

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) J & J Hardware, LLC Woydziak Hardware 109 W. Ave West Lyons, KS 67554, RICE		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 779025-2017-0040-B1B		
		3. PERMIT/LICENSE NUMBER 548159017G02547	4a. TARGET DATE 9/15/2017	4b. TARGET HOURS
		5. REQUESTED BY (SIGNATURE, TITLE AND DATE) 10/01/2016		
6. ATF OFFICER(S) ASSIGNED (b)(6) - Lead Investigator				
7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6) , Area Supervisor, 10/03/2016				
8. PURPOSE/SPECIAL INSTRUCTIONS Compliance. Kansas Priority 3.				
9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC				
NO. OF VIOLATIONS	5	NO. OF REFERRALS		10. TRAVEL EXPENSES (OPTIONAL)
NO. OF TECS CHECKS	2	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: 02/10/2017 Violations #1 & 2 meet the criteria for a WARNING LETTER to be issued, under paragraphs 6.c.(1); 6.c.(2) and 6.c.(3) of the current ATF Adverse Action Policy. Viols WL ONLY and Recall Inspection				
12. TIME ACCOUNTING DATA				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
JAN 2017		9.00		
FEB 2017		13.00		
ATF OFFICER'S SUBTOTAL		22.00		ATF OFFICER'S SIGNATURE
TOTAL HOURS		22.00		

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13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

ALTERNATE RECOMMENDATION: WARNING LETTER – NO RECALL

The inspection meets the standard for Warning Conference under the Administrative Action Policy (2/8/2013). The licensee was cited for failing to obtain complete certification information in Section A on (b) (3) - Public L Forms 4473 (20%) – Warning Conference at Sec. 6.d.(3); and for (b) (3) instances each of failing to timely/accurately record acquisition and disposition information in the A&D record (10% and 11%, respectively) – Warning Letter Sec 6.c.(1) & (2). Additional form violations do not rise to the level of administrative action.

JUSTIFICATION FOR ALTERNATE: The violations do not appear to meet the standard of willfulness nor did they directly affect public safety. This was the licensee's first inspection since obtaining the FFL in 2011. The licensee is a low-volume dealer that acquires/disposes of less than 25 firearms annually. No losses or traces were reported. Licensee explained that a long-time employee responsible for the firearms portion of the business had left employment and new employees had yet to be properly trained. The licensee acknowledged the errors and was receptive to the corrective action. Based on the licensee's activity level, a recall inspection is not warranted. The licensee will be inspected on a 5-year cycle.

AS Reviewed: 2/13/17
Sent to DIO: 2/13/17
DIO Concurs: 2/13/17
Warning Letter Sent: 2/13/17
PII sent 2/13/17

Viols WL ONLY and No Recall Inspection

☒ REVIEWED ☐ CONCUR ☒ SEE COMMENTS ☐ FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - Area Supervisor	Digitally signed by (b)(6)	REVIEW DATE 02/13/2017
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REVIEW COMMENTS AND RECOMMENDATION

Concur with alternate for warning letter.

Viols WL ONLY and No Recall Inspection

(b)(6)

by (b)(6)

Date: 2017.02.13
11:28:13 -06'00'

☒ REVIEWED ☒ CONCUR ☒ SEE COMMENTS ☒ FINAL DISPOSITION

SIGNATURE AND TITLE WLBOWERS - Director Industry Operations	REVIEW DATE 02/13/2017
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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 quadruplicate. The original copy and the suspense copy (where required) 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 JST Hardware, LLC	Street Address 109 West Ave S	City Lyons	State KS	ZIP Code 67554	County Rice	Page 1 of 2 2 Pages
License/Permit/Registry Number (if any) S-48-157-01-76-02547		Expiration Date 7/1/17	Date(s) or Period of Inspection 1/26/14 - 1/25/17			

Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
1	27 CFR 479.125(e)	Failure to maintain an accurate Record of Firearm Receipt and Disposition (A-12) (b)(3) 112 P-1 Firearms had been transferred on ATF F 4473 and not logged out of the Record and (b)(3) 112 P-1 firearms were not entered into the Record.	Make correcting entries into the Record. Establish procedures to ensure firearms acquisitions and dispositions are properly recorded.	2/1/17
2	27 CFR 479.124(c)(1)	Failure to obtain a properly certified ATF F 4473 prior to transferring a firearm to an individual (b)(3) 112 P-1 forms examined were not dated by the individual completing the Form.	Ensure Section A of ATF F 4473 is properly completed by the individual prior to transferring them a firearm.	—
3	27 CFR 479.124(c)(4)	Failure to describe the firearm(s) transferred on ATF Form 4473. Items # 26-30 were incomplete (P.*2)	Establish procedures to ensure Items # 26-30 are completed at	2/1/17

I Have Received a Copy of This Report of Violations (Proprietor's signature and title)

Signature and Title of ATF Officer (b)(6) - I O I Member

Date 1/25/17
Date 1/25/17

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in quadruplicate. The original copy and the suspense copy (where required) 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 JJS Hardware, LLC	Street Address 109 West Ave S	City Lyons	State KS	ZIP Code 67554	County Rice	Page <u>2</u> of <u>2</u> Pages
License/Permit/Registry Number (if any) S-48-159-01-76-02547	Expiration Date 7/1/17	Date(s) or Period of Inspection 11/24/14 - 1/25/17				

Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
3	27 CFR 478.124(c)(4)	on (b)(3) 112 Pub L Forms examined.	the time of transfer correct Forms	
4	27 CFR 473.124(c)(5)	Licensee failed to certify ATF Form 4473 at the time the firearm was transferred. (b)(3) 112 Pub L Forms examined were not certified by the transferor in Items #33 and #36.	Ensure Items #33 and #36 of ATF Form is completed by the person completing the firearm(s) transfer	
5	27 CFR 478.21(c)	Failure to follow instructions on ATF Form 4473 (b)(3) 112 Pub L Forms examined had Items #30-32, and #34 and #36 Blank.	Ensure all applicable Items are completed at the time the firearm is transferred complete and certify incomplete forms	2/1/17

I Have Received a Copy of This Report of Violations (Proprietor's signature and title)

Signature and Title of ATF Officer (b)(6) - 101 Member

Date
1/25/17
Date
1/25/17

(b)(6) .

From: Jason Huddleston <(b)(6)>
Sent: Thursday, January 26, 2017 12:14 PM
To: (b)(6)
Subject: Form 4473 fixes J&J Hardware LLC

Importance: High

(b)(6) we just finished making the fixes to the 4473 form we discussed yesterday.



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Kansas City Field Division – KC III (Regulatory)

1251 NW Briarcliff Pkwy, Ste 600
Kansas City, MO 64116
www.atf.gov

February 13, 2017

779025: (b)(6)
5373

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

J & J Hardware, LLC
Dbas: Woydziak Hardware
Attn: Mr. Jason Huddleston
109 West Ave S
Lyons, KS 67554

RE: 5-48-159-01-7G-02547

Dear Mr. Huddleston:

This letter summarizes the issues discussed with you conducted on January 25, 2017, related to your inspection covered the period of January 26, 20 your business was cited for violations of Title 2 of the Report of Violations, Form 5030.5 issued

All violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Investigator (b)(6). You indicated that you would take action to comply with the firearms laws and regulations.

The record is being continued. You must comply with this requirement. This is critical. You will not gain anything out of this area.

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

J & J Hardware, LLC
Dbas: Woydziak Hardware
Attn: Mr. Jason Huddleston
109 West Ave S
Lyons, KS 67554

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent To: J & J Hardware, LLC
Dbas: Woydziak Hardware
Attn: Mr. Jason Huddleston
Street, Apt. No. or PO Box No. 109 West Ave S
City, State, ZIP+4 Lyons, KS 67554
PS Form 3800, August 2005

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee
B. Received by (Printed Name) C. Date of Delivery 2-17-17

D. Is delivery address different from item 1? ☐ Yes ☒ No
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail[®] ☐ Priority Mail Express[™]
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
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Kansas City Field Division – KC III (Regulatory)

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February 13, 2017

779025: (b)(6)
5373

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

J & J Hardware, LLC
Dbas: Woydziak Hardware
Attn: Mr. Jason Huddleston
109 West Ave S
Lyons, KS 67554

RE: 5-48-159-01-7G-02547

Dear Mr. Huddleston:

This letter summarizes the issues discussed with you during the recent compliance inspection conducted on January 25, 2017, related to your company's Federal firearms license. The inspection covered the period of January 26, 2014 to January 25, 2017. During the inspection, your business was cited for violations of Title 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 (b)(6). You indicated that you understood the requirements of the firearms laws and regulations. Additionally, you ensured IOI (b)(6) that your business would take action to prevent future violations.

The records your business is required to maintain are important to law enforcement in our continuing efforts to reduce violent crime and protect the public. It is essential that your company comply with all Federal laws and regulations that govern its activities as a licensed firearms dealer. This is critical to ATF 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.

J & J Hardware, LLC
Dba: Woydziak Hardware
Attn: Mr. Jason Huddleston
Page 2

You are reminded that retention of your company's Federal firearms license is conditioned upon your its 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 the license. Please contact the ATF Kansas City Group III Office if you have any questions regarding this matter at (816) 410-6000.

Sincerely,

(b)(6)

Area Supervisor
Industry Operations (Kansas)
Kansas City Group III (Regulatory)
Kansas City Field Division

cc: National Licensing Center
Director of Industry Operations