(3) - 112 Public L forms, the serial number was not recorded on Item 28. (b)(3) - 112 Public Law 55 125 Stat 552)
- (b)(3) - 112 Public L forms, Item 29 (type) was left blank or incorrectly recorded (b)(3) - 112 Public L)

Licensee's Response: The licensee stated the ATF Forms 4473 in question must have been filed prior to completion, and will make needed changes to a photocopy attached to the originals.

Corrective Action: IOIs (b)(6) emphasized the importance of thorough form completion with Mr. Earlywine, and instructed him to make corrections to a photocopy of ATF Forms 4473 attached to the originals by 12/27/2016.

Reference **Worksheet #2** and **Exhibit 2**

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7. 27 CFR 478.124(c)(5)

Nature of Violation: During review of the licensee's ATF Forms 4473, IOIs (b)(6) discovered (b)(3) instances where the licensee failed to certify the form as required.

- (b)(3) - 112 Public occasions, licensee did not sign or date Items 34 and 36, respectively. (See forms (b)(3) - 112 Public Law 55 125 Stat 552).
- (b)(3) - 112 Public occasions, licensee recorded an incorrect date, or failed to record the date on Item 36 (b)(3) - 112 Public Law 55 125 Stat 552

Licensee's Response: Regarding the (b)(3) forms left blank, the licensee stated the F4473s must have been filed prior to completion, and will make needed changes to a photocopy attached to the originals.

Corrective Action: IOIs (b)(6) emphasized the importance of thorough form completion with Mr. Earlywine, and instructed him to make corrections to a photocopy of ATF Forms 4473 attached to the originals by 12/27/2016.

Reference **Worksheet #2** and **Exhibit 2**

8. 27 CFR 478.21(a)

Nature of Violation: During review of the licensee's ATF Forms 4473, IOIs (b)(6) encountered (b)(3) - 112 forms where the licensee failed to insure all information required by form headers and instructions, was correctly and accurately recorded.

- On at least (b)(3) - 112 occasions, ethnicity was not recorded on Item 10a.
- On (b)(3) occasions, race was not recorded on Item 10b.
- On (b)(3) - 112 occasions, the type of firearm(s) was not recorded on Item 18; On (b)(3) - 112 occasions it was incorrect. (b)(3) - 112 Public Law 55 125 Stat 552
- On (b)(3) occasions, the total number of firearms, name, and title of the transferor/seller was not recorded on Items 30a, 33, and 35, respectively. (b)(3) - 112 Public Law 55 125 Stat 552

Licensee's Response: The licensee acknowledged the discrepancies were made. After a review of requirements, Mr. Earlywine ensured future compliance and stated he would make necessary corrections.

Corrective Action: IOIs (b)(6) instructed Mr. Earlywine to make corrections to a photocopy of ATF Forms 4473 attached to the originals by 12/27/2016. IOIs (b)(6) also reviewed regulatory requirements with Mr. Earlywine, emphasizing the importance of ensuring each item is completed thoroughly and

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accurately, as indicated by headers and instructions on the form, prior to completion of a transaction.

Reference **Worksheet #2** and **Exhibit 2**

X

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