

AMERICAS GUN RANGE LLC's FCI  
FCI-23504  
01/12/2023 05:56 PM  
IOI (b)(6), Miami VI (IO) Field Office

**LICENSEE INFORMATION**

Licensee Name AMERICAS GUN RANGE LLC	RDS Key 1-59-53008	License/Permit Number 1-59-011-07-3D-53008	License Type 07 - Manufacturer of Firearms License
Business Type Limited Liability Company (LLC)			
Premises Ownership Type Leased/Rented	Premises Address 1315 SW 1ST CT, Unit N/A, POMPANO BEACH, Florida 33069		
Premises Location Type Required Store Front			

Address  
1315 SW 1ST CT  
Unit N/A  
POMPANO BEACH, Florida 33069  
BROWARD  
United States

Address  
1315 SW 1ST CT  
Unit N/A  
POMPANO BEACH, Florida 33069  
BROWARD  
United States

Phone Type	Phone Number	Remarks
Business	+1 954-915-8226	
Mobile	(b)(6)	

Email Address	Email Remarks
(b)(6)	

Online Presence Type	Online Presence URL	Remarks
Website	www.americasgunrange.com	

**RECOMMENDATIONS**

Final Decision Date  
Revocation 04/29/2022

Details

The FFL was allowed to transfer the inventory to (b)(4) and is no longer in operation. IOI (b)(6) retrieved the required records for submission to the OOBRC. No further field action required.

**Out of Business Records and Inventory Management**

**Licensee Records**

- ✔ Submitted to the Federal Licensing Center
  - ✔ Submitted to an ATF Employee
- ATF Employee Name  
IOI (b)(6)

**Licensee Inventory**

- ✔ Inventory transferred to another licensee/permittee
- Date of Inventory Transfer  
09/05/2022  
Transferee RDS Key  
15956583  
Licensee / Permittee  
DECLARATION FIREARMS LLC  
Business Name
- Business Premise Address  
1315 SW 1ST COURT  
POMPANO BEACH, FL 33069

Deputy Assistant Director - Industry Operations Megan Bennett's Recommendation  
Revocation

Details

I concur with the recommendation of revocation.

SAC Cekada concurs with the recommendation for revocation by IOI (b)(6), AS (b)(6) and DIO Peart.

Senior Attorney (b)(6)'s Review

Details

Notice of Revocation drafted and sent to the DIO for signature.

Director of Industry Operations Carmen Peart's Recommendation  
Revocation

Details

I concur with the recommendation of Revocation. Responsible Person (RP), Dan Faires, has been associated with four other Federal Firearms Licenses (FFLs) as either the sole proprietor or an RP.

On September 2019, Mr. Faires, attended a DIO Led Warning Conference in the Miami Area Office as a result of multiple violations found during inspection FCI-8589 for National Armory LLC. During the conference Mr. Faires provided ATF with a Business plan to address the deficiencies found and stated that "he would be closely overseeing all aspects of the firearms business and he is also grooming a current employee to become an integral part of his firearms business". At the conclusion of the Warning Conference, Mr. Faires expressed an interest in dissolving National Armory LLC, a business he bought into, and obtaining a separate license due to the established inspection history associated with National Armory LLC.

During compliance inspection FCI-8589, it was uncovered that Mr. Faires was also an RP for FFL Gunway Holdings LLC, 5-75-13188, located in Royse City, Texas. Industry Operations Investigators (IOIs) also found large number of firearms being transferred between Gunway Holdings LLC and National Armory LLC. A collateral inspection for Gunway Holding LLC. was requested of the Dallas Field Division where serious violations were uncovered. As a result of that inspection, Mr. Faires surrendered the license for Gunway Holdings LLC in lieu of Revocation.

The current inspection of America's Gun Range LLC, FCI-23504, revealed 17 violations totaling (b)(6) instances. Most concerning are the violations for 18 USC 922(m), falsifying required information and 27 CFR 478.121(c), making false entry to require ATF records. During the closing conference, Mr. Faires blamed his employees for violations uncovered, admitted to falsifying ATF records, and lying to IOI (b)(6) on the whereabouts of missing firearms. Since April 2019, the FFL has reporting missing firearms including (b)(6) weapons. Mr. Faires has been thoroughly educated on ATF Rules and Regulations on multiple occasions due to his association with other FFLs but continues to demonstrate lack of internal control and/or indifference for ATF regulations. As such, this office considers these violations to be willful in nature and any administrative action other than a Revocation poses a significant threat to public safety. It is unlikely the FFL will come into compliance therefore I concur with the recommendation of Revocation.

Revocation Notice Fed-Ex on November 17, 2021

Area Supervisor (b)(6)'s Recommendation  
Revocation

Details

Area Supervisor (b)(6) concurs with recommendation of Revocation.

While this is the Licensee's first inspection since receiving their FFL on 03/23/2020, the FFL only has one Responsible Person (RP) Daniel Faires. Mr. Faires has been an RP on four other FFL's prior to being an RP on America's Gun Range (AGR) and has attended at least two (2) DIO led Warning Conferences in Miami, FL.

Mr. Faires has an extensive history of being a RP on previous FFL's including National Armory LLC which required a DIO led Warning Conference less than two years ago. Mr. Faires is well aware of ATF rules and regulations as it relates to the Gun Control Act (GCA) and his responsibilities as an FFL. The violations are not due to lack of knowledge by Mr. Faires but appear to be willful violations of the Gun Control Act (GCA).

This inspection resulted in 17 violations and (b)(6) of instances, including violations for 18 U.S.C. 922(m): FFL omits or falsifies required information and 27 CFR 478.121(c): Making false entry, omitting entry, or failing to properly maintain required recordkeeping related to one or both of the following instances:

During this inspection a 4473 for the transfer of (b)(6) firearms to (b)(6) as reviewed. The 4473 supporting documents showed the firearms were transferred from two FFL's ((b)(3) (112 Public Law 55 125 Stat 552)) to America's Gun Range. All the transfer documents including shipping and billing information that were attached to the 4473 and therefore known by the Licensee at the time of the transfer; indicated the firearms were purchased by and intended for (b)(6)

Further, licensee Daniel Faires completed an ATF F 4473 on (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) of the firearms were not at the premises during the time of the transfer and were also not disposed out of the A&D.

IOI (b)(6) submitted a generated (b)(6) for participating in a straw purchase to a prohibited person, (b)(6) and one Referral, (b)(6) for failure to abide by the local waiting period requirements in (b)(6) instances) was generated from this inspection.

Due to the numerous violations disclosed during this inspection, Area Supervisor (b)(6) concurs with the recommendation of REVOCATION.

Industry Operations Investigator (b)(6) Recommendation  
Revocation

Details

IOI (b)(6) concurs with recommendation of Revocation.

As part of FCI 23504's Inventory review, Theft Loss # (b)(6) was submitted on 04/16/2021 reporting (b)(6) lost firearms. Subsequent to submitting (b)(6) the location and/or disposition of (b)(6) of the firearms has been determined and (b)(6) has been updated with National Tracing Center (NTC). (b)(6) Firearms from (b)(6) remain missing and the Licensee will update NTC and IOI (b)(6) if/when any additional firearms or dispositions are determined.

UPDATE on 07/06/21

Location of Serial # (b)(6) from (b)(6) to (b)(6) on 09/11/20. FFL # (b)(3) (112 Public Law 55 125 Stat 552) provided A&D printout showing the acquisition from Americas Gun Range on 09/01/20 and 4473 to (b)(6) for proof; (b)(6) has been updated and Americas Gun Range's A&D will be updated.

Location of Serial # (b)(6) on (b)(6) (purchaser's name is spelled wrong by the Multiple Sale Unit in data entry so IOI (b)(6) emailed Multiple Sales Unit to correct the spelling to (b)(6) on 09/14/2020. However, this is the same date as the acquisition from (b)(6) to Americas Gun Range (b)(3) (112 Public Law 55 125 Stat 552) provided IOI (b)(6) with the acquisition from (b)(4) and 4473 to (b)(6). It appears (b)(6) purchased (b)(6) from (b)(4) (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) Americas Gun Range did not log it out and RP Daniel Faires incorrectly transferred this firearm to (b)(4) and on (b)(6) on 04/09/21 but this has been corrected. Mr. Faires admits he does not know the location of (b)(4) and therefore it will remain listed as lost on (b)(4) and in Americas Gun Range A&D.

Location of Serial # (b)(6) from (b)(6) for Serial # (b)(6) shows transferred from (b)(3) (112 Public Law 55 125 Stat 552) to an individual (b)(6) firearm on (b)(3) (112 Public Law 55 125 Stat 552). However, 1-59-53008 Americas Gun Range acquired the (b)(3) (112 Public Law 55 125 Stat 552) Per (b)(3) (112 Public Law 55 125 Stat 552) have been updated with the additional information.

As of 07/06/2021, Subsequent to submitting (b)(6) the location and/or disposition of (b)(6) of the firearms has been determined and (b)(6) has been updated with National Tracing Center (NTC). (b)(6) Firearms from (b)(6) remain missing and the Licensee will update NTC and IOI (b)(6) if/when any additional firearms or dispositions are determined.

For all dispositions not timely recorded to other FFLs; Forward Traces were done on all claimed transfers to other FFL's. All transfers were independently verified with the other FFL's

and documentation from the other FFL's was obtained as needed. All disposition information was confirmed to be accurate through forward traces.

For all dispositions not recorded to individuals, physical 4473s were verified. All information was confirmed to be accurate.

2020 AFMER was done late. IOI (b)(6) verified it was sent in.

This is the Licensee's first inspection since receiving their FFL on 03/23/2020. However, the FFL only has one Responsible Person (RP) Daniel Faires. Mr. Faires has been an RP on five other FFL's prior to being an RP on this License, America's Gun Range (AGR);

- 3-46-01520 Gunway Holdings LLC (Inactive)
- 1-58-12617 Gunway Inc (Inactive)
- 3-46-01353 Gunway Inc (Inactive)
- 1-59-17215 National Armory LLC (Inactive as of 07/01/2021 and Mr. Faires stated he wants to make this FFL Inactive)
- 5- 75-13188 Gunway Holdings LLC (Inactive)

Mr. Faires signed a Voluntary Surrender of FFL for 5-75-13188, Gunway Holdings LLC on 04/19/2019 with an effective date of 05/17/2019 under FCI-9307 with IOI (b)(6) in Dallas, TX Field Division. The voluntary surrender was due to multiple violations that were uncovered as a result of the inspection to include tens of missing firearms and prohibited transfers.

Mr. Faires was an RP and attended a DIO led Warning Conference in Miami, FL on 9/18/19 as a result of the violations from FCI 8589 for National Armory LLC. National Armory LLC is located at the same premises as Americas Gun Range in Pompano Beach, FL.

As part of FCI 8589 for National Armory in April 2019, Mr. Faires filed Theft/Loss; (b)(3) (112 Public Law 55 125 Stat 552) with (b)(3) (112 Public Law 55 125 Stat 552) lost firearms, only (b)(3) (112 Public Law 55 125 Stat 552)

**(b)(3)(26 USC § 6103) ,(b)(3) (112 Public Law 55 125 Stat 552)**

Mr. Faires has an extensive history of being a RP on previous FFL's including National Armory LLC which required a DIO led Warning Conference in September 2019. Mr. Faires FFL's have shown a consistent and ongoing lack of internal controls and/or indifference for ATF regulations from at least April 2019 to current.

From April 2019 to April 2021 Mr. Faires has filed (b)(6) ATF Theft/Loss Reports for the FFL's he is a RP for; National Armory and Americas Gun Range for a total of (b)(6) missing firearms including at least (b)(6) weapons.

Mr. Faires is well aware of ATF rules and regulations and his responsibilities as an FFL. The violations and lost firearms are not due to lack of knowledge but appear to be willful violations of the Gun Control Act (GCA).

FCI 23504 resulted in (b)(6) violations and hundreds of instances. Including violations for 18 U.S.C. 922(m): FFL omits or falsifies required information and 27 CFR 478.121(c): Making false entry, omitting entry, or failing to properly maintain required record keeping related to one or both of the following instances:

During IOI (b)(6)'s inspection at America's Gun Range (AGR) (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) (b)(3) (112 Public Law 55 125 Stat 552)

The 4473 supporting documents showed the firearms were transferred from (b)(3) (112 Public Law 55 125 Stat 552) All the transfer documents including shipping and billing information indicated the firearms were purchased by and intended for (b)(6).

Due to the appearance of a potential straw purchase IOI (b)(6) reviewed records for (b)(6) and (b)(6) (b)(6) is not prohibited, but the record showed that (b)(6) is a prohibited person based on his prior criminal history.

The documents indicate the Licensee participated in a straw purchase to a prohibited person (b)(6)

Licensee Daniel Faires completed an ATF F 4473 or (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) of the firearms were not at the premises during the time of the transfer but also had not been disposed out of the A&D at that time.

**(b)(3) (112 Public Law 55 125 Stat 552)**

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

One SAR was generated (SAR 732 for participating in a straw purchase to a prohibited person, (b)(6) and one Referral, (R-1622 for failure to abide by the local waiting period requirements in (b)(6) instances) was generated from this inspection.

All E-Trace and NCIC criminal history checks were done as needed and no additional prohibited persons or SAR's were developed except SAR 732 for the straw purchase transfer to a prohibited person.

IOI (b)(6) attended the closing conference with IOI (b)(6) on 06/10/21 to observe and take notes.

**Inspection Findings**

**Records and Forms**

- 3. Failure by the licensee to obtain complete and accurate information for any item(s) on Forms 4473, questions 11 & 12, or the buyer fails to sign and date the Form 4473 (to include failing to have the buyer recertify their answers if the transfer takes place on a different date than the original signature) in Section A (b)(7)(E) the Forms 4473 examined.
- 6. Failure to execute a Form 4473 for the return of a firearm that was consigned to the licensee; if the transferee is NOT prohibited.
- 8. Failure to execute a Form 4473 for the transfer of a firearm out of business inventory to an FFL responsible person (other than a sole-proprietor), if the transferee is NOT

prohibited.

11. Failure to retain required GCA records for transferred firearms for period of time specified by regulation.

13. Falsify records required under the GCA or making a false or fictitious written statement in the FFL's required records or in applying for a firearms license.

**NICS**

1. Failure to conduct a NICS check or obtain alternative permit for the return of firearm that was consigned to the licensee; if the transferee is NOT prohibited.

3. Failure to conduct a National Instant Criminal Background Check System (NICS) check or obtain alternative permit for the transfer of a firearm out of business inventory to an FFL responsible person (other than a sole-proprietor); of the transferee is NOT prohibited.

6. Failure to initiate a new NICS check when a transaction is not completed within the 30-day period from the date NICS was initially contacted provided that the person is NOT prohibited.

**Failure to Report**

1. Failure to file Reports of Multiple Sale or Other Disposition of Pistols and Revolvers (F 3310.4) or Reports of Multiple Sales or Dispositions of Certain Rifles (F 3310.12) (Southwest Border states only) when legally required and with a (b)(7)(E) instances.

**Miscellaneous**

6. Actively engage in a straw purchase transaction (i.e., the licensee knows or has reasonable cause to believe that the transferee of record is not the actual buyer).

**ELIGIBILITY VERIFICATION**

**Business Information Verification**

Licensee Name	Business Type	Is the business valid?
AMERICAS GUN RANGE LLC	Limited Liability Company (LLC)	Yes

Additional Findings  
See State of Florida Sunbiz

Attachment(s):  
State of Florida Sunbiz-Americas Gun Range.pdf

**Property Ownership Verification**

Premises Ownership Type	Premises Location Type	Has the property ownership been verified?
Leased/Rented	Store Front	Yes

Address  
1315 SW 1ST CT  
Unit N/A  
POMPANO BEACH, Florida 33069  
BROWARD  
United States

Additional Findings  
See Broward County Property Appraiser

Attachment(s):  
Broward County Property Appraiser-Americas Gun Range.pdf

**Rental/Lease Verification**

Is the proposed business activity permitted by the property owner?  
Yes

Additional Findings  
See attached Lease valid from the FAI file valid until 2024. Also see Licensee's email stating they are currently renegotiating the lease but it is not complete yet. Licensee will forward the new lease to IOI (b)(6) as soon as complete.

Attachment(s):  
Lease-Email-Americas Gun Range-.pdf  
Lease-Americas Gun Range-.pdf

**Zoning Information Verification**

Is the proposed business activity in compliance with zoning?  
Yes

Additional Findings  
See Broward County and Pompano Beach Business Tax Receipts. Due to the Licensee's delay in getting the Pompano Beach BTRs sent over, IOI (b)(6) contacted (b)(6) Chief BTR Inspector with Pompano Beach and (b)(6) forwarded the Licensee's complete list of BTR's.

**Contact Information**

Name  
(b)(6)

Date Contacted  
06/01/2021

Organization  
Pompano Beach

Job Title  
Chief BTR Inspector

Phone Type	Phone Number	Remarks
Business	+1 954-786-5551	

Attachment(s):  
Pompano Beach BTR-Americas Gun Range-.pdf  
Pompano Beach BTRs-Americas Gun Range.pdf  
Broward County BTR--Americas Gun Range.pdf

**APPOINTMENT DETAILS**

Interview Date  
04/08/2021

Address  
1315 SW 1ST CT, Unit N/A, POMPANO BEACH, Florida 33069

Remarks  
Unannounced FCI.

**Responsible Attendee(s)**

**Non-Responsible Person(s)**

DANIEL PATRICK FAIRES

No Items

**RESPONSIBLE PERSON(S)**

*DANIEL PATRICK FAIRES*

Name	Gender	Race	Ethnicity
DANIEL PATRICK FAIRES	Male	White	Not Hispanic or Not Latino

Date of Birth	SSN	Job Title
(b)(6)	(b)(6)	GM

**Physical Identifiers**

Height	Weight	Hair Color	Eye Color
(b)(6)	(b)(6)	(b)(6)	(b)(6)

**Place of Birth**

Country	State	City
United States Of America	(b)(6)	(b)(6)

**Home Address**

(b)(6)

**Additional Names**

**Citizenship**

United States

ID Type	Country	State	ID Number
Driver's License	United States	Texas	(b)(6)
Driver's License	United States	Florida	(b)(6)

Phone Type	Phone Number	Remarks
Mobile	(b)(6)	
Mobile	(b)(6)	

Email Address	Email Remarks
(b)(6)	
(b)(6)	

**Criminal History Check**

Date Criminal History Check Conducted  
04/07/2021

Criminal History Check Comments

Nothing prohibiting found (b)(6)

(b)(6)

**INTERVIEW QUESTIONNAIRE**

What is the proposed business activity?

Retail firearms sales, shooting range, and rental guns

Do they need an additional license or permit?

Yes

Who are their primary suppliers?

(b)(4)

**Business Activities**

(b)(3)(26 USC § 6103)

Internet Sales/Transfers

Retail

Gunsmith

**Internet Sales/Transfers Website**

www.americasgunrange.com

Selected Operational Security Measures

(b)(4)

**SUPPLEMENTAL QUESTIONNAIRE**

**General Business Operations**

If there is a security system, who has access to the security codes?

(b)(4) RP Dan Faires

Who has keys to the premises?

RP Dan Faires, Managers (b)(6), Manager (b)(6) (RP Daniel Faire (b)(6)).

Who has keys to locked inventory?

RP Dan Faires, Managers (b)(6), Manager (b)(6)

Who is operating the business on a day-to-day basis?

RP Dan Faires

Is financial backing provided by anyone that is not a responsible person on the license/permit?

None

Are any employees known to be prohibited?

None

Are any employees associated with a previously denied/revoked/surrendered license/permit?

None

**SECURITY WALKTHROUGH**

Inspection Area Description

Retail gun store and shooting range

Primary Activity

Manufacturing

GPS Coordinates

Selected Physical Security Measures

(b)(4)

Latitude

26.23140

Longitude

-80.14210

**ONSITE SUMMARY**

Total Number of ATF Form 4473s for Inspection Review Period

Total Number of ATF F 4473 Reviewed

(b)(6)

Total Number of Open Dispositions in A & D Record

(b)(4)

Total Number of Firearms in Inventory

310

Actual Number of Firearms Verified

Number of Firearms Missing Before Reconciliation

Total Number of Firearms Missing After Reconciliation

(b)(4)

Total Number of Acquisitions in the Last 12 Months

(b)(4)

Total Number of Dispositions in the Last 12 Months

(b)(4)

Onsite Start Date

Onsite End Date

Number of Reported Lost/Stolen Firearms During Inspection Period

Total Number of Traces During Inspection Review Period

Total Number of Those Traces That Were Unresolved

Inspection Period Start Date

Inspection Period End Date

Number Of Traces Resolved By IOI

[Click Here to See List of Perfected Traces](#)

(b)(3)(26 USC § 6103)

AFMER Verified

Yes

(b)(3)(26 USC § 6103)

Additional Comments

As part of FCI 23504's Inventory review, Theft Loss # (b)(3)(112 Public Law 55 125 Stat 552) was submitted on 04/16/2021 reporting (b)(3)(112 Public Law 55 125 Stat 552) lost firearms. Subsequent to submitting (b)(3)(112 Public Law 55 125 Stat 552) the location and/or disposition of (b)(3)(112 Public Law 55 125 Stat 552) of the firearms has been determined and (b)(3)(112 Public Law 55 125 Stat 552) has been updated with National Tracing Center (NTC). (b)(3)(112 Public Law 55 125 Stat 552) Firearms from (b)(3)(112 Public Law 55 125 Stat 552) remain missing and the Licensee will update NTC and IOI (b)(6) if/when any additional firearms or dispositions are determined.

UPDATE on 07/06/21

Location of Serial # (b)(3)(112 Public Law 55 125 Stat 552) from (b)(3)(112 Public Law 55 125 Stat 552) to (b)(3)(112 Public Law 55 125 Stat 552);(b)(6) provided A&D printout showing the acquisition from (b)(3)(112 Public Law 55 125 Stat 552);(b)(6) Americas Gun Range's A&D will be updated.

Location of Serial # (b)(3)(112 Public Law 55 125 Stat 552) (purchaser's name is spelled wrong by the Multiple Sale Unit in data entry so IOI (b)(6) emailed Multiple Sales Unit to correct the spelling); (b)(3)(112 Public Law 55 125 Stat 552);(b)(6)

**(b)(3) (112 Public Law 55 125 Stat 552);(b)(6)**

(b)(3) (112 Public Law 55 125 Stat 552) but this has been corrected. Mr. Faires admits he does not know the location of (b)(3)(112 Public Law 55 125 Stat 552);(b)(6) and therefore it will remain listed as lost on (b)(3)(112 Public Law 55 125 Stat 552);(b)(6) and in Americas Gun Range A&D.

Location of Serial # (b)(3)(112 Public Law 55 125 Stat 552);(b)(6)

**(b)(3) (112 Public Law 55 125 Stat 552);(b)(6)**

(b)(3)(112 Public Law 55 125 Stat 552);(b)(6) Per (b)(3)(112 Public Law 55 125 Stat 552) have been updated with the additional information.

As of 07/06/2021, Subsequent to submitting (b)(3)(112 Public Law 55 125 Stat 552) the location and/or disposition of (b)(3)(112 Public Law 55 125 Stat 552) of the firearms has been determined and (b)(3)(112 Public Law 55 125 Stat 552) has been updated with National Tracing Center (NTC). (b)(3)(112 Public Law 55 125 Stat 552) Firearms from (b)(3)(112 Public Law 55 125 Stat 552) remain missing and the Licensee will update NTC and IOI (b)(6) if/when any additional firearms or dispositions are determined.

For all dispositions not timely recorded to other FFLs; Forward Traces were done on all claimed transfers to other FFL's. All transfers were independently verified with the other FFL and documentation from the other FFL's was obtained as needed. All disposition information was confirmed to be accurate through forward traces.

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2020 AFMER was done late. IOI (b)(6) verified it was sent in.

This is the Licensee's first inspection since receiving their FFL on 03/23/2020. However, the FFL only has one Responsible Person (RP) Daniel Faires. Mr. Faires has been an RP on five other FFL's prior to being an RP on this License, America's Gun Range (AGR);

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- 3-46-01353 Gunway Inc (Inactive)
- 1-59-17215 National Armory LLC (Inactive as of 07/01/2021 and Mr. Faires stated he wants to make this FFL Inactive).
- 5- 75-13188 Gunway Holdings LLC (Inactive)

Mr. Faires signed a Voluntary Surrender of FFL for 5-75-13188, Gunway Holdings LLC on 04/19/2019 with an effective date of 05/17/2019 under FCI-9307 with IOI (b)(6) in Dallas, TX Field Division. The voluntary surrender was due to multiple violations that were uncovered as a result of the inspection to include tens of missing firearms and prohibited transfers.

Mr. Faires was an RP and attended a DIO led Warning Conference in Miami, FL on 9/18/19 as a result of the violations from FCI 8589 for National Armory LLC. National Armory

LLC is located at the same premises as Americas Gun Range in Pompano Beach, FL.

As part of FCI 8589 for National Armory in April 2019, Mr. Faires filed Theft/Loss [redacted] with [redacted] lost firearms, only [redacted] (b)(3) (112 Public Law 55 125 Stat 552)  
(b)(3) (112 Public Law 55 125 Stat 552)

**(b)(3)(26 USC § 6103) ,(b)(3) (112 Public Law 55 125 Stat 552)**

Mr. Faires has an extensive history of being a RP on previous FFL's including National Armory LLC which required a DIO led Warning Conference in September 2019. Mr. Faires FFL's have shown a consistent and ongoing lack of internal controls and/or indifference for ATF regulations from at least April 2019 to current.

From April 2019 to April 2021 Mr. Faires has filed [redacted] ATF Theft/Loss Reports for the FFL's he is a RP for; National Armory and Americas Gun Range for a total of [redacted] missing firearms including at least [redacted] weapons.

Mr. Faires is well aware of ATF rules and regulations and his responsibilities as an FFL. The violations and lost firearms are not due to lack of knowledge but appear to be willful violations of the Gun Control Act (GCA).

FCI 23504 resulted in 17 violations and [redacted] of instances. Including violations for 18 U.S.C. 922(m): FFL omits or falsifies required information and 27 CFR 478.121(c): Making false entry, omitting entry, or failing to properly maintain required record keeping related to one or both of the following instances:

During IOI [redacted] (b)(6) 's inspection at America's Gun Range (AGR) at [redacted] (b)(3) (112 Public Law 55 125 Stat 552),(b)(6)  
(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

[redacted] (b)(3) (112 Public Law 55 125 Stat 552)

All the transfer documents including shipping and billing information indicated the firearms were purchased by and intended for [redacted] (b)(6) .

Due to the appearance of a potential straw purchase IOI [redacted] (b)(6) reviewed records for [redacted] (b)(6) and [redacted] (b)(6) [redacted] (b)(6) is not prohibited, but the record showed that [redacted] (b)(6) is a prohibited person based on his prior criminal history.

The documents indicate the Licensee participated in a straw purchase to a prohibited person [redacted] (b)(6) .

Licensee Daniel Faires completed an ATF F 4473 at [redacted] (b)(3) (112 Public Law 55 125 Stat 552),(b)(6) of the firearms were not at the premises during the time of the transfer but also had not been disposed out of the A&D at that time.

**(b)(3) (112 Public Law 55 125 Stat 552)**

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

One SAR was generated (SAR 732 for participating in a straw purchase to a prohibited person, [redacted] (b)(6) ) and [redacted] Referral, (R-1622 for failure to abide by the local waiting period requirements in [redacted] instances) was generated from this inspection.

All E-Trace and NCIC criminal history checks were done as needed and no additional prohibited persons or SAR's were developed except SAR 732 for the straw purchase transfer to a prohibited person.

IOI [redacted] (b)(6) attended the closing conference with IOI [redacted] (b)(6) on 06/10/21 to observe and take notes.

Attachment(s)

Report of Violations.pdf

Licensee Response to Violations Report.pdf

**REPORT OF VIOLATIONS**

Regulation	Corrective Actions	Instance Details
<p>18 U.S.C. 923(g)(5)(A): Failure to timely file required AFMER</p> <p>Number of Instances: 1</p>	<p>IOI (b)(6) instructed the Licensee to:</p> <p>Complete and submit required ATF Form 5300.11 (Annual Firearms Manufacturing and Exportation Report) for 2020.</p> <p>Licensee has completed the task as instructed by IOI (b)(6)</p>	<p>Licensee failed to timely file his 2020 AFMER. Reconciled and filed on 04/08/2021.</p>
<p>27 CFR 478.102(c): Failure to initiate a new NICS check after 30-day lapse of initial check</p> <p>ATF Forms 4473: 2</p> <p>Number of Instances: 2</p>	<p>IOI (b)(6) instructed the Licensee to:</p> <p>Execute and accurately record (on an ATF Form 4473) a new NICS/POC background check, after any 30-day expiration of a previously conducted NICS/POC check, on all future over-the-counter firearm transactions.</p>	<p>NICS Violation (b)(6)</p> <p>NICS Violation (b)(6)</p>
<p>27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers</p> <p>ATF Forms 4473: [ ]</p> <p>Number of Instances: [ ]</p>	<p>IOI (b)(6) instructed the Licensee to:</p> <p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection.</p> <p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) by close of the same business day, for all applicable future multiple sales.</p> <p>The Licensee completed the task as requested</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>27 CFR 478.58: Unlawful conference of rights and privileges under State or other law</p> <p>Number of Instances: [ ]</p>	<p>IOI (b)(6) instructed the Licensee to:</p> <p>Abide by the Broward County waiting period ordinance on all future firearm transfers or provide proof of any exception to the ordinance.</p> <p>The ordinance states; an uninterrupted, continuous, and cumulative aggregate of 120 hours must elapse between such sale and receipt of the firearm, excluding the hours of weekends and legal holidays.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>

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

		<b>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</b>
<p>27 CFR 478.102(a)(1): Failure to contact NICS or POC</p> <p>ATF Forms 4473: 3 Number of Instances: 3</p>	<p>IOI <b>(b)(6)</b> instructed the Licensee to:</p> <p>Execute a required NICS/POC background check for all future over-the-counter firearm transactions including consignment returns.</p> <p>Retrieve and accurately record (on an ATF Form 4473) a required final NICS/POC background check response prior to all future over-the-counter firearm transactions including consignment returns.</p>	<b>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</b>
<p>18 U.S.C. 922(m): FFL omits or falsifies required information</p> <p>Number of Instances: <input type="text"/></p>	<p>IOI <b>(b)(6)</b> instructed the Licensee to cease and desist from engaging in deceptive practices including but not limited to;</p> <p>Participating in and allowing straw purchases.</p> <p>Falsifying ATF Records such as ATF Form 4473 and Acquisition &amp; Disposition Records.</p>	<b>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</b>
<p>27 CFR 478.121(c): Making false entry, omitting entry, or failing to properly maintain required recordkeeping</p> <p>Number of Instances: <input type="text"/></p>	<p>IOI <b>(b)(6)</b> instructed the Licensee to cease and desist from engaging in deceptive practices including but not limited to;</p> <p>Falsifying ATF Records such as ATF Form 4473 and Acquisition &amp; Disposition Records.</p>	<b>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</b>

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

27 CFR 478.129(b): Failure to retain ATF F 4473

ATF Forms 4473: [ ]  
Number of Instances: [ ]

IOI **(b)(6)** instructed the Licensee to  
Identify and separately retain all denied  
(completed and future) ATF Forms 4473, for a  
period not less than 5 years.

Organize and maintain ATF Forms 4473 in  
alphabetical, chronological, or numerical order  
where NICS was contacted, but no firearm  
transfer took place, for a period not less than 5  
years.

Retain ATF Forms 4473 for a period of not less  
than 20 years after the date of sale or disposition.

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

27 CFR 478.123(d): Failure to maintain an accurate/complete/timely nonlicensee disposition record

Number of Instances: [ ]

IOI **(b)(6)** instructed the Licensee to  
Accurately, completely & timely record all  
required future firearm disposition information.

Complete and submit ATF Form 3310.11 -  
Firearms Inventory Theft/Loss Report. Licensee  
completed ATF Theft/Loss Incident #

**(b)(3) (112 Public Law 55 125 Stat 552)**

Amend/Update A&D Record to accurately  
record all required firearm disposition  
information.

Resume proper maintenance of required  
acquisition and disposition record.

**(b)(3) (112 Public Law 55 125 Stat 552)**

**(b)(3) (112 Public Law 55 125 Stat 552)**

27 CFR 478.123(b): Failure to maintain an accurate/complete/timely licensee disposition record

Number of Instances:

IOI **(b)(6)** instructed the Licensee to Accurately, completely & timely record all required future firearm disposition information.

Amend/Update A&D Record to accurately record all required firearm disposition information.

Resume proper maintenance of required acquisition and disposition record.

Complete and submit ATF Form 3310.11 - Firearms Inventory Theft/Loss Report. Licensee completed ATF Theft/Loss Incident #

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

**(b)(3) (112 Public Law 55 125 Stat 552)**

**(b)(3) (112 Public Law 55 125 Stat 552)**

27 CFR 478.123(a): Failure to maintain an accurate/complete/timely manufacture or acquisition record

Number of Instances:

IOI  **(b)(6)** instructed the Licensee to

Accurately, completely & timely record all required future firearm acquisition information.

Amend/Update A&D Record to accurately record all required firearm acquisition information.

Resume proper maintenance of required acquisition and disposition record.

**(b)(3) (112 Public Law 55 125 Stat 552)**

27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473

ATF Forms 4473:   
Number of Instances:

IOI  **(b)(6)** instructed the Licensee to

Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.

Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.

Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.

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

12		(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
13	<p>27 CFR 478.21(a): Failure to complete forms as prescribed</p> <p>ATF Forms 4473: [ ] Number of Instances: [ ]</p>	<p>Complete all forms as prescribed. Correct/Update photocopies of all specified ATF Form 4473 discrepancies, in accordance with form headings and instructions. Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions. Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions. Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.</p>
14	<p>27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473</p> <p>ATF Forms 4473: [ ] Number of Instances: [ ]</p>	<p>IOI [ (b)(6) ] instructed the Licensee to</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that all required NICS/POC background check information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section B.</p>
15	<p>27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473</p> <p>ATF Forms 4473: [ ] Number of Instances: [ ]</p>	<p>IOI [ (b)(6) ] instructed the Licensee to</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that all required transferee/buyer identification information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section B.</p>
16	<p>27 CFR 478.124(c)(4): Failure to record firearm information on an ATF F 4473</p> <p>ATF Forms 4473: [ ] Number of Instances: [ ]</p>	<p>IOI [ (b)(6) ] instructed the Licensee to</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that all required firearm identification information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.</p>
17	<p>27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473</p> <p>ATF Forms 4473: [ ] Number of Instances: [ ]</p>	<p>IOI [ (b)(6) ] instructed the Licensee to</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all future</p>

## LICENSEE RESPONSE REPORT

Regulation	Corrective Actions	Licensee Response	Status Details
18 U.S.C. 923(g)(5)(A): Failure to timely file required AFMER  Number of Instances: 1	IOI (b)(6) instructed the Licensee to:  Complete and submit required ATF Form 5300.11 (Annual Firearms Manufacturing and Exportation Report) for 2020.  Licensee has completed the task as instructed by IOI (b)(6)	The Licensee thought he had submitted the AFMER information.	Status Correction Verified  Verified Method In Person  Date Correction Verified 06/10/2021
27 CFR 478.102(c): Failure to initiate a new NICS check after 30-day lapse of initial check  ATF Forms 4473: 2 Number of Instances: 2	IOI (b)(6) instructed the Licensee to:  Execute and accurately record (on an ATF Form 4473) a new NICS/POC background check, after any 30-day expiration of a previously conducted NICS/POC check, on all future over-the-counter firearm transactions.	This is an employee error that is against store policy. The Licensee stated he will add this task to the new transfer checklist.	Status Licensee Notified  Verified Method In Person  Date Licensee Notified 06/10/2021
27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers  ATF Forms 4473: [ ] Number of Instances: [ ]	IOI (b)(6) instructed the Licensee to:  Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection.  Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) by close of the same business day, for all applicable future multiple sales.  The Licensee completed the task as requested	This is an employee error that is against store policy. The Licensee stated he has this requirement on the new transfer checklist. All employees have been trained.	Status Correction Verified  Verified Method In Person  Date Correction Verified 06/10/2021
27 CFR 478.58: Unlawful conference of rights and privileges under State or other law  Number of Instances: [ ]	IOI (b)(6) instructed the Licensee to:  Abide by the Broward County waiting period ordinance on all future firearm transfers or provide proof of any exception to the ordinance.  The ordinance states; an uninterrupted, continuous, and cumulative aggregate of 120 hours must elapse between such sale and receipt of the firearm, excluding the hours of weekends and legal holidays.	The Licensee stated that the employees sometimes forgot the holiday or miscalculated the dates.	Status Licensee Notified  Verified Method In Person  Date Licensee Notified 06/10/2021
27 CFR 478.102(a)(1): Failure to contact NICS or POC  ATF Forms 4473: 3 Number of Instances: 3	IOI (b)(6) instructed the Licensee to:  Execute a required NICS/POC background check for all future over-the-counter firearm transactions including consignment returns.  Retrieve and accurately record (on an ATF Form 4473) a required final NICS/POC background check response prior to all future over-the-counter firearm transactions including consignment returns.	The Licensee stated two of these instances were two firearms that employees (personal firearms) were logged into the stores inventory without the Licensees permission, then they gave them back to the employees without background checks. The third was a gift to the Licensees (b)(6) and he forgot to do a 4473 & background check. No employee personal guns can be sold here anymore.	Status Correction Verified  Verified Method In Person  Date Correction Verified 06/10/2021
18 U.S.C. 922(m): FFL omits or falsifies required information  Number of Instances: [ ]	IOI (b)(6) instructed the Licensee to cease and desist from engaging in deceptive practices including but not limited to;  Participating in and allowing straw purchases.  Falsifying ATF Records such as ATF Form 4473 and Acquisition & Disposition Records.	The Licensee admitted the 4473 ( [ ] firearms) to himself was his fault as he didn't verify the firearms or complete the 4473 timely. The new checklist should prevent this from happening.  In reference to the straw purchase the Licensee stated his employee may have thought they were married due to same last name. The Licensee stated he would not have approved this transfer. The Licensee added this situation to the new transfer checklist. (b)(6)	Status Licensee Notified  Verified Method In Person  Date Licensee Notified 06/10/2021

		(b)(6) have been added to the Point of Sale system as Do Not Sell, they are banned from the store and the employee will be disciplined.	
7	<p>27 CFR 478.121(c): Making false entry, omitting entry, or failing to properly maintain required recordkeeping</p> <p>Number of Instances: [ ]</p>	<p>IOI (b)(6) instructed the Licensee to cease and desist from engaging in deceptive practices including but not limited to;</p> <p>Falsifying ATF Records such as ATF Form 4473 and Acquisition &amp; Disposition Records.</p>	<p>The Licensee admitted the 4473 ( ) (firearms) to himself was his fault as he didn't verify the firearms or complete the 4473 timely. The new checklist should prevent this from happening.</p> <p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/10/2021</p>
8	<p>27 CFR 478.129(b): Failure to retain ATF F 4473</p> <p>ATF Forms 4473: [ ] Number of Instances: [ ]</p>	<p>IOI (b)(6) instructed the Licensee to</p> <p>Identify and separately retain all denied (completed and future) ATF Forms 4473, for a period not less than 5 years.</p> <p>Organize and maintain ATF Forms 4473 in alphabetical, chronological, or numerical order where NICS was contacted, but no firearm transfer took place, for a period not less than 5 years.</p> <p>Retain ATF Forms 4473 for a period of not less than 20 years after the date of sale or disposition.</p>	<p>The Licensee stated they just lost the form. The 4473 was completed during the transition time to Gun Store Master.</p> <p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/10/2021</p>
9	<p>27 CFR 478.123(d): Failure to maintain an accurate/complete/timely nonlicensee disposition record</p> <p>Number of Instances: [ ]</p>	<p>IOI (b)(6) instructed the Licensee to</p> <p>Accurately, completely &amp; timely record all required future firearm disposition information.</p> <p>Complete and submit ATF Form 3310.11 - Firearms Inventory Theft/Loss Report. Licensee completed ATF Theft/Loss Incident # [ ]</p> <p>Amend/Update A&amp;D Record to accurately record all required firearm disposition information.</p> <p>Resume proper maintenance of required acquisition and disposition record.</p>	<p>The Licensee stated the employees failed to log out the firearms because they were so busy and trying to move to the next customer. The Licensee stated they were not logged out timely. This task has been added to the transfer checklist.</p> <p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction Verified 06/10/2021</p>
10	<p>27 CFR 478.123(b): Failure to maintain an accurate/complete/timely licensee disposition record</p> <p>Number of Instances: [ ]</p>	<p>IOI (b)(6) instructed the Licensee to</p> <p>Accurately, completely &amp; timely record all required future firearm disposition information.</p> <p>Amend/Update A&amp;D Record to accurately record all required firearm disposition information.</p> <p>Resume proper maintenance of required acquisition and disposition record.</p> <p>Complete and submit ATF Form 3310.11 - Firearms Inventory Theft/Loss Report. Licensee completed ATF Theft/Loss Incident # [ ]</p>	<p>The Licensee stated this is laziness, employee error/employee's too busy. This situation is on the new transfer checklist. Employees were not following directions.</p> <p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction Verified 06/10/2021</p>
11	<p>27 CFR 478.123(a): Failure to maintain an accurate/complete/timely manufacture or acquisition record</p> <p>Number of Instances: [ ]</p>	<p>IOI (b)(6) instructed the Licensee to</p> <p>Accurately, completely &amp; timely record all required future firearm acquisition information.</p> <p>Amend/Update A&amp;D Record to accurately record all required firearm acquisition information.</p> <p>Resume proper maintenance of required acquisition and disposition record.</p>	<p>The Licensee stated this is laziness, the employees thought they would get to it later. The licensee stated he will create a checklist for acquisitions.</p> <p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction Verified 06/10/2021</p>
12	<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>ATF Forms 4473: [ ] Number of Instances: [ ]</p>	<p>IOI (b)(6) instructed the Licensee to</p> <p>Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.</p> <p>Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>The Licensee stated this is employee laziness going against store policy. The Licensee has started using a new Electronic 4473 system (Gun Store Master) and added all review questions to the transfer check list.</p> <p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/10/2021</p>

13	27 CFR 478.21(a): Failure to complete forms as prescribed  ATF Forms 4473: [ ] Number of Instances: [ ]	Complete all forms as prescribed. Correct/Update photocopies of all specified ATF Form 4473 discrepancies, in accordance with form headings and instructions. Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions. Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions. Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.	The Licensee stated this is employee laziness going against store policy. The Licensee has started using a new Electronic 4473 system (Gun Store Master) and added all review questions to the transfer check list.	Status Licensee Notified  Verified Method In Person  Date Licensee Notified 06/10/2021
14	27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473  ATF Forms 4473: [ ] Number of Instances: [ ]	IOI (b)(6) instructed the Licensee to  Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.  Ensure that all required NICS/POC background check information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section B.	The Licensee stated the employees were confused and did not ask questions. In the future they will know to ask questions.	Status Licensee Notified  Verified Method In Person  Date Licensee Notified 06/10/2021
15	27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473  ATF Forms 4473: [ ] Number of Instances: [ ]	IOI (b)(6) instructed the Licensee to  Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.  Ensure that all required transferee/buyer identification information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section B.	The Licensee stated this is employee laziness going against store policy. The Licensee has started using a new Electronic 4473 system (Gun Store Master) and added all review questions to the transfer check list.	Status Licensee Notified  Verified Method In Person  Date Licensee Notified 06/10/2021
16	27 CFR 478.124(c)(4): Failure to record firearm information on an ATF F 4473  ATF Forms 4473: [ ] Number of Instances: [ ]	IOI (b)(6) instructed the Licensee to  Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.  Ensure that all required firearm identification information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.	The Licensee stated this is employee laziness going against store policy. The Licensee has started using a new Electronic 4473 system (Gun Store Master) and added all review questions to the transfer check list. The Licensee stated he thought Multi as a Type was okay for any firearm. The Licensee stated he will educate his staff on determining caliber.	Status Licensee Notified  Verified Method In Person  Date Licensee Notified 06/10/2021
17	27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473  ATF Forms 4473: [ ] Number of Instances: [ ]	IOI (b)(6) instructed the Licensee to  Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.  Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.	The Licensee stated this is employee laziness going against store policy. The Licensee has started using a new Electronic 4473 system (Gun Store Master) and added all review questions to the transfer check list.	Status Licensee Notified  Verified Method In Person  Date Licensee Notified 06/10/2021

**REFERRAL(S)**

ID	Status	Agency	Outcome
R-1622	Referral Approved	Broward County Commission	Referral sent

**CLOSING CONFERENCE**

( 6/10/2021 )  
06/10/2021

Closing Conference Additional Notes

As part of FCI 23504's Inventory review, Theft Loss # [ ] was submitted on 04/16/2021 reporting [ ] lost firearms. Subsequent to submitting [ ] the location and/or disposition of [ ] of the firearms has been determined and [ ] has been updated with National Tracing Center (NTC). [ ] Firearms from [ ] remain missing and the Licensee will update NTC and IOI (b)(6) if/when any additional firearms or dispositions are determined.

UPDATE on 07/06/21

Location of Serial [ ] (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) [ ] (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) [ ] been updated and Americas Gun Range's A&D will be updated.

Location of Serial # [redacted] (b)(3) (112 Public Law 55 125 Stat 552) (purchaser's name is spelled wrong by the Multiple Sale Unit in data entry so IOI [redacted] (b)(6) emailed Multiple Sales Unit to correct the spelling) to [redacted] (b)(3) (112 Public Law 55 125 Stat 552), (b)(6)

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

[redacted] (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) but this has been corrected. Mr. Faires admits he does not know the location of [redacted] (b)(3) (112 Public Law 55 125 Stat 552) and therefore it will remain listed as lost on [redacted] (b)(3) (112 Public Law 55 125 Stat 552) and in Americas Gun Range A&D.

Location of Serial [redacted] (b)(3) (112 Public Law 55 125 Stat 552), (b)(6)

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

[redacted] (b)(3) (112 Public Law 55 125 Stat 552) have been updated with the additional information.

As of 07/06/2021, Subsequent to submitting [redacted] (b)(3) (112 Public Law 55 125 Stat 552) the location and/or disposition of [redacted] (b)(3) (112 Public Law 55 125 Stat 552) of the firearms has been determined and [redacted] (b)(3) (112 Public Law 55 125 Stat 552) has been updated with National Tracing Center (NTC). [redacted] (b)(3) (112 Public Law 55 125 Stat 552) Firearms from [redacted] (b)(3) (112 Public Law 55 125 Stat 552) remain missing and the Licensee will update NTC and IOI [redacted] (b)(6) if/when any additional firearms or dispositions are determined.

For all dispositions not timely recorded to other FFLs; Forward Traces were done on all claimed transfers to other FFLs. All transfers were independently verified with the other FFL's and documentation from the other FFL's was obtained as needed. All disposition information was confirmed to be accurate through forward traces.

For all dispositions not recorded to individuals, physical 4473s were verified. All information was confirmed to be accurate.

2020 AFMER was done late. IOI [redacted] (b)(6) verified it was sent in.

This is the Licensee's first inspection since receiving their FFL on 03/23/2020. However, the FFL only has one Responsible Person (RP) Daniel Faires. Mr. Faires has been an RP on five other FFL's prior to being an RP on this License, America's Gun Range (AGR);

- 3-46-01520 Gunway Holdings LLC (Inactive)
- 1-58-12617 Gunway Inc (Inactive)
- 3-46-01353 Gunway Inc (Inactive)
- 1-59-17215 National Armory LLC (Inactive as of 07/01/2021 and Mr. Faires stated he wants to make this FFL Inactive).
- 5- 75-13188 Gunway Holdings LLC (Inactive)

Mr. Faires signed a Voluntary Surrender of FFL for 5-75-13188, Gunway Holdings LLC on 04/19/2019 with an effective date of 05/17/2019 under FCI-9307 with IOI [redacted] (b)(6) in Dallas, TX Field Division. The voluntary surrender was due to multiple violations that were uncovered as a result of the inspection to include [redacted] (b)(3) (112 Public Law 55 125 Stat 552) of missing firearms and prohibited transfers.

Mr. Faires was an RP and attended a DIO led Warning Conference in Miami, FL on 9/18/19 as a result of the violations from FCI 8589 for National Armory LLC. National Armory LLC is located at the same premises as Americas Gun Range in Pompano Beach, FL.

As part of FCI 8589 for National Armory in April 2019, Mr. Faires filed Theft/Loss [redacted] (b)(3) (112 Public Law 55 125 Stat 552) with [redacted] (b)(3) (112 Public Law 55 125 Stat 552) lost firearms, only [redacted] (b)(3) (112 Public Law 55 125 Stat 552)

**(b)(3)(26 USC § 6103) , (b)(3) (112 Public Law 55 125 Stat 552)**

Mr. Faires has an extensive history of being a RP on previous FFL's including National Armory LLC which required a DIO led Warning Conference in September 2019. Mr. Faires FFL's have shown a consistent and ongoing lack of internal controls and/or indifference for ATF regulations from at least April 2019 to current.

From April 2019 to April 2021 Mr. Faires has filed three ATF Theft/Loss Reports for the FFL's he is a RP for; National Armory and Americas Gun Range for a total of [redacted] (b)(3) (112 Public Law 55 125 Stat 552) missing firearms including at least [redacted] (b)(3) (112 Public Law 55 125 Stat 552) weapons.

Mr. Faires is well aware of ATF rules and regulations and his responsibilities as an FFL. The violations and lost firearms are not due to lack of knowledge but appear to be willful violations of the Gun Control Act (GCA).

FCI 23504 resulted in [redacted] (b)(3) (112 Public Law 55 125 Stat 552) violations and [redacted] (b)(3) (112 Public Law 55 125 Stat 552) instances. Including violations for 18 U.S.C. 922(m): FFL omits or falsifies required information and 27 CFR 478.121(c): Making false entry, omitting entry, or failing to properly maintain required record keeping related to one or both of the following instances:

During IOI [redacted] (b)(6) inspection at America's Gun Range (AGR) [redacted] (b)(3) (112 Public Law 55 125 Stat 552), (b)(6)

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

[redacted] (b)(3) (112 Public Law 55 125 Stat 552), (b)(6)

All the transfer documents including shipping and billing information indicated the firearms were purchased by and intended for [redacted] (b)(6)

Due to the appearance of a potential straw purchase IOI [redacted] (b)(6) reviewed records for [redacted] (b)(6) and [redacted] (b)(6). [redacted] (b)(6) is not prohibited, but the record showed that [redacted] (b)(6) is a prohibited person based on his prior criminal history.

The documents indicate the Licensee participated in a straw purchase to a prohibited person [redacted] (b)(6).

Licensee Daniel Faires completed an ATF F 4473 on [redacted] (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) of the firearms were not at the premises during the time of the transfer but also had not been disposed out of the A&D at that time.

**(b)(3) (112 Public Law 55 125 Stat 552)**

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



Correspondence	Information Concerning Your Federal License/Permit
Correspondence	
ViolationsPDF	Report of Violations.pdf
PropertyOwnershipVerification	Broward County Property Appraiser-Americas Gun Range.pdf
BusinessVerification	State of Florida Sunbiz-Americas Gun Range.pdf

**SAR-732**

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Category	Attachment Name
Correspondence	Industry Operations Report of Suspicious Activity(SAR-732)

**R-1622**

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Category	Attachment Name
ReferralDocument	Referral.pdf

## Notice to Revoke or Suspend License and/or Impose a Civil Fine

In the matter of License Number 1-59-011-07-3D-53008, as a/an Manufacturer of firearms other than destructive devices

issued to:

Name and Address of Licensee (Show number, street, city, State and ZIP Code)

America's Gun Range, LLC  
1315 SW 1st Court  
Pompano Beach, Florida 33069

### Notice Is Hereby Given That:

Pursuant to the statutory provisions and reasons stated in the attached page(s), the Director or his/her designee, Bureau of Alcohol, Tobacco, Firearms and Explosives, intends to take action on the license described above.

- The above identified license may be revoked pursuant to 18 U.S.C. 923(e), 922(t)(5) or 924(p).
- The above identified license may be suspended pursuant to 18 U.S.C. 922(t)(5) or 924(p).
- The above identified licensee may be fined pursuant to 18 U.S.C. 922(t)(5) or 924(p).

Pursuant to U.S.C. 923(f)(2) and/or 922(t)(5), you may file a request with the Director of Industry Operations, Bureau of Alcohol, Tobacco, Firearms and Explosives, at 11410 NW 20th Street, Suite 200, Miami FL 33172, in duplicate, for a hearing to review the revocation, suspension and/or fine of your license. The request must be received at the above address within 15 days of your receipt of this notice. Where a timely request for a hearing is made, the license shall remain in effect pending the outcome of the hearing; and if the license is due to expire, the license will remain in effect provided a timely application for renewal is also filed. The hearing will be held as provided in 27 CFR Part 478.

If you do not request a hearing, or your request for a hearing is not received by ATF on time, a final notice of revocation, suspension, and/or imposition of civil fine (ATF Form 5300.13) shall be issued.

- Please see included brochure

Date	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official
11/17/2021	Carmen Peart, Director of Industry Operations, Miami Field Division

(b)(6)

I certify that on the date shown below I served the above notice on the person identified below

- Certified mail to the address shown below.  
Tracking Number: 7004 2510 0006 4750

Or

- Delivering a copy of the notice to the address shown below.

Date Notice Served	Title of Person Serving Notice	Signature of Person Serving Notice
11/17/2021	INDUSTRY OPERATIONS PROGRAM ASSISTANT	(b)(6)
Print Name and Title of Person Served		Signature of Person Served

Address Where Notice Served  
1315 SW 1st Court, Pompano Beach, Florida 33069

206000

America's Gun Range, LLC  
1315 SW 1<sup>st</sup> Court  
Pompano Beach, Florida 33069

1-59-011-07-3D-53008

Under the provisions of 18 U.S.C. § 923(e) and 27 C.F.R. § 478.73, notice is hereby given of the revocation of the Federal firearms license specified above, in that the Director, Industry Operations ("DIO"), United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), Miami Field Division, has reason to believe that America's Gun Range, LLC ("AGR"), 1315 SW 1<sup>st</sup> Court, Pompano Beach, Florida 33069, a Manufacturer of Firearms Other than Destructive Devices, willfully violated the provisions of the Gun Control Act of 1968, 18 U.S.C. Chapter 44, and the regulations issued thereunder, 27 C.F.R., Part 478.

### Compliance History

ATF issued Federal firearms license 1-59-011-07-3D-53008 to the licensee on March 23, 2020. This is the first inspection since the license was issued. Mr. Daniel Faires is the only listed Responsible Person on this license.

Mr. Faires has also been listed as the Responsible Person on other licenses:

Gunway Holdings LLC	3-46-01520	Inactive
Gunway Holdings LLC	5-75-13188	Inactive Voluntary Surrender
Gunway Inc.	1-58-1261	Inactive
Gunway Inc.	3-46-01353	Inactive
National Armory Inc.	1-59-17215	Inactive since 7-1-2021

**(b)(3)(26 USC § 6103)**

the time of the transfer, there were (b)(3)(26 USC § 6103), (b)(3) (112 Public Law 55 125 Stat 552) weapons. An ATF Form 3310.11, Federal Firearms Licensee Theft Loss report was submitted. Since that time, none of the missing items have been recovered.

### **Current Inspection**

On April 8, 2021, ATF Industry Operations Investigators (b)(6), conducted a compliance inspection at the licensee's premises that covered the period of April 8, 2020 to April 8, 2021. The inspection revealed the following willful violations of the Gun Control Act:

1. The licensee failed to maintain records of disposition of firearms as prescribed in [ ] instances, in violation of 18 U.S.C. § 923(g)(1)(A), §922(m) and 27 C.F.R. §§ 478.121(c) and 478.125(e). To wit, Mr. Faires completed an ATF Form 4473 on

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

(b)(3) (112 Public Law 55 125 Stat 552) See Appendix 1, ¶ 1.

2. The licensee failed to obtain a firearms transaction record, ATF Form 4473, from the transferee with the required information on the form on [ ] forms in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(1). See Appendix 1, ¶ 2.
3. The licensee failed to properly record on the ATF Form 4473 or [ ] forms the information received when the licensee contacted NICS, as well as any response provided by the system in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(3)(iv). See Appendix 1, ¶ 3.
4. The licensee willfully failed to properly record the firearms information on the ATF Form 4473 in [ ] instances in violation of 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.124(c)(4). See Appendix 1, ¶ 4.
5. The licensee failed to properly provide all the information as required on the ATF Form 4473 in [ ] instances in violation of 18 U.S.C. §§ 922(m), 923(g)(1)(A) and 27 C.F.R. § 478.21(a). See Appendix 1, ¶ 5.
6. The licensee failed to maintain an accurate, complete and/or timely record of dispositions to non-licensees in [ ] instances in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.123(d). See Appendix 1, ¶ 6.
7. The licensee failed to properly retain the ATF Form 4473 for the required time frame in [ ] instance in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.129(b). See Appendix 1, ¶ 7.
8. The licensee failed to sign and/or date the ATF Form 4473 in [ ] instance in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. 478.124(c)(5). The licensee failed to sign and/or date the ATF Form 4473 regarding the transfer for [ ] **(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)** (b)(3) (112 Public Law 55 125 Stat 552) See Appendix 1, ¶ 8.
9. The licensee failed to properly verify the identity of the transferee and/or record it on the ATF Form 4473 in [ ] instances in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. 478.124(c)(3)(i). See Appendix 1, ¶ 9.

10. The licensee failed to follow the Broward County 5 day waiting period before transferring firearms to a non-licensee, in violation of 18 U.S.C. § 922(b)(2). *See* Appendix 1, ¶ 10.
11. The licensee failed to prepare and submit ATF Form 3310.4 Report of Multiple Sales or Other Dispositions of Pistols and Revolvers in a timely manner as prescribed by the ATF regulations in approximately [ ] instances in violation of 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.126a. *See* Appendix 1, ¶ 11.
12. The licensee failed to maintain an accurate, complete and/or timely manufacture or acquisition record in [ ] instances in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.123(a). *See* Appendix 1, ¶ 12.
13. The licensee failed to maintain an accurate, complete and/or timely manufacture record of disposition to another licensee in [ ] instances in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.123(b). *See* Appendix 1, ¶ 13.
14. The licensee failed to timely file the Annual Firearms Manufacture Exportation Report (AFMER) for 2020 in violation of 18 U.S.C. §§ 923(g)(5)(A). *See* Appendix 1, ¶ 14.
15. The licensee failed to initiate a new NICS/FDLE background check after 30 days had expired in 2 instances in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(c). *See* Appendix 1, ¶ 15.
16. The licensee failed to initiate a NICS/FDLE background check prior to the transfer of a firearm in [ ] instances in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(a)(1). *See* Appendix 1, ¶ 16.
17. The licensee knowingly made a false statement or misrepresentation in respect to information required to be kept in the records of the licensee in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.128(c). To wit, licensee filed an ATF Form 4473

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

**(b)(3) (112 Public Law 55 125 Stat 552)** *See* Appendix 1, ¶ 17 and ¶ 1.

Appendix 1

Paragraph 1

Transferee                      Manufacturer                      Serial Number

**(b)(3) (112 Public Law 55 125 Stat 552)**

Paragraph 2

Transferee                      Date                      Discrepancy

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

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

Paragraph 3

Transferee                      Date                      Discrepancy

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

Paragraph 4

Transferee                      Date                      Discrepancy

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

Paragraph 5

Transferee                      Date                      Discrepancy

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

Paragraph 6

Firearm Manufacturer \_\_\_\_\_ Serial No. \_\_\_\_\_ Discrepancy \_\_\_\_\_

**(b)(3) (112 Public Law 55 125 Stat 552)**



Paragraph 10

Transferee	Date	Discrepancy
<b>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</b>		

Paragraph 11

Transferee	Date	Discrepancy
<b>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</b>		

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

Paragraph 12

Firearm Manufacturer                      Serial No.                      Discrepancy \_\_\_\_\_

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

Paragraph 13

Firearm Manufacturer                      Serial No.                      Discrepancy \_\_\_\_\_

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

Paragraph 14

Licensee failed to file 2020 AFMER.

Paragraph 15

Transferee	Date	Discrepancy
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<b>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</b>		
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Paragraph 16

Transferee	Date	Discrepancy
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<b>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</b>		
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Paragraph 17

Transferee	Date	Discrepancy
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<b>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</b>		
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## Final Notice of Denial of Application, Revocation Suspension and/or Fine of Firearms License

In the matter of:

- The application for license as a/an \_\_\_\_\_, filed by:  
or  
 License Number 1-59-011-07-3D-53008 as a/an  
manufacturer of firearms other than destructive devices, issued to:

Name and Address of Applicant or Licensee (*Show number, street, city, state and ZIP Code*)

Daniel Faires  
America's Gun Range, LLC  
1315 SW 1st Court  
Pompano Beach, FL 33069

### Notice is Hereby Given That:

- A request for hearing pursuant to 18 U.S.C. § 923(f)(2) and/or 922(t)(5) was not timely filed. Based on the findings set forth in the attached document, your
- license described above is revoked pursuant to 18 U.S.C. 923(e), 922(t)(5) or 924(p), effective:  
 15 calendar days after receipt of this notice, or  July 29, 2022,
  - license is suspended for \_\_\_\_\_ calendar days, effective \_\_\_\_\_, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).
  - licensee is fined \$ \_\_\_\_\_, payment due: \_\_\_\_\_, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).
- After due consideration following a hearing held pursuant to 18 U.S.C. § 923(f)(2) and/or 922(t)(5), and on the basis of findings set out in the attached copy of the findings and conclusions, the Director or his/her designee concludes that your
- application for license described above is denied, pursuant to 18 U.S.C. 923(d).
  - application for renewal of license described above is denied pursuant to 18 U.S.C. 923(d), effective:  
 15 calendar days after receipt of this notice, or  \_\_\_\_\_
  - license described above is revoked pursuant to 18 U.S.C. 923(e), 922(t)(5) or 924(p), effective:  
 15 calendar days after receipt of this notice, or  \_\_\_\_\_
  - license is suspended for \_\_\_\_\_ calendar days, effective \_\_\_\_\_, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).
  - licensee is fined \$ \_\_\_\_\_, payment due: \_\_\_\_\_, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).

If, after the hearing and receipt of these findings, you are dissatisfied with this action you may, within 60 days after receipt of this notice, file a petition pursuant 18 U.S.C. § 923(f)(3), for judicial review with the U.S. District Court for the district in which you reside or have your principal place of business. If you intend to continue operations after the effective date of this action while you pursue filing for judicial review or otherwise, you must request a stay of the action from the Director of Industry Operations (DIO), Bureau of Alcohol, Tobacco, Firearms and Explosives, at \_\_\_\_\_, prior to the effective date of the action set forth above. You may not continue licensed operations unless and until a stay is granted by the DIO.

Records prescribed under 27 CFR Part 478 for the license described above shall either be delivered to ATF within 30 days of the date the business is required to be discontinued or shall be documented to reflect delivery to a successor. See 18 U.S.C. 923(g)(4) and 27 CFR § 478.127.

After the effective date of a license denial of renewal, revocation, or suspension, you may not lawfully engage in the business of dealing in firearms. Any disposition of your firearms business inventory must comply with all applicable laws and regulations. Your local ATF office is able to assist you in understanding and implementing the options available to lawfully dispose of your firearms business inventory.

Date 04/29/2022	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official Carmen Peart, Director, Industry Operations	Sig (b)(6)
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I certify that, on the date below, I served the above notice on the person identified below by:

~~Certified mail~~ **FEDEX** to the address shown below.  
Tracking Number: 7767 3047 2212

Or

Delivering a copy of the notice to the address shown below.

Date Notice Served 4/29/22	Title of Person Serving Notice Industry Operations Program Assistant	Signature of Person Serving Notice (b)(6)
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Print Name and Title of Person Served Daniel Faires	Signature of Person Served
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Address Where Notice Served  
America's Gun Range LLC, 1315 SW 1<sup>st</sup> CT, Pompano Beach FL 33069

Note: Previous Edition is Obsolete

UNITED STATES OF AMERICA

DEPARTMENT OF JUSTICE

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

IN THE MATTER OF THE:

NOTICE TO REVOKE OR SUSPEND  
LICENSE AND/OR IMPOSE A CIVIL FINE  
ISSUED TO:

DANIEL FAIRES  
AMERICA’S GUN RANGE, LLC  
1315 SW 1<sup>ST</sup> COURT  
POMPANO BEACH, FL 33069  
FFL#: 1-59-011-07-3D-53008

MIAMI FIELD DIVISION

DEPARTMENT OF JUSTICE  
BUREAU OF ALCOHOL, TOBACCO  
FIREARMS AND EXPLOSIVES

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

**Background**

America’s Gun Range, LLC (“AGR”) holds Federal firearms license 1-59-011-07-3D-53008, as a manufacturer of firearms other than destructive devices, with premises at 1315 SW 1<sup>st</sup> Court, Pompano Beach, FL 33069. The Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) issued this license to AGR on March 23, 2020. ATF also conducted a compliance inspection at AGR’s licensed premises on April 8, 2021 for the inspection period of April 8, 2020 to April 8, 2021. Based on the findings of this compliance inspection, ATF issued a Notice to Revoke or Suspend License and/or Impose a Civil Fine, ATF Form 4500 (5300.4) (“Notice of Revocation”) on November 11, 2021.

On November 28, 2021, AGR and Daniel Faires, made a timely request for a hearing pursuant to 18 U.S.C. § 923(f)(2) to review the Notice.

On March 3, 2022, AGR and Daniel Faires contacted ATF and indicated that he was in the process of selling all the assets of AGR and then closing down AGR. Mr. Faires addressed some of the

violations cited in the Notice of Revocation and indicated that these violations did occur but that it was lack of oversight of employees as well as failure to use systems that were in place correctly. He indicated that he wanted to withdraw his request for hearing and was requesting 90 days to complete the sale.

Therefore, by way of a signed Agreement, AGR has withdrawn its request for the hearing and has stipulated to the violations in the Notice of Revocation and also that these violations were committed willfully.

## FINDINGS OF FACT

### Findings of Specific Violations

On April 8, 2021, ATF Industry Operations Investigators [redacted] **(b)(6)**

[redacted] **(b)(6)** conducted a compliance inspection at the licensee's premises that covered the period of April 8, 2020 to April 8, 2021. The inspection revealed the following willful violations of the Gun Control Act:

1. The licensee failed to maintain records of disposition of firearms as prescribed in [redacted] instances, in violation of 18 U.S.C. § 923(g)(1)(A), §922(m) and 27 C.F.R. §§ 478.121(c) and 478.125(e). To wit, Mr. Faires completed an ATF Form 4473 on

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

[redacted] **(b)(3) (112 Public Law 55 125 Stat 552)** See Appendix 1, ¶ 1.

2. The licensee failed to obtain a firearms transaction record, ATF Form 4473, from the transferee with the required information on the form on [redacted] forms in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(1). See Appendix 1, ¶ 2.

3. The licensee failed to properly record on the ATF Form 4473 on [redacted] forms the information received when the licensee contacted NICS, as well as any response provided by the system in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(3)(iv). *See* Appendix 1, ¶ 3.
4. The licensee willfully failed to properly record the firearms information on the ATF Form 4473 in [redacted] instances in violation of 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.124(c)(4). *See* Appendix 1, ¶ 4.
5. The licensee failed to properly provide all the information as required on the ATF Form 4473 in [redacted] instances in violation of 18 U.S.C. §§ 922(m), 923(g)(1)(A) and 27 C.F.R. § 478.21(a). *See* Appendix 1, ¶ 5.
6. The licensee failed to maintain an accurate, complete and/or timely record of dispositions to non-licensees in [redacted] instances in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.123(d). *See* Appendix 1, ¶ 6.
7. The licensee failed to properly retain the ATF Form 4473 for the required time frame in [redacted] instance in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.129(b). *See* Appendix 1, ¶ 7.
8. The licensee failed to sign and/or date the ATF Form 4473 in [redacted] instance in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. 478.124(c)(5). The licensee failed to sign and/or date the ATF Form 4473 regarding the transfer for [redacted] (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) [redacted] *See* Appendix 1, ¶ 8.
9. The licensee failed to properly verify the identity of the transferee and/or record it on the ATF Form 4473 in [redacted] instances in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. 478.124(c)(3)(i). *See* Appendix 1, ¶ 9.
10. The licensee failed to follow the Broward County 5 day waiting period before transferring firearms to a non-licensee, in violation of 18 U.S.C. § 922(b)(2). *See* Appendix 1, ¶ 10.
11. The licensee failed to prepare and submit ATF Form 3310.4 Report of Multiple Sales or Other Dispositions of Pistols and Revolvers in a timely manner as prescribed by the ATF regulations in approximately [redacted] instances in violation of 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.126a. *See* Appendix 1, ¶ 11.

12. The licensee failed to maintain an accurate, complete and/or timely manufacture or acquisition record in [ ] instances in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.123(a). *See Appendix 1, ¶ 12.*
13. The licensee failed to maintain an accurate, complete and/or timely manufacture record of disposition to another licensee in [ ] instances in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.123(b). *See Appendix 1, ¶ 13.*
14. The licensee failed to timely file the Annual Firearms Manufacture Exportation Report (AFMER) for 2020 in violation of 18 U.S.C. §§ 923(g)(5)(A). *See Appendix 1, ¶ 14.*
15. The licensee failed to initiate a new NICS/FDLE background check after 30 days had expired in [ ] instances in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(c). *See Appendix 1, ¶ 15.*
16. The licensee failed to initiate a NICS/FDLE background check prior to the transfer of a firearm in [ ] instances in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102(a)(1). *See Appendix 1, ¶ 16.*
17. The licensee knowingly made a false statement or misrepresentation in respect to information required to be kept in the records of the licensee in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.128(c). To wit, licensee filed an ATF Form 4473

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

**(b)(3) (112 Public Law 55 125 Stat 552)** *See Appendix 1, ¶ 17 and ¶ 1.*

**Further Findings:**

18. On March 14, 2022, ATF and AGR entered into an agreement wherein AGR withdrew its request for a hearing.
19. AGR stipulated that the violations cited in the Notice of Revocation were

committed with plain indifference to known legal duties, i.e. willfully and that AGR and Daniel Faires agreed to surrender the license of America's Gun Range, LLC ("AGR") which holds a Manufacturer of Firearms (Type 07) license, 1-59-011-07-3D-53008 within 30 days of the date of the Final Notice of Revocation and will not conduct any further activities under the license except to close out the business.

20. Pursuant to the agreement, AGR and Daniel Faires agreed that "no Federal firearms license shall be issued to AGR or Daniel Faires, nor to any corporation, limited liability company, partnership, or other business association or entity in which AGR or Daniel Faires has an ownership interest, beginning on the effective date of revocation stated in the Final Notice."

### **CONCLUSIONS OF LAW**

Under the provisions of 18 U.S.C. § 923(e) and 27 C.F.R. §§ 478.73-74, the Attorney General may, after notice and opportunity for hearing, revoke or deny an application for a Federal firearms license if the holder or applicant of such license has willfully violated any provisions of the Gun Control Act or any rules or regulations prescribed thereunder. Where a Federal firearms licensee knows its legal obligations and purposefully disregards or is plainly indifferent to these obligations, such violations are committed willfully. *See Willingham Sports v. ATF*, 415 F.3d 1274, 1277 (11<sup>th</sup> Cir. 2005); *American Arms Intl. v. Herbert*, 563 F.3d 78, 83 (4<sup>th</sup> Cir. 2008).

I find that:

The Licensee willfully violated the GCA, and its implementing regulations as set forth in Notice to Revoke or Suspend License and/or Impose a Civil Fine, ATF Form 4500(5300.4), as set forth in the attached, issued by ATF to the Licensee on November 17, 2021.

Accordingly, AGR's Federal firearms license, 1-59-011-07-3D-53008 as a manufacturer of firearms other than destructive devices, is hereby revoked.

The effective date of the revocation is stayed until the sale of the business assets by Daniel Faires, or for no more than three (3) months ending on Friday, July 29, 2022, or whichever comes first.

**(b)(6)**

Carmen Peart  
Director, Industry Operations  
Miami Field Division

Date: April 29, 2022