

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Costanzo, Dino 800 Compton Road, #33 Cincinnati, OH 45231, Hamilton	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) <p style="text-align: center;">773015-2017-0262-B1B</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">3. PERMIT/LICENSE NUMBER 431061017H03432</td> <td style="width: 33%;">4a. TARGET DATE 9/30/2017</td> <td style="width: 33%;">4b. TARGET HOURS</td> </tr> </table> 5. REQUESTED BY (SIGNATURE, TITLE AND DATE)	3. PERMIT/LICENSE NUMBER 431061017H03432	4a. TARGET DATE 9/30/2017	4b. TARGET HOURS
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6. ATF OFFICER(S) ASSIGNED
 (b)(6) - Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
 (b)(6), Area Supervisor, 12/12/2016

8. PURPOSE/SPECIAL INSTRUCTIONS
 Conduct Firearms Disposition Emphasis Inspection. Refer to IOI Manual, Chapter C – Firearms Inspections and FY 17 Domain Assessment. Conduct 100% inventory and ATF Form 4473 review unless authorized in advanced by Area Supervisor and DIO.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	8	NO. OF REFERRALS		2111 - PER DIEM
NO. OF TECS CHECKS	14	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: 04/17/2017
 A compliance inspection was conducted beginning March 22, 2017. 35 ATF Forms 4473 were reviewed; there were no firearms in inventory. A recommendation of warning letter with recall is based on the finding of (b)(6) instances of failing to initiate a new NICS check when an additional purchase was made by the same customer within 30 days.

Viols WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA

ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)	
DEC 2016	2.00	
MAR 2017	34.00	
ATF OFFICER'S SUBTOTAL	36.00	ATF OFFICER'S SIGNATURE
TOTAL HOURS	36.00	

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION
 Viols WL ONLY and Recall Inspection

<input checked="" type="checkbox"/> REVIEWED	<input checked="" type="checkbox"/> CONCUR	<input type="checkbox"/> SEE COMMENTS	<input checked="" type="checkbox"/> FINAL DISPOSITION
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SIGNATURE AND TITLE (b)(6) - Area Supervisor	REVIEW DATE 04/19/2017
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	3. PERMIT/LICENSE NUMBER 431061017H03432	4a. TARGET DATE 9/30/2017	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

ROUTING SEQUENCE AND DATE

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

CONTROL FILE POSTED DATE _____

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.


Name of Proprietor Costanzo, Dino	Street Address 800 Compton Road, #33	City Cincinnati	State OH	Zip Code 45231-	County Hamilton	Page 1 of 6 Pages
License/Permit/Registry Number <i>(If any)</i> 431061017H03432	Expiration Date 8/1/2017	Date(s) or Period of Inspection 03/22/2017 through 03/29/2017				

Inspection Results

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

Number: 1

Nature of Violation:

Failure on  ATF Forms 4473 to furnish all of the information as indicated by the headings or instructions:

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


Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)


Corrective Action to be Taken:

(If not corrected immediately)

For future transactions, the licensee should furnish all information on the Form as indicated by the headings or instructions.

Number: 2

Nature of Violation:

Failure on  ATF Forms 4473 to obtain a properly completed Form from the customer:

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


Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

For future transactions, prior to transferring a firearm to a nonlicensee, the licensee should obtain a Form 4473 that shows the customer's name, sex, residence address, date and place of birth, height, weight, race, country of citizenship, alien ID number if applicable, state of residence, and a certification by the customer that he or she is not prohibited from possessing firearms.

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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:

Citation: 27 CFR 478.124(c)(1)

Number: 3

Nature of Violation:

Failure on [REDACTED] ATF Forms 4473 to record complete information regarding contacting the NICS system:

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

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

Number: 4

Nature of Violation:

Failure on [REDACTED] ATF Forms 4473 to correctly date the Form:

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

Citation: 27 CFR 478.124(c)(5)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

For all future transfers, the licensee should record the date NICS was contacted as well as any response provided by the system.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

For all future transactions, the licensee should sign and date the 4473 if the licensee does not know or have reasonable cause to believe that the transferee is disqualified by law from receiving the firearm.

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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: 5

Nature of Violation:

Failure in ^{(b)(3), (b)(7)} instances to conduct a NICS check prior to transferring a firearm. The transfers included:

(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:

(If not corrected immediately)

For all future transactions, a firearm must not be transferred to an unlicensed person unless first the licensee has contacted NICS and received either a "Proceed" response or 3 days have elapsed after receiving a "Delayed" response. See also exceptions in 27 CFR 478.102(d).

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License/Permit/Registry Number <i>(If any)</i> 431061017H03432	Expiration Date 8/1/2017	Date(s) or Period of Inspection 03/22/2017 through 03/29/2017				

Inspection Results

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

Number: 6

Nature of Violation:

Failure in [REDACTED] instances to prepare a report of multiple sales:

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

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The unreported multiple sales should be reported on ATF Forms 3310.4. For future transactions, the licensee should prepare a report of multiple sales or other disposition whenever the licensee disposes of two or more handguns to an unlicensed person within five consecutive business days. The report should be prepared on ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, and should be forwarded to ATF and the local law enforcement agency no later than close of business on the day the multiple sale occurs.

Citation: 27 CFR 478.126a

Report of Violations

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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:

Failure in  instances to execute an ATF Form 4473:

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



Citation: 27 CFR 478.124(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

For all future transfers, the FFL should not sell or otherwise dispose of any firearm to an unlicensed individual unless the transaction is recorded on a Form 4473.

Report of Violations

Instructions

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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: 8

Nature of Violation:

Failure in ^{(b)(3)} instances to timely or accurately record information into the acquisition and disposition bound book.

In ^{(b)(3)} instances, acquisition information was not recorded correctly:

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

In ^{(b)(3)} instances, disposition information was not recorded correctly:

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

And in ^{(b)(3)} instance, a firearm was not logged out in a timely manner:

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

Citation: 27 CFR 478.125(e)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Where possible, log book entries should be corrected.

For future entries, timely and accurate entries should be made. Acquisitions should be made no later than the close of the next business day and should include the manufacturer, importer, model, serial number, type, caliber or gauge, date acquired and name and address or name and FFL number of the person from whom the firearm was acquired. Dispositions should be made within 7 days, and should include the date, the transferee's name and address or name and FFL number, or the Form 4473 serial number.

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
550 Main Street, Room 8-507
Cincinnati, OH 45202

APR 19 2017

www.atf.gov

773015: (b)(6)
5373

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Dino Costanzo
800 Compton Road, #33
Cincinnati, OH 45231

4-31-129-07-8J-03886

Dear Mr. Costanzo:

During a recent compliance inspection at your firearms business covering the period of March 22, 2016, through March 22, 2017, you were cited for violations of 27 Code of Federal Regulations, Part 478. A copy of the Report of Violations, Form 5030.5, issued at the time of the inspection is enclosed.

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

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

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

Dino Costanzo

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

Sincerely,

(b)(6)

Area Supervisor

Enclosure

cc: National Licensing Center
Cincinnati II (IO) Field Office
Correspondence File