

EXOTIC CREATIONS LLC's FCI

FCI-906

02/01/2022 12:37 PM

IO: (b)(6) Grand Rapids II (IO) Field Office

LICENSEE INFORMATION

Licensee Name EXOTIC CREATIONS LLC	RDS Key 4-38-09899	License/Permit Number 4-38-127-01-0H-09899	License Type 01 - Dealer License
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Business Type
 Limited Liability Company (LLC)

Premises Address

Mailing Address

Premises Ownership Type
 Owned

Same as Premises Address

Premises Location Type
 Single Family Dwelling

Address
 7970 WEST PARK ROAD
 Unit N/A
 NEW ERA, Michigan 49446
 OCEANA United States

Phone Type	Phone Number	Remarks
Business	+1 231-736-5736	

Email Address	Email Remarks
(b)(6)	

RECOMMENDATIONS

Final Decision

Revocation

Date

01/02/2022

Details

Revoked

Out of Business Records and Inventory Management

Licensee Records

Licensee Inventory

✔ Submitted to an ATF Employee

ATF Employee Name

SIO: (b)(6)

Deputy Assistant Director Megan Bennett's Recommendation

Revocation

Details

I concur with the recommendation of revocation. The FFL has repeat violations and failed to obtain a valid exemption to NICS.

Special Agent in Charge Keith Krolczyk's Recommendation

I concur with a Notice of Revocation. This licensee has been warned for previous similar conduct, has not changed course, and does not offer any plan to improve his procedures and/or compliance.

Division Council: (b)(6) Review

Details

This investigation discovered nine (9) violations, all of which were repeated from the 2018 inspection. The licensee attended a warning conference after the 2018 inspection, and confirmed his knowledge of the requirements of the Gun Control Act. The violations discovered in this inspection plainly resulted from willfulness or plain indifference to the known legal requirements imposed on an FFL. ACC Ritt concurred with revocation on 10-7-2021.

Director of Industry Operations Benjamin Mendoza's Recommendation

Revocation

Details

Concur with issuance of a Notice of Revocation in accordance with ATF O 5370.1D. The licensee has failed to institute effective internal controls to ensure compliance in the specialized conditions of his business environment (non-profit banquet transfers). The absence of functioning internal controls created a public safety risk through the incomplete

screening of customers. The licensee offered no significant proposals for improving compliance when confronted with the findings of this inspection.

Area Supervisor: (b)(6) Recommendation
Revocation

Details

The current inspection reveals repeated similar violation(s) for which the FFL has previously been the subject of a Warning Conference ILO Revocation within the previous 5 years and there has been NO significant improvement. Repeat violations

Industry Operations Investigator (IOI) Agent: (b)(6) Recommendation
Revocation

Details

Onsite recall FCI conducted on 8/15 & 16/2019. Licensee was cited for 8 violations. ROV issued.

Recommend revocation of FFL # 4-38-127-01-3H-09899 due to a willful violation of the Gun Control Act.

Industry Operations Investigator (IOI) (b)(6) Recommendation
Revocation

Details

Onsite recall FCI conducted on 8/15 & 16/2019. Licensee was cited for 8 violations. ROV issued.

Recommend revocation of FFL # 4-38-127-01-3H-09899 due to a willful violation of the Gun Control Act.

Inspection Findings

FFL History

3. The current inspection reveals repeated similar violation(s) for which the FFL has previously been the subject of a Warning Conference ILO Revocation within the previous 5 years and there has been NO significant improvement.

ELIGIBILITY VERIFICATION

Business Information Verification

Licensee Name	Business Type	Is the business valid?
EXOTIC CREATIONS LLC	Limited Liability Company (LLC)	Yes

Additional Findings
Valid LLC

Attachment(s):
Exotic Creations LLC.pdf

Property Ownership Verification

Premises Ownership Type	Premises Location Type	Has the property ownership been verified?
Owned	Single Family Dwelling	Yes

Address
7970 WEST PARK ROAD
Unit N/A
NEW ERA, Michigan 49446
OCEANA United States

Additional Findings
Ownership verified

Attachment(s):
Exotic Creations Property.pdf

Zoning Information Verification

Is the proposed business activity in compliance with zoning?
Yes

Additional Findings
Licensee has approval from zoning board.

Contact Information

Name (b)(6)	Date Contacted 04/22/2019
Organization Claybanks Township	
Job Title Zoning Administrator	

Phone Type	Phone Number	Remarks
Business	(b)(6)	Regular Business Hours

Attachment(s):

APPOINTMENT DETAILS

Interview Date
08/15/2019

Address
7970 WEST PARK ROAD, Unit N/A, NEW ERA, Michigan 49446

Responsible Attendee(s)

Non-Responsible Person(s)

MICHAEL LEROY GLOVER

No Items

RESPONSIBLE PERSON(S)

MICHAEL LEROY GLOVER

Name	Gender	Race	Ethnicity
MICHAEL LEROY GLOVER	Male		

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

Physical Identifiers

Height	Weight	Hair Color	Eye Color

Place of Birth

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

Home Address

(b)(6)

Additional Names

Citizenship

United States

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

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

Criminal History Check

Date Criminal History Check Conducted
04/22/2019

Criminal History Check Comments
(b)(6)

Number Type	Agency Label	State
(b)(6)	(b)(6)	

INTERVIEW QUESTIONNAIRE

What is the proposed business activity?

Engaged in the business of dealing in new firearms at Whitetails Unlimited banquets. Occasional over-the-counter interstate transfer. No gunsmithing or NFA operations.

Do they need an additional license or permit?

No

Who are their primary suppliers?

(b)(4)

Business Activities

Selected Operational Security Measures

Retail
Gun Show Participant

PREMISES INFORMATION

Inspection Area Description

Business premises located in a rural residential area. The inspection areas included the dining area and the back room [firearms inventory].

Primary Activity

Retail

Selected Physical Security Measures

Bars on Doors

Deadbolts

GPS Coordinates

Latitude

43.53441

Longitude

-86.47877

INTERVIEW NOTES

RP Glover stated the business premises was not located within a school zone. At the time of the inspection, RP Glover stated he was the sole responsible person associated with the licensee's firearms business operations.

ONSITE SUMMARY

Total # of ATF F 4473 Reviewed

[REDACTED]

Total # of Open Dispositions in A & D Record

[REDACTED]

Total # of Firearms in Inventory

8

Total # of Firearms Missing after Reconciliation

0

Total # of Acquisitions in the Last 12 Months

(b)(4)

Total # of Dispositions in the Last 12 Months

(b)(4)

Additional Comments

Onsite FCI conducted 8/15-16/2019 POI = 8/15/2018 through 8/15/2019

Inspection History - The licensee was licensed by ATF as a Dealer in Firearms on 7/20/2017. The following is the complete ATF inspection history of the licensee:

Date of Inspection: 3/8/2018

Type of Inspection: In-person/onsite firearms dealer compliance

UI#: 774050-2018-0159-B1B

Inspection Results: Ten violations cited; ROV issued 4/26/2018; DIO held warning conference [in lieu of revocation] held 9/14/2018; warning conference follow-up letter issued 9/21/2018; licensee received warning conference follow-up letter on 9/29/2018

CITED VIOLATIONS: 27 CFR 478.21(a) [VIOLATION REPEATED UNDER CURRENT INSPECTION FCI-906]: The licensee failed on [REDACTED] occasions to provide all information called for on the ATF F 4473 as indicated by the headings on the form and the instructions on or pertaining to the form prior to the transfer of a firearm. Specifically, the licensee failed to ensure that the transferee provided the following information on the following ATF Forms 4473 (2016):

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

27 CFR 478.124(c)(1) [VIOLATION REPEATED UNDER CURRENT INSPECTION FCI-906]: The licensee failed on [REDACTED] occasions to ensure that the transferee provided all information, or accurate information, as required by Section A of the ATF F 4473 prior to the transfer of a firearm. Specifically, the licensee failed to ensure that the transferee provided the following information on the following ATF Forms 4473 (2016):

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

27 CFR 478.124(c)(3)(i) [VIOLATION REPEATED UNDER CURRENT INSPECTION FCI-906]: The licensee failed on [REDACTED] occasions to verify the identity of the transferee by examining the identification presented and noting on the ATF F 4473 the type of identification used as required by Item 18a. Although the licensee photocopied the identification document, the information was not recorded, or on some occasions, correctly recorded, on the ATF F 4473 (2016) as required;

27 CFR 478.124(c)(3)(iv) [VIOLATION REPEATED UNDER CURRENT INSPECTION FCI-906]: The licensee failed on [REDACTED] occasions to record the date on which NICS was contacted as required by Item 19a on the ATF F 4473 (2016);

27 CFR 478.124(c)(5) [VIOLATION REPEATED UNDER CURRENT INSPECTION FCI-906]: The licensee failed on [REDACTED] occasions to ensure that the transferor accurately recorded the date of the transfer of a firearm as required by Item 37 of ATF F 4473 (2016);

27 CFR 478.102(a): The licensee failed on one occasion to conduct a NICS background check or accept a qualifying State issued permit prior to the transfer of a firearm to an unlicensed person. Specifically, the licensee transferred (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) without conducting a NICS check or obtaining a qualifying State issued permit;

27 CFR 478.124(a): The licensee failed on [REDACTED] occasion to obtain an ATF F 4473 prior to the transfer of a firearm to an unlicensed person. Specifically, the licensee transferred (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) without first obtaining a completed ATF F 4473 (2016);

27 CFR 478.126a: The licensee failed on [REDACTED] occasion to complete a Report of Multiple Sales or Other Disposition of Pistols and Revolvers (ATF F 3310.4 (2012)) when required;

27 CFR 478.99(b): The licensee, on [REDACTED] occasion, transferred a handgun to a person, whom he knew or had reasonable cause to believe was under the age of 21 and therefore prohibited from purchasing a firearm from a Federal Firearms Licensee; and

27 CFR 478.125(e): The licensee failed to timely record the acquisition of [REDACTED] firearm and failed to timely record the disposition of [REDACTED] firearms [in the Records of Acquisition and Disposition].

Date of Inspection: 6/2/2017

Type of Inspection: In-person/onsite firearms dealer qualification

UI#: 774050-2017-0169-B1B

Inspection Results: Original issuance of licensee's FFL

Cited Violations: None

Number of Transferee Background Checks

20

REPORT OF VIOLATIONS

Regulation	Corrective Actions	Instance Details
<p>1</p> <p>27 CFR 478.102(d)(1): Failure to obtain a valid alternative permit in lieu of a NICS check</p> <p>ATF Forms 4473: 7 Number of Instances: 7</p>	<p>Ensure that a qualifying NICS alternative permit is properly obtained and verified for all applicable future over-the-counter firearm transactions.</p> <p>Cease and desist acceptance of non-qualifying alternative permits in lieu of a required NICS background check.</p>	<p>NICS Violation NICS Violation NICS Violation NICS Violation NICS Violation NICS Violation NICS Violation</p> <p style="text-align: center; font-size: 2em;">(b)(6)</p>
<p>2</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: 1 Number of Instances: 1</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</p> <p style="text-align: center; font-size: 1.5em;">(b)(6)</p>
<p>3</p> <p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>ATF Forms 4473: [redacted] Number of Instances: [redacted]</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 style="text-align: center; font-size: 1.5em;">(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>4</p> <p>27 CFR 478.21(a): Failure to complete forms as prescribed</p> <p>ATF Forms 4473: [redacted] Number of Instances: [redacted]</p>	<p>Complete all forms as prescribed.</p> <p>Ensure that all ATF Form 4473 items, as required by form headings and instructions, are accurately completed on all future transactions.</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 style="text-align: center; font-size: 1.5em;">(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>27 CFR 478.124(c)(3)(i): Failure to verify or record Identification</p>	<p>Execute and retain a complete and accurate ATF</p>	<p style="text-align: center; font-size: 1.5em;">(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>

<p>document on ATF F 4473</p> <p>ATF Forms 4473: [] Number of Instances: []</p>	<p>Form 4473 on all future firearm transactions. Ensure that all required transferee/buyer identification information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<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>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 and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>27 CFR 478.131(a)(2): Failure to record on an ATF Form 4473 (or affix a copy of) NICS alternative permit info</p> <p>ATF Forms 4473: 1 Number of Instances: 1</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions. Ensure that a qualifying NICS alternative permit is properly obtained, validated, verified, and documented for all applicable future over-the-counter firearm transactions.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<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>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.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>

LICENSEE RESPONSE REPORT

Regulation	Corrective Actions	Licensee Response	Status Details
<p>27 CFR 478.102(d)(1): Failure to obtain a valid alternative permit in lieu of a NICS check</p> <p>ATF Forms 4473: 7 Number of Instances: 7</p>	<p>Ensure that a qualifying NICS alternative permit is properly obtained and verified for all applicable future over-the-counter firearm transactions.</p> <p>Cease and desist acceptance of non-qualifying alternative permits in lieu of a required NICS background check.</p>	<p>RP Glover stated he did not dispute the violation. He stated the violation occurred due to oversight and handling a large amount of persons and firearms transactions/transfers at one time at the banquets.</p>	<p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction Verified 07/29/2021</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: [] Number of Instances: []</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>RP Glover stated he did not dispute the violation. He stated the violation most likely occurred because the firearm transferee's residence was located at a significant distance from the business premises.</p>	<p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction Verified 07/29/2021</p>
<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>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>RP Glover stated he did not dispute the violation. He stated he was "shocked" about the violation instances. He stated he had "no excuses". RP Glover stated there are "so many at a single time" [referring to the number of transferees at</p>	<p>Status Correction Verified</p> <p>Verified Method In Person</p> <p>Date Correction</p>

3		Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.	the banquets].	Verified 07/29/2021
4	27 CFR 478.21(a): Failure to complete forms as prescribed ATF Forms 4473 Number of Instances: []	Complete all forms as prescribed. 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. Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.	RP Glover stated he did not dispute the violation. He stated the violation occurred due to oversight.	Status Correction Verified Verified Method In Person Date Correction Verified 07/29/2021
5	27 CFR 478.124(c)(3)(i): Failure to verify or record Identification document on ATF F 4473 ATF Forms 4473 Number of Instances: []	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 and accurately recorded on all future ATF Forms 4473, Section B.	RP Glover stated he did not dispute the violation. He stated the violation occurred due to oversight. RP Glover stated that "so many coming in quick"; referring to firearms transferees at the banquets.	Status Correction Verified Verified Method In Person Date Correction Verified 07/29/2021
6	27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473 ATF Forms 4473 Number of Instances: []	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 and accurately recorded on all future ATF Forms 4473, Section B.	RP Glover stated he did not dispute the violation. He stated the violation occurred due to oversight. RP Glover stated that "so many coming in quick"; referring to firearms transferees at the banquets.	Status Correction Verified Verified Method In Person Date Correction Verified 07/29/2021
7	27 CFR 478.131(a)(2): Failure to record on an ATF Form 4473 (or affix a copy of) NICS alternative permit info ATF Forms 4473 Number of Instances: []	Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions. Ensure that a qualifying NICS alternative permit is properly obtained, validated, verified, and documented for all applicable future over-the-counter firearm transactions.	RP Glover stated he did not dispute the violation. He stated the violation occurred due to oversight.	Status Correction Verified Verified Method In Person Date Correction Verified 07/29/2021
8	27 CFR 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473 ATF Forms 4473 Number of Instances: []	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.	RP Glover stated he did not dispute the violation. He stated he should "slow down basically" when completing ATF Forms 4473.	Status Correction Verified Verified Method In Person Date Correction Verified 07/29/2021

RECORD(S) OF CONVERSATION

Name When Contacted
08/16/2019

Method of Contact
In-Person

Phone
[(b)(6)]

Location Contacted
7970 West Park Road, New Era, Michigan 49446

Investigative Participant(s)

Narrative
On August 16, 2019, during the onsite firearms compliance inspection of Exotic Creations LLC [Federal firearms license # 4-38-127-01-0H-09899] (hereafter licensee), Bureau of Alcohol, Tobacco, Firearms and Explosives (hereafter ATF) Senior Industry Operations Investigator (hereafter SIOI) [(b)(6)] asked Michael Glover, Responsible Person if he or any other individual acting as an agent on behalf of the licensee completed any of the blocks or answered any of the questions on the

transferee/buyer section [Section A] of the Firearms Transaction Records, ATF Forms 4473 (hereafter 4473s). Mr. Glover stated he did not complete Section A of 4473s for the firearms transferees. He stated the transferees complete Section A of the 4473s. SIOI (b)(6) asked Mr. Glover if any answers or blocks in Section A of 4473 # 19-460 were completed in his handwriting, including Block 14., Transferee's/Buyer's Signature. Mr. Glover stated it was not his handwriting; it was the transferee's handwriting. When SIOI (b)(6) asked Mr. Glover why the transferee's signature in Block 14. did not resemble her signature on the copy of her State of Michigan Driver License, Mr. Glover stated "she may have been drunk". SIOI (b)(6) emphasized to Mr. Glover that Section A of 4473s must be completed personally by the firearms transferee.

CLOSING CONFERENCE

(7/30/2021)
07/30/2021

Closing Conference Additional Notes

During the onsite closing conference, SIOI (b)(6) asked Responsible Person (hereafter RP) Glover if the Lead ATF Industry Operations Investigators assigned to licensee's previous two ATF inspections emphasized, and reviewed in detail, correct and timely execution and completion of ATF Forms 4473 including, but not limited to, the transferee's certification that he or she is not prohibited from purchasing or receiving a firearm. RP Glover responded "Yes". SIOI (b)(6) then asked RP Glover if he knew that one of his legal obligations under the Gun Control Act, on behalf of the licensee, included ensuring potential firearms transferees answer all of the "prohibited category of person" questions on ATF Forms 4473. RP Glover stated "Yes". SIOI (b)(6) asked RP Glover if he was aware that a person who answers 'Yes' to one or more of the "prohibited category of person" questions on an ATF Form 4473 has indicated that he or she is prohibited from purchasing or receiving a firearm. RP Glover stated "Yes". SIOI (b)(6) asked RP Glover if he knew Federal regulations prohibit a Federal firearms licensee from selling or otherwise disposing of any firearm(s) to any person knowing or having reasonable cause to believe that such person is in one or more of the "prohibited categories of persons". RP Glover responded "Yes".

In addition, SIOI (b)(6) spoke to RP Glover about the licensee's September 14, 2018 ATF Warning Conference in which he participated. RP Glover stated that immediately after the conference, he implemented an internal control procedure whereby an acquaintance of his provides a secondary review of ATF Forms 4473 at the banquets, prior to the transfer of firearms to ensure completeness and accuracy. He stated he liked the ATF representatives' suggestion of conducting transfers throughout the entirety of the banquets in order to decrease the large amount of transfers at the end, however, he stated he is always inundated by numerous transfers and persons at the end of banquets. RP Glover stated he was planning to add an additional RP under the firearms license.

RP Glover stated he conducts an additional ATF Form 4473 review at the time he records the firearms' disposition information in the licensee's Records of Acquisition and Disposition. He stated that "still does not mean somethings get missed". He stated he is sometimes very tired when he returns home [business premises] from the banquets.

Onsite closing conference occurred on 7/29/2021.

Attachment(s)

Attendee(s)

MICHAEL LEROY GLOVER

EXHIBITS

Inspection

Category	Attachment Name
Correspondence	Spartan Notification RE: 4-38-09899 Inspection Results
Correspondence	Spartan Notification RE: 4-38-09899 Monitored Case
Correspondence	Spartan Notification RE: 4-38-09899 Monitored Case
Correspondence	Spartan Notification RE: 4-38-09899 Monitored Case
Correspondence	Spartan Notification RE: 4-38-09899 Monitored Case
Correspondence	Spartan Notification RE: 4-38-09899 Monitored Case
Correspondence	Spartan Notification RE: 4-38-09899 Monitored Case
Correspondence	Spartan Notification RE: 4-38-09899 Monitored Case
Correspondence	DIO Benjamin Mendoza Returned Inspection FCI-906
Correspondence	
Correspondence	Spartan Notification RE: 4-38-09899 Monitored Case
Correspondence	Spartan Notification RE: 4-38-09899 Monitored Case
Correspondence	Spartan Notification RE: 4-38-09899 Monitored Case
Correspondence	Spartan Notification RE: 4-38-09899 Monitored Case
UpdateLicensingCenter	8C Initial Detroit FCI-906.docx
Correspondence	Information Concerning Your Federal License/Permit
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ClosingConferenceSummary	Acknowledgment of Regulations.pdf
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
PropertyOwnershipVerification	Exotic Creations Property.pdf
BusinessVerification	Exotic Creations LLC.pdf

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

In the matter of License Number 4-38-127-01-3H-09899, as a/an Dealer of Firearms (Type 01)

issued to:

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

Exotic Creations, LLC
7970 West Park Road
New Era, MI 49446

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 1155 Brewery Park Blvd, Suite #300; Detroit, MI 48207, 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	Signature
10/28/2021	B. Scott Mendoza, Director of Industry Operations	(b)(6)

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

- Certified mail to the address shown below.
Tracking Number: 7014 0150 0000 0573 2810
- 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
10/28/2021	Area Supervisor	(b)(6)

Print Name and Title of Person Served	Signature of Person Served

Address Where Notice Served

Under the provisions of 18 U.S.C. § 923(e) and 27 C.F.R. § 478.73, notice is hereby given that the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) intends to revoke the Federal firearms license held by Exotic Creations LLC (“Licensee”). Specifically, the Director, Industry Operations, United States Department of Justice, ATF, Detroit Field Division, has reason to believe that Licensee willfully violated the provisions of the Gun Control Act of 1968, as amended, 18 U.S.C. Chapter 44, and the regulations issued thereunder, 27 C.F.R. Part 478 (collectively, “GCA”) as described herein.

Compliance History

ATF first issued a Federal firearms license to Licensee in 2017. The laws and regulations issued under the GCA were reviewed as part of the application inspection. Subsequently, ATF conducted a compliance inspection of Licensee in 2018. As a result of the 2018 inspection, Licensee (specifically, Mr. Michael Glover) attended a warning conference with ATF in which violations and proposed corrective actions were reviewed. Following the warning conference, ATF sent a letter stating “[y]ou are reminded that future violations, repeat or otherwise, could be viewed as willful and may result in revocation of your license.”

Current Inspection

On August 15, 2019, ATF began a compliance inspection of Licensee’s premises that revealed the following:

Background Check Violations:

1. On eight (8) occasions, Licensee willfully transferred a firearm to an unlicensed person without first contacting the National Instant Criminal Background Check System (“NICS”) and obtaining a unique identification number before allowing the transfer, in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102. See Appendix ¶ A.
2. On (b)(3) (112 Public Law 85 125 923 952) occasions, Licensee willfully failed to obtain a complete and/or accurate Firearms Transaction Record, ATF Form 4473, from the transferee prior to making an over-the-counter transfer of a firearm to a non-licensee, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(1). See Appendix ¶ B.
3. On (b)(3) (112 Public Law 85 125 923 952) occasions, Licensee willfully failed to obtain/execute the Firearms Transaction Record, ATF Form 4473 as indicated by the headings on the Form and the instructions on or pertaining to the Form, in violation of 18 U.S.C. § 922(m) and 27 C.F.R. § 478.21(a). See Appendix ¶ C.
4. On (b)(3) (112 Public Law 85 125 923 952) occasions, Licensee willfully transferred a firearm to a non-licensee without verifying the identity of the transferee by examining the identification document presented and noting the type on a Firearms Transaction Record, ATF Form 4473, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(3)(i). See Appendix ¶ D.

5. On occasions, Licensee willfully transferred a firearm to a non-licensee without recording the date the Licensee contacted the National Instant Criminal Background Check System ("NICS"), any response provided by the system and/or any identification number provided by the system information on the Firearms Transaction Record, ATF Form 4473, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(3)(iv). See Appendix ¶ E.
6. On occasion, Licensee willfully failed to record National Instant Criminal Background Check System ("NICS") alternative permit/license information as described in 27 C.F.R. § 478.102(d)(1) on the Firearms Transaction Record, ATF Form 4473, or maintain a copy of the permit/license, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.131(a)(2). See Appendix ¶ F.
7. On occasions, Licensee willfully failed to sign and/or date the Firearms Transaction Record, ATF Form 4473 certifying that Licensee does not know or have reason to believe the transferee is disqualified by law from receiving the firearm described on the Form, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.124(c)(5). See Appendix ¶ G.

Appendix A

Transferee's Name _____ Date _____ Discrepancy _____

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

Appendix B

Transferee's Name Date Discrepancy

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

Appendix C

Transferee's Name Date Discrepancy

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

Appendix D

Transferee's Name Date Discrepancy

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

Appendix E

Transferee's Name Date Discrepancy

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

Appendix F

Transferee's Name Date Discrepancy

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

Appendix G

Transferee's Name Date Discrepancy

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

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 4-38-127-01-3H-09899 as a/an
dealer in firearms other than destructive devices, issued to:

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

Exotic Creations LLC
7970 West Park Road
New Era, MI 49446

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 _____,
 - 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 12/15/2021	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official B Scott Mendoza, Director of Industry Operations	(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 to the address shown below.
Tracking Number: 70191640000015159751

Or

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

Date Notice Served 12/15/2021	Title of Person Serving Notice B. Scott Mendoza, Director of Industry Operations	(b)(6)
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Print Name and Title of Person Served

Address Where Notice Served

Note: Previous Edition is Obsolete

UNITED STATES OF AMERICA

DEPARTMENT OF THE JUSTICE

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

IN THE MATTER OF THE:	*
	*
NOTICE OF REVOCATION OF	* DETROIT FIELD DIVISION
LICENSE ISSUED TO:	*
EXOTIC CREATIONS, LLC	* DEPARTMENT OF JUSTICE
7970 WEST PARK RD	* BUREAU OF ALCOHOL, TOBACCO
NEW ERA, MI 49446	* FIREARMS AND EXPLOSIVES
LICENSE NO: 4-38-127-01-3H-09899	*

SUMMARY OF FINDINGS AND CONCLUSIONS

On October 28, 2021, the Director of Industry Operations, Bureau of Alcohol, Tobacco, Firearms and Explosives, Detroit Field Division, issued to Exotic Creations, LLC; 7970 West Park Rd.; New Era, MI 49446, a Notice of Revocation of License, ATF Form 4500, with reasons therefor attached, as to its license as a dealer of firearms, license number 4-38-127-01-3H-09899.

FINDINGS

1. Exotic Creations, LLC, holds a Federal firearms license, license number 4-38-127-01-3H-09899, as a dealer of firearms.
2. The Director of Industry Operations has reason to believe and does believe that Exotic Creations, LLC willfully violated the provisions of Title 18, United States Code, chapter 44, and the regulations issued thereunder as set forth in the Notice of Revocation of License issued as to the license.

3. The Notice of Revocation of License, ATF Form 4500, was served on the licensee on or about November 2, 2021. The licensee did not request a hearing.

CONCLUSIONS

4. The federal firearms license issued to Exotic Creations LLC; 7970 West Park Rd.; New Era, MI 49446, license number 4-38-127-01-3H-09899, is subject to revocation for the reasons set forth in the Notice of Revocation of License, issued October 28, 2021, and is hereby revoked pursuant to 18 U.S.C. § 923(e), and Title 27, Code of Federal Regulations, § 478.73.

(b)(6)

B. Scott Mendoza
Director of Industry Operations
Detroit Field Division



U.S. Department of Justice

**Bureau of Alcohol, Tobacco,
Firearms and Explosives**

Washington DC

www.atf.gov

IMPORTANT NOTICE

Selling Firearms AFTER Revocation, Expiration, or Surrender of an FFL

Former Federal Firearms licensees (FFLs) who continue to sell firearms after the revocation, expiration, or surrender of their license are subject to the same rules as persons who have never been licensed in determining whether they are "engaged in the business" of selling firearms without a license in violation of 18 U.S.C. § 922(a)(1)(A). Accordingly, former licensees who wish to dispose of any remaining business inventory must adhere to the following guidance:

Business inventory must be disposed of by the former FFL in a manner that, objectively, does not constitute being engaged in the business of dealing in firearms using the same facts and circumstances test that would apply to persons who have never been licensed.

The preferred manner of disposition is for the former licensee to:

- Arrange for another FFL to purchase the business inventory (and other assets) of the business; or
- Consign the inventory to another FFL to sell on consignment, or at auction.

Should a former FFL decide against those options, he/she should be aware that future sales - whether from his/her personal firearms collection or otherwise - will be evaluated for a potential violation of 18 U.S.C. § 922(a)(1)(A), just as would occur with a person who had never been licensed.

If a former FFL is disposing of business inventory, the fact that no purchases are made after the date of license revocation, expiration, or surrender does not immunize him/her from potential violations of 18 U.S.C. § 922(a)(1)(A). Instead, business inventory acquired through repetitive purchases while licensed are attributed to the former FFL when evaluating whether subsequent sales constitute engaging in the business of dealing in firearms without a license.

ATF remains committed to assisting former licensees in complying with Federal firearms laws. If you have questions, please contact your local ATF office.

(b)(6) Digitally signed by
MEGAN BENNETT
Date: 2020.07.13
12:16:36 -04'00'

Megan A. Bennett
Deputy Assistant Director (Industry Operations)
Field Operations