

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Grand Valley Sporting Goods Inc. 6387 Lake Michigan Drive Allendale, MI 49401, Ottawa	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 774050-2016-0048-B1B		
	3. PERMIT/LICENSE NUMBER 438139016D02183	4a. TARGET DATE 9/30/2016	4b. TARGET HOURS 40
	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, 10/05/2015

8. PURPOSE/SPECIAL INSTRUCTIONS
Conduct a Full Recall Inspection to determine compliance with Federal firearms laws and regulations. Verify compliance with applicable State, County and local laws, including compliance with zoning and licensure requirements. Review the areas that were in violation during the previous inspection and verify if they have been corrected. Conduct 100% inventory of firearms.

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	3	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: 09/27/2016
Alternate Recommendation: Warning Letter and Recall Inspection

Per ATF Order 5370.1B, the licensee would fall under a warning conference for the transfer of a handgun to out-of-state resident, a violation of 27 CFR 478.99(a). A recommendation of Warning Letter and Recall Inspection is being recommended because of the following circumstances regarding the transfer:

The transferee is a resident of Texas and has family in the licensee's area. Because he holds a Texas Concealed Handgun License (which is accepted in Michigan to carry concealed) the transferee wanted to bring his firearm to Michigan for the summer. Although he could have legally shipped it to himself in care of a family member, he chose to transfer the firearm from a Texas FFL holder to the licensee to ensure compliance with federal law. Unfortunately, however, the licensee could not legally return the firearm to him.

Although the licensee has attended three warning conferences in the past five years, the three violations which were repeated warrant an ROV only under the Order. The violation of 27 CFR 478.102(a) (accepting a non-qualifying State issued permit in lieu of NICS) warrants a Warning Letter per the Order. The licensee was cited for 27 CFR 102(a) in the past under different circumstances (return of consignment firearms without a NICS check).

The transferee was not prohibited in regards to his criminal history. The licensee has never been associated with a trace, theft/loss or missing firearm. The licensee conducts special orders and internet transfers only, and does not maintain an inventory or advertise firearms sales online.

Viols WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA

ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)
JUN 2016 16.00

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	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

12. TIME ACCOUNTING DATA

ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)
JUL 2016	38.00
ATF OFFICER'S SUBTOTAL	54.00
ATF OFFICER'S SIGNATURE	
TOTAL HOURS	54.00

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION
Viols WL ONLY and Recall Inspection

☒ REVIEWED ☒ CONCUR ☐ SEE COMMENTS ☐ FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - Area Supervisor	REVIEW DATE 09/07/2016
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REVIEW COMMENTS AND RECOMMENDATION

Three of the five violations merit a warning conference under ATF O 5370.1B. Failure to record any ID on less than ^{(b)(7)(E)} of Forms 4473 examined triggers a warning letter but is a repeat violation escalating to a warning conference. Acceptance of a non-qualifying State permit as a NICS substitute on ^{(b)(3) 112 Public Law 55-126} occasions also triggers a warning letter but is a repeat violation escalating to a warning conference. And transfer of a handgun to an out-of-state resident triggers a warning conference.

I recommend a warning letter with recall inspection as the most appropriate outcome for this inspection. This is based on the licensee's lack of traces since inception of business in 2004, lack of thefts/losses from inventory, lack of multiple sales, lack of trafficking indicators, and lack of an on-hand inventory, which greatly reduces the risk to public safety posed by this business. It is also important to note that all three of the warning conference-level violations were associated with the same transaction, so there was no pattern of errors across the spectrum of transactions performed during the inspection period. Nonetheless, this licensee's poor compliance record indicates it still has not developed sufficient internal controls and its operations warrant continued scrutiny through recall inspection.

Viols WL ONLY and Recall Inspection

☒ REVIEWED ☐ CONCUR ☒ SEE COMMENTS ☒ FINAL DISPOSITION

SIGNATURE AND TITLE BSMENDOZ - Director, Industry Operations	REVIEW DATE 09/08/2016
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ROUTING SEQUENCE AND DATE

☐ 1. _____

☐ 2. _____

☐ 3. _____

☐ 4. _____

CONTROL FILE POSTED DATE _____

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

Nature of Violation:

Nature of Violation:

Corrective Action to be Taken:

Corrective Action to be Taken:

The licensee will photocopy the page from the ATF F 4473 that should include the required information and will record the information on the photocopy. The licensee will verify the identity of the transferee using a valid identification document and will record all required information on the ATF F 4473 on all future occasions.

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 Grand Valley Sporting Goods Inc.	Street Address 6387 Lake Michigan Drive	City Allendale	State MI	Zip Code 49401-	County Ottawa	Page 2 of 3 Pages
License/Permit/Registry Number <i>(If any)</i> 438139016D02183		Expiration Date		Date(s) or Period of Inspection 06/28/2016 through 07/18/2016		

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:

The licensee failed on (b)(3)(1) occasion to record the date of transfer of a firearm as required by item 36 of the ATF F 4473:

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

The licensee failed on (b)(3)(1) occasion to correctly record the date of transfer of a firearm as required by item 36 of the ATF F 4473.

(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)

The license will photocopy the page from the ATF F 4473 that should include the required information and will record the information on the photocopy. The licensee will record the correct date of transfer of a firearm as required by item 36 of the ATF F 4473 on all future occasions.

Number: 4

Nature of Violation:

The licensee accepted a non-qualifying State issued permit in lieu of a NICS check (b)(3)(1)(2)(F) occasion. Specifically, the licensee accepted a Texas Concealed Handgun License in lieu of a NICS check within the State Michigan. Although this permit can be used in lieu of a NICS check in Texas, it is not valid within the State of Michigan for use in lieu of a NICS check.

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

Citation: 27 CFR 478.102(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee will accept only qualifying permits in lieu of a NICS check issued within the State of Michigan on all future occasions.

Report of Violations

Instructions

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License/Permit/Registry Number <i>(If any)</i> 438139016D02183		Expiration Date		Date(s) or Period of Inspection 06/28/2016 through 07/18/2016		

Inspection Results

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

Number: 5

Nature of Violation:

The licensee transferred a handgun to a person the licensee knew or had reasonable cause to believe does not reside in the State in which the licensee's place of business is located (Michigan). Specifically, the licensee transferred a handgun to a Texas resident on  occasion.

Citation: 27 CFR 478.99(a)

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

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

The licensee will not transfer a handgun to any person the licensee knows or has reasonable cause to believe does not reside in the State in which the licensee's place of business is located on all future occasions.

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

Grand Rapids, MI 49503

September 15, 2016

www.atf.gov

774050 (b)(6)
5300

Grand Valley Sporting Goods, Inc.
6387 Lake Michigan Drive
Allendale, MI 49401

RE: FFL #4-38-139-01-9D-02183

Dear Mr. Poliski and Mr. Mol:

During a recent compliance inspection at your firearms business covering the period June 28, 2015 through June 28, 2016, you were cited for violations of Title 27 Code of Federal Regulations, Part 478. A copy of the Report of Violations, ATF Form 5030.5, issued at the time of the inspection is enclosed.

The violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator (b)(6). You indicated that you understood the requirements of the firearms laws and regulations. You further indicated that corrective action 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, 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.

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

Sincerely yours,

(b)(6)

Area Supervisor

Enclosure

c: Federal Firearms Licensing Center
Grand Rapids II Area Office