

HARRISON'S INC's FCI
 FCI-24993
 12/17/2022 06:58 AM
 IOI (b)(6), Nashville IV (IO) Field Office

GENERAL INFORMATION

IOI Hours Spent on Inspection
 120.0
 Due Date
 11/3/21 1:00 AM

LICENSEE INFORMATION

Licensee Name HARRISON'S INC	RDS Key 1-62-00567	License/Permit Number 1-62-149-02-2H-00567	License Type 02 - Pawnbroker License
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Business Type
 Corporation

Premises Ownership Type Owned	Premises Address 173 STONES RIVER RD, Unit N/A, LA VERGNE, Tennessee 37086
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Premises Location Type Required

Address
 173 STONES RIVER RD
 Unit N/A
 LA VERGNE, Tennessee 37086
 RUTHERFORD
 United States

Address
 173 STONES RIVER RD
 Unit N/A
 LA VERGNE, Tennessee 37086
 RUTHERFORD
 United States

Phone Type	Phone Number	Remarks
Business	+1 615-793-9266	
Fax	+1 615-793-4488	

RECOMMENDATIONS

Final Decision Date
 Revocation 07/21/2022

Details

Onsite End Date: 10/12/2021

IOI (b)(6) conducted a recall compliance investigation of the licensee. Eleven violations were found. The violations cited during the compliance inspection warrant revocation based on the licensee's failure to complete a NICS (TICS) check before transferring firearms to non-licensees. The licensee requested a hearing. The hearing was held on 5/24/2022. A Final Notice of Revocation was sent to the licensee on 7/21/2022. An extension was granted for the licensee to liquidate its inventory, 9/30/2022 was final revocation date.

The licensee held an auction and transferred all inventory to individuals or other licensees. IOI (b)(6) met with the licensee to collect the records. The records were shipped to the OOB Records Center on 11/22/2022. There are twelve boxes for Harrison's and one for (b)(6)

- 770462572247
- 770462572328
- 770462572718
- 770462490324
- 770462490714
- 770462490563
- 770462491103
- 770462490942
- 770462492007
- 770462491754
- 770462492338

Out of Business Records and Inventory Management

Licensee Records

Licensee Inventory

✔ Submitted to an ATF Employee

✔ No inventory on hand

ATF Employee Name
(b)(6)

Deputy Assistant Director - Industry Operations Hans Hummel's Recommendation

Revocation

Details

Concur with Field Division proceeding with revocation.

Special Agent in Charge's Recommendation

SAC French concurs with Revocation

Division Counsel's Review

Details

Review completed.

Director Industry Operations Mickey French's Recommendation

Revocation

Details

The violations cited during the compliance inspection warrant revocation based on the licensee's failure to complete a NICS (TICS) check before transferring firearms to non-licensees. In three (3) instances involving three (3) firearms, the licensee failed to initiate a new NICS (TICS) check after a 30-day lapse of the initial check, resulting in a 478.102(c) violation. One of these was an overturned transaction (initially denied then appealed). The letter from TICS giving the "overturned" response states "If the appeal of denial took over the 30 days allowed; the dealer will have to run a new TICS background check." The other two individuals were initially "denied" by TICS. Then, they received "conditional proceeds" from TICS (TICS was not able to positively proceed or deny the individuals). In all three instances, the firearms were transferred more than 30 days after TICS was initially contacted. Background checks were conducted on the purchasers without uncovering prohibiting information. While the 478.102(c) is not a repeat violation, the licensee was cited for failure to complete/contact NICS (TICS) (27 CFR 478.102(a) and 478.102(a)(1) in one instance each) during the previous inspection. During this inspection, the licensee was cited for 11 (eleven) violations, nine (9) of which were repeat violations. The licensee was last inspected on 8/28/2019 and cited for ten (10) violations. In addition, the licensee appears to have a history of non-compliance, receiving two warning letters and attending two warning conferences. DIO concurs with revocation of the license.

Area Supervisor (b)(6) Recommendation

Revocation

Details

Onsite End Date: 10/12/2021

IO (b)(6) conducted a recall compliance investigation of the licensee. Eleven violations were found. The violations cited during the compliance inspection warrant revocation based on the licensee's failure to complete a NICS (TICS) check before transferring firearms to non-licensees. In three (3) instances involving three (3) firearms, the licensee failed to initiate a new NICS (TICS) check after a 30-day lapse of the initial check, resulting in a 478.102(c) violation. One of these was an overturned transaction (initially denied then appealed). The letter from TICS giving the "overturned" response states "If the appeal of denial took over the 30 days allowed; the dealer will have to run a new TICS background check." The other two individuals were initially "denied" by TICS. Then, they received "conditional proceeds" from TICS (TICS was not able to positively proceed or deny the individuals). In all three instances, the firearms were transferred more than 30 days after TICS was initially contacted. Background checks were conducted on the purchasers without uncovering prohibiting information. While this is not a repeat violation, the licensee was cited for failure to complete/contact NICS (TICS) (27 CFR 478.102(a) and 478.102(a)(1) in one instance each) during the previous inspection.

During this recall inspection, the licensee was cited for 11 (eleven) violations, nine (9) of which were repeat violations. The licensee has been the subject of four previous inspections. Two resulted in Warning Letters and two resulted in Warning Conferences.

Industry Operations Investigator (b)(6) Recommendation

Revocation

Details

Onsite Begin Date: 09/28/2021

Onsite End Date: 10/12/2021

IO (b)(6) conducted a Firearms Compliance Investigation of the licensee.

Violations Found: 11 (eleven) with 8 (eight repeated violations)

Recommendation

Revocation. FFL failed to initiate a new TICS check when a transaction was not completed within the 30-day period from the date NICS was initially contacted and has previously been subject of a WC and the current inspection indicates similar repeat violations with increased frequency (See attachment FCI-24993 Inspection History 1-62-00567 for a detailed spreadsheet showing the inspection history).

Acquisition & Disposition (A&D) Record - Inventory

The licensee continues to have 478.125(e) violations with increased frequency over the last five compliance inspections. Responsible Person (RP) Dorine FARMER, did not know how to correct the computerized A&D records until the end of the inspection when IO (b)(6) insisted that it correctly reflect the disposition of several firearms. Once IO (b)(6) stated that the licensee would have to switch to a paper bound book due to non-compliance with ATF Ruling 2016-1, FARMER figured out how to correct the computerized A&D record within an hour. Of note, the licensee has used the same electronic A&D vendor (HiTech Pawn)

since at least 2008.

IOI (b)(6) asked FARMER if the licensee has a standard operating procedure (SOP), FARMER said "no." FARMER did claim that she conducts a complete inventory of all firearms every six months. However, during the inspection, the A&D book indicated that firearms were still in inventory that had been reported lost in 2019 after they were unable to be located during the last compliance inspection (b)(3) (112 Public Law 55 125 Stat 552). FARMER stated that they were never logged out from the computerized A&D book because she did not know how. Additionally, muzzleloaders were listed as firearms in inventory.

ATF Forms 4473 – NICS/TICS & Other Dispositions

The licensee had ATF F 4473s on file for the last 12 months. IOI (b)(6) reviewed all forms.

During the forms review, IOI (b)(6) noted that the 4473s were not filed in alphabetically, numerically, or chronological order as required by regulation. Although the licensee has file folders labeled by month for the 4473s, IOI (b)(6) consistently found that 4473s were filed in the wrong folders, in addition to not being filed in chronological order within the folders. When IOI (b)(6) informed (b)(6) of this violation, (b)(6) winced and said "I know. There are only two of us so it shouldn't be too difficult to keep them in order."

Additionally, none (zero) of the 4473s on file contained supplemental government issued documentation (ATF F 4473, block 26b). When IOI (b)(6) commented on it being odd that all purchasers during the inspection period had identification with current residential addresses, FARMER looked confused and asked, "what do you mean?" IOI (b)(6) explained that if the address on the identification used in block 26a did not match the address that the transferee provided in block 10, then a supplemental form of government issued identification must be used to verify the address in block 10 and recorded in block 26a. FARMER responded by saying that they would immediately begin checking that the addresses matched.

Multiple Sales

The licensee reported multiple sales during the inspection period. All were reported late: the ATF F 3310.4s were signed on 01/26/2021 and received by the Violent Crimes Analysis Branch on 02/22/2021. Additional multiple sales were not reported.

During the inspection, IOI (b)(6) discovered that the ATF F 3310.4s were not attached to the ATF F 4473s and instead placed in a separate folder for only multiple sale forms. IOI (b)(6) asked FARMER the reason for this, to which FARMER stated that she groups all 3310.4s together and then completes and submits them in January every year for the calendar year before. IOI (b)(6) explained that that was not the correct procedure to which FARMER replied, "I had no idea that I had to do it that way."

Suspicious/Prohibited Purchasers

Although the inspection did not reveal the sale of firearms to a prohibited person, the licensee transferred firearms to purchasers who provided a "yes" response or did not answer a prohibiting question on the 4473s (questions 21b through 21k). This accounted for 6.3% of all purchasers during the inspection period. Many of the denied 4473s contained similar "yes" or blank responses to the prohibiting questions. Furthermore, purchasers answered "no" to being the actual transferee/buyer of the firearm(s) listed on the 4473s. IOI (b)(6) informed FARMER that the licensee was not to proceed with the transfer when the purchaser answers "yes" or refuses to answer a prohibiting question, or if the purchaser answered "no" to being the actual transferee/buyer.

Trace Activity

The licensee had traces in the last 12 months. All were completed successfully.

Relevant Inspection History:

Date of Last Investigation: **08/28/2019**

Last UI#: **FCI-5826**

Number of Violations: **10**

Result: WC with Recall

Date of Last Investigation: **11/30/2010**

Last UI#: **776070-2011-0052**

Number of Violations: **1**

Result: WL with Recall

Date of Last Investigation: **08/20/2009**

Last UI#: **776070-2009-0305**

Number of Violations: **8**

Result: WC and WL with Recall

Date of Last Investigation: **05/07/2008**

Last UI#: **776070-2008-0038**

Number of Violations: **5**

Result: WL with Recall

Inspection Findings

Transfer of Firearm

1. Transfer of a Rifle / Shotgun to a resident of another State that violates State law.

Firearms

1. Missing firearms after inventory reconciliation (e.g., no records of disposition, required or otherwise).

NICS

5. 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.

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 minimum of [(b)(7)(E)]

FFL History

2. The current inspection reveals repeated similar violation(s) for which the FFL has previously been the subject of a Warning Letter or Warning Conference 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?
HARRISON'S INC	Corporation	Yes

Additional Findings
The licensee is registered as a corporation in Tennessee.

Attachment(s):
FCI-24993 Business Information Verification 1-62-00567.pdf

Property Ownership Verification

Premises Ownership Type	Premises Location Type	Has the property ownership been verified?
Owned	Store Front	Yes

Address
173 STONES RIVER RD
Unit N/A
LA VERGNE, Tennessee 37086
RUTHERFORD
United States

Additional Findings
The property is owned by NDL ASSOCIATES INC C/O RON HARRISON. Ron (Ronald Harrison) is an RP on the license.

Attachment(s):
FCI-24993 Property Ownership Verification 1-62-00567.pdf

Trade Name/DBA Verification

Trade Name/DBA	Is the trade name/DBA registered?
LAVERGNE PAWN & JEWELRY	Yes

Additional Findings
The licensee has a properly registered trade name.

Attachment(s):
FCI-24993 Trade Name_DBA Verification 1-62-00567.pdf

Zoning Information Verification

Is the proposed business activity in compliance with zoning?
Yes

Contact Information

Name	Date Contacted
(b)(6)	10/07/2021

Organization
Town of La Vergne

Job Title
City Planner

Email Address	Email Remarks
(b)(6)	

Attachment(s):

APPOINTMENT DETAILS

Interview Date
09/27/2021
Address
173 STONES RIVER RD, Unit N/A, LA VERGNE, Tennessee 37086

Responsible Attendee(s)

Non-Responsible Person(s)

RONALD WHITT HARRISON

No Items

MICHAEL ROY HARRISON

RONALD LEE BUSH

Dorine Marie Zak Farmer

Rodney Allen Jett

DORINE MARIE ZAK FARMER

AARON DOUGLAS STEPHENSON

RESPONSIBLE PERSON(S)

RONALD WHITT HARRISON

Name RONALD WHITT HARRISON	Gender Male	Race White	Ethnicity Not Hispanic or Not Latino
Date of Birth (b)(6)	SSN (b)(6)	Job Title PRESIDENT	

Physical Identifiers

Height	Weight	Hair Color	Eye Color
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Place of Birth

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

(b)(6)

United States

Additional Names

Citizenship

United States

Phone Type	Phone Number	Remarks
Business	+1 615-793-9266	

Criminal History Check

Date Criminal History Check Conducted
09/27/2021

Criminal History Check Comments
No prohibiting information found.

MICHAEL ROY HARRISON

Name MICHAEL ROY HARRISON	Gender Male	Race White	Ethnicity Not Hispanic or Not Latino
Date of Birth (b)(6)	SSN (b)(6)	Job Title SECRETARY	

Physical Identifiers

Height	Weight	Hair Color	Eye Color
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Place of Birth

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

(b)(6)

United States

Additional Names

Citizenship

United States

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

Criminal History Check

Date Criminal History Check Conducted
09/27/2021

Criminal History Check Comments
No prohibiting information found.

RONALD LEE BUSH

Name	Gender	Race	Ethnicity
RONALD LEE BUSH	Male	White	Not Hispanic or Not Latino
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)

United States

Additional Names

Citizenship

United States

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

Criminal History Check

Date Criminal History Check Conducted
09/27/2021

Criminal History Check Comments
No prohibiting information found.

Dorine Marie Zak Farmer

Name	Gender	Race	Ethnicity
Dorine Marie Zak Farmer	Female	White	Not Hispanic or Not Latino
Date of Birth	SSN	Job Title	
(b)(6)	(b)(6)	store manager	

Physical Identifiers

Height
(b)(6)

Weight
(b)(6)

Hair Color
(b)(6)

Eye Color
(b)(6)

Place of Birth

Country
United States Of America

State
(b)(6)

City
(b)(6)

Home Address

(b)(6)

Additional Names

Citizenship

United States

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

Phone Type	Phone Number	Remarks
Business	+1 615-793-9266	
Residence	(b)(6)	

Email Address	Email Remarks
(b)(6)	

Criminal History Check

Date Criminal History Check Conducted
09/27/2021

Criminal History Check Comments
No prohibiting information found.

Rodney Allen Jett

Name	Gender	Race	Ethnicity
Mr. Rodney Allen Jett	Male	White	Not Hispanic or Not Latino
Date of Birth	SSN	Job Title	
(b)(6)	(b)(6)	Pawn Shop Stores Manager	

Physical Identifiers

Height
(b)(6)

Weight
(b)(6)

Hair Color
(b)(6)

Eye Color
(b)(6)

Place of Birth

Country
United States Of America

State
(b)(6)

City
(b)(6)

Home Address

(b)(6)

Additional Names

Citizenship

Date of Birth
(b)(6)

SSN
(b)(6)

Job Title
RP

Physical Identifiers

Height

Weight

Hair Color

Eye Color

Place of Birth

Country
United States Of America

State
(b)(6)

City

Home Address

(b)(6)

United States

Additional Names

Citizenship

United States

Phone Type	Phone Number	Remarks
Business	+1 615-793-9266	

Criminal History Check

Date Criminal History Check Conducted
09/27/2021

Criminal History Check Comments
No prohibiting information found.

INTERVIEW QUESTIONNAIRE

What is the proposed business activity?
The licensee sells primarily new firearms; however, used and pawned firearms are also sold. The licensee also facilitates private party transfers and offers firearms on layaway.

Do they need an additional license or permit?
No

Who are their primary suppliers?
(b)(4)

Business Activities

Pawnbroker
Retail

Selected Operational Security Measures

Controlled Access to ATF Recordkeeping
Controlled Access to Keys

SECURITY WALKTHROUGH

Inspection Area Description
The licensee operates a pawn shop in a stand alone commercial structure near a main thoroughfare in La Vergne, TN. The licensee has long guns and hand guns on display, as well as extra inventory, layaway, and pawned firearms in a walk in vault in the back of the store.

Primary Activity
Retail

Selected Physical Security Measures

Bars on Doors
Deadbolts
Safe(s)/Vault(s)

GPS Coordinates

Latitude
36.01836

Longitude
-86.57371

ONSITE SUMMARY

Total Number of ATF Form 4473s for Inspection Review Period

Total Number of ATF F 4473 Reviewed

Total Number of Open Dispositions in A & D Record

Total Number of Firearms in Inventory
106

Actual Number of Firearms Verified

Number of Firearms Missing Before Reconciliation

Total Number of Firearms Missing After Reconciliation

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](#)

Additional Comments

Inspection Period: 09/29/2020 - 9/28/2021

License/Permit Issue Date: 07/19/2001

Type of Record: Computerized Records

Inventory Frequency: None

SOP: None

Number of Traces in past 12 months

Completed: Resolved: 0 (zero) Unresolved: 0 (zero)

NICS/TICS Verified: 49 (fourty-nine)

Free form commentary of notable findings: firearms were missing; however, were reported as a theft loss in 2019 and never removed from the A&D book.

Attachment(s)

Report of Violations.pdf

Report of Violations.pdf

Licensee Response to Violations Report.pdf

Licensee Response to Violations Report.pdf

Firearm Theft Loss List.pdf

Firearm Theft Loss List.pdf

Firearm Theft Loss List.pdf

PERFECTED TRACES

Number of Perfected Traces: 1

REPORT OF VIOLATIONS

Regulation	Corrective Actions	Instance Details
1 27 CFR 478.99(b)(2): Unlawful sale or delivery of a firearm in violation of State Law or published local ordinance ATF Forms 4473: Number of Instances:	Cease and desist transfer of firearms in violation of State law or published local ordinance.	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
2 27 CFR 478.102(c): Failure to initiate a new NICS check after 30-day lapse of initial check ATF Forms 4473: 3 Number of Instances: 3	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.	NICS Violation NICS Violation NICS Violation (b)(6)
27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers	Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

<p>3</p> <p>ATF Forms 4473: <input type="text"/> Number of Instances: <input type="text"/></p>	<p>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.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>4</p> <p>27 CFR 478.124(b): Failure to retain ATF Forms 4473 in alphabetical, numerical or chronological order</p> <p>ATF Forms 4473: 1 Number of Instances: 1</p>	<p>Organize and maintain ATF Forms 4473 in alphabetical, chronological, or numerical order.</p>	<p>Record Management</p>
<p>5</p> <p>27 CFR 478.125(e): Failure to maintain an accurate/complete/timely acquisition and disposition record of firearms</p> <p>Number of Instances: <input type="text"/></p>	<p>Accurately, completely & timely record all required future firearm disposition information. Amend/Update A&D Record to accurately record all required firearm disposition information.</p> <p>Resume proper maintenance of required acquisition and disposition record.</p> <p>Amend/Update electronic A&D record to conform with conditions set forth under ATF Ruling 2016-1.</p> <p>Complete and submit ATF Form 3310.11 - Firearms Inventory Theft/Loss Report.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>ATF Forms 4473: <input type="text"/> Number of Instances: <input type="text"/></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>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>

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

27 CFR 478.124(c)(4): Failure to record firearm 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 firearm identification information is obtained and accurately recorded on all future ATF Forms 4473, Section D. Ensure that the required transferor/seller signature and date of transfer is obtained and accurately recorded on all future ATF Forms 4473, Section D.

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

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. Ensure that the required transferor/seller printed name and title is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D. 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)

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

<p>to verify or record Identification document on ATF F 4473</p> <p>ATF Forms 4473 <input type="checkbox"/> Number of Instances: <input type="checkbox"/></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 and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>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 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473</p> <p>ATF Forms 4473 <input type="checkbox"/> Number of Instances: <input type="checkbox"/></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 and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>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 478.124(c)(5): Failure by transferor to sign and/or date an ATF F 4473</p> <p>ATF Forms 4473 <input type="checkbox"/> Number of Instances: <input type="checkbox"/></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 ATF Forms 4473, Section D.</p>	<p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>

11

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

THEFT/LOSS REPORT

Acquisition Date Category Type Manufacturer Importer Model Caliber/Gauge Serial Number

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

LICENSEE RESPONSE REPORT

	Regulation	Corrective Actions	Licensee Response	Status Details
1	27 CFR 478.99(b)(2): Unlawful sale or delivery of a firearm in violation of State Law or published local ordinance ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	Cease and desist transfer of firearms in violation of State law or published local ordinance.	The RP said "yes" when told to cease and desist transfer of firearms in violation of State law. The RP further claimed that she was not aware that she had an obligation to follow local and state laws when selling long guns to out of state individuals.	Status Licensee Notified Verified Method In Person Date Licensee Notified 10/12/2021
2	27 CFR 478.102(c): Failure to initiate a new NICS check after 30-day lapse of initial check ATF Forms 4473: 3 Number of Instances: 3	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.	The RP said that she knew now knows to check local and state laws before transferring to out of state individuals.	Status Licensee Notified Verified Method In Person Date Licensee Notified 10/12/2021
3	27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	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 RP stated that the last IOI did not inform her that the 3310.4s must be submitted by the close of the same business day.	Status Correction Verified Verified Method In Person Date Correction Verified 10/12/2021
4	27 CFR 478.124(b): Failure to retain ATF Forms 4473 in alphabetical, numerical or chronological order ATF Forms 4473: <input type="checkbox"/> Number of Instances: <input type="checkbox"/>	Organize and maintain ATF Forms 4473 in alphabetical, chronological, or numerical order.	The RP said "yes, I understand."	Status Licensee Notified Verified Method In Person Date Licensee Notified 10/12/2021

5	<p>27 CFR 478.125(e): Failure to maintain an accurate/complete/timely acquisition and disposition record of firearms</p> <p>Number of Instances: <input type="text"/></p>	<p>Accurately, completely & timely record all required future firearm disposition information.</p> <p>Amend/Update A&D Record to accurately record all required firearm disposition information.</p> <p>Resume proper maintenance of required acquisition and disposition record.</p> <p>Amend/Update electronic A&D record to conform with conditions set forth under ATF Ruling 2016-1.</p> <p>Complete and submit ATF Form 3310.11 - Firearms Inventory Theft/Loss Report.</p>	<p>The RP stated "I don't know what they did," and explained that for many of these violations she was not the person who made the sale and did not know that the A&D was not updated.</p> <p>However, the RP was aware that the (b)(3) (112 Public Law 55 125 Stat 552), (b)(6) were reported as lost after the last compliance inspection.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/12/2021</p>
6	<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>ATF Forms 4473 Number of Instances: <input type="text"/></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 RP stated that she saw may of these errors while looking for the firearms of which the dispositions were not recorded.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/12/2021</p>
7	<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: <input type="text"/></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 and accurately recorded on all future ATF Forms 4473, Section D.</p> <p>Ensure that the required transferor/seller signature and date of transfer is obtained and accurately recorded on all future ATF Forms 4473, Section D.</p>	<p>The RP stated that she saw may of these errors while looking for the firearms of which the dispositions were not recorded.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/12/2021</p>
8	<p>27 CFR 478.21(a): Failure to complete forms as prescribed</p> <p>ATF Forms 4473 Number of Instances: <input type="text"/></p>	<p>Complete all forms as prescribed.</p> <p>Correct/Update photocopies of all specified ATF Form 4473 discrepancies, in accordance with form headings and instructions.</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>Ensure that the required transferor/seller printed name and title is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.</p> <p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p>	<p>The RP stated that she saw may of these errors while looking for the firearms of which the dispositions were not recorded. The RP further stated that many of the errors were probably those of another employee.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/12/2021</p>
9	<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: <input type="text"/></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 and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>The RP stated that she saw may of these errors while looking for the firearms of which the dispositions were not recorded.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/12/2021</p>
10	<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: <input type="text"/></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 and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>The RP stated that she saw may of these errors while looking for the firearms of which the dispositions were not recorded.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/12/2021</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>The RP stated that she saw may of these errors while looking for the firearms of which the dispositions were not recorded. The RP further stated that the errors were likely made by other employees.</p>	<p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 10/12/2021</p>
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REFERRAL(S)

ID	Status	Agency	Outcome
R-10	Referral Approved	DDTC	Referral sent
R-100	Unfounded (Closed)		
R-1000	Referral Denied	ATF Detroit CGIC	
R-1001	Referral Denied	ATF&E	
R-1004	Referral Denied	Mobile Police Department	
R-1007	Referral Denied	Houston CGIC	
R-1013	Referral Approved	Michigan State Police, Firearms Records Unit	Referral sent
R-1014	Referral Denied	ATF	
R-1015	Referral Approved	Berlin Township	Referral sent
R-1017	Referral Approved	ATF	Referral sent
R-1018	Referral Approved	Bureau of ATF - St. Paul III CGIC	Referral sent
R-1019	Referral Approved	ATF	Referral sent
R-102	Referral Approved	ATF	Referral sent
R-1020	Referral Approved	NYS Department of Labor	Referral sent
R-1024	Referral Approved	ATF	Referral sent
R-1025	Referral Approved	ATF	Referral sent
R-1026	Referral Approved	ATF	Referral sent
R-1027	Referral Approved	ATF	Referral sent
R-1028	Referral Approved	ATF	Referral sent
R-1029	Referral Approved	ATF	Referral sent
R-103	Referral Approved	CGIC	Referral sent
R-1030	Referral Approved	ATF	
R-1031	Referral Approved	ATF	Referral sent
R-1032	Referral Approved	ATF	Referral sent
R-1033	Referral Approved	ATF	Referral sent
R-1034	Referral Approved	ATF	Referral sent
R-1035	Referral Denied	Frederick County Maryland	
R-1037	Referral Denied	ATF	
R-1038	Referral Approved	Frederick County Maryland	Referral sent
R-1039	Referral Approved	Bureau of Alcohol Tobacco Firearms and Explosives	Referral sent
R-104	Referral Approved	California Department of Justice, Bureau of Firearms	Referral sent
R-1040	Referral Approved	Bureau of Alcohol Tobacco Firearms and Explosives	Referral sent
R-1042	Referral Approved	Harris County Sheriff's Office	Referral sent
R-1043	Referral Approved	U.S. Department of Justice, Bureau of ATF	Referral sent
R-1045	Referral Approved	California Bureau of Firearms	Referral sent
R-1046	Referral Approved	Indianapolis Department of Business and Neighborhood Services	Referral sent
R-1047	Referral Approved	Prince George's County Permitting Enforcement	Referral sent
R-1049	Unfounded (Closed)		

R-1050	Unfounded (Closed)		
R-1053	Referral Approved	Dawson County, Nebraska	Referral sent
R-1056	Referral Approved	Miami Dade Police Department	Referral sent
R-1057	Referral Approved	ATF	Referral sent
R-1063	Referral Approved	ATF, St. Paul III Intell/St. Paul Division	Referral sent
R-1064	Referral Approved	ATF, St. Paul Division Group I	Referral sent
R-1067	Referral Denied	ATF	
R-1068	Referral Approved	Michigan State Police Records Unit	Referral sent
R-1069	Referral Approved	Bureau of ATF	Referral sent
R-107	Referral Approved	ATF	Referral sent
R-1070	Referral Denied	Seneca County Office Building	
R-1072	Referral Denied	ATF -- Created in Error	
R-1073	Referral Denied	ATF-Atlanta CGIC	
R-1074	Referral Approved	Federal Motor Carrier Safety Administration (DOT)	Referral sent
R-1075	Referral Approved	Lowndes County Probate Court	Referral sent
R-108	Referral Approved	Colorado Bureau of Investigation	Referral sent
R-1082	Referral Approved	Bureau of Alcohol Tobacco Firearms and Explosives	Referral sent
R-1086	Referral Approved	Prince George's County Permitting Enforcement	Referral sent
R-1087	Referral Approved	ATF	Referral sent
R-1088	Referral Approved	ATF	Referral sent
R-1089	Referral Denied	Lake County Sheriff's Office	
R-1091	Referral Approved	Coffee County Sheriff's Office	Referral sent
R-1092	Referral Approved	ATF	Referral sent
R-1093	Referral Denied	ATF - Ft. Pierce CE	
R-1094	Referral Denied	Bureau of Alcohol, Tobacco, Firearms and Explosives	
R-1095	Referral Approved	Bureau of Alcohol, Tobacco, Firearms & Explosives	Referral sent
R-1097	Referral Approved	Lake County Sheriff's Office	Referral sent
R-1098	Referral Approved	BATFE	Referral sent
R-1099	Referral Approved	Michigan State Police Firearms Records Unit	Referral sent
R-11	Referral Approved	Alcohol and Tobacco Tax and Trade Bureau	Referral sent
R-1103	Unfounded (Closed)		
R-1105	Referral Approved	Michigan State Police	Referral sent
R-1109	Referral Approved	The Commonwealth of Massachusetts Office of Attorney General	Referral sent
R-111	Referral Approved	Bureau of ATF - KCFD	Referral sent
R-1110	Referral Approved	The Commonwealth of Massachusetts Office of Attorney General	Referral sent
R-1111	Referral Approved	The Commonwealth of Massachusetts Office of Attorney General	Referral sent
R-1116	Referral Approved	ATF	Referral sent
R-1117	Referral Approved	Customs and Border Protection	Referral sent
R-1119	Referral Denied	Customs and Border Protection	
R-1120	Unfounded (Closed)		
R-1122	Referral Denied	Customs and Border Protection	
R-1124	Referral Approved	Riley County Police Department	Referral sent
R-1127	Referral Denied	Customs and Border Protection	
R-1129	Referral Approved	Minnesota State Fire Marshal Division	Referral sent
R-113	Referral Approved	ATF	Referral sent
R-1134	Referral Approved	Michigan State Police - Firearms Records Unit	Referral sent
R-114	Referral Approved	ATF	Referral sent

R-1145	Referral Approved	Bureau of Alcohol, Tobacco, Firearms, and Explosives	Referral sent
R-1146	Referral Approved	ATF	Referral sent
R-1150	Referral Approved	Oklahoma Tax Commission	Referral sent
R-1151	Unfounded (Closed)		
R-1153	Referral Approved	ATF-NY Group 7 (CGIC)	Referral sent
R-1156	Referral Approved	Bureau of Alcohol, Tobacco, Firearms, and Explosives	Referral sent
R-1157	Referral Approved	ATF	Referral sent
R-1159	Referral Approved	Bernalillo County Zoning	Referral sent
R-1161	Referral Approved	Bureau Of Alcohol, Tobacco, Firearms and Explosives	Referral sent
R-1165	Referral Approved	ATF- Richmond II, Field Office	Referral sent
R-1168	Referral Approved	ATF	Referral sent
R-1170	Unfounded (Closed)		
R-1178	Referral Denied	ATF	
R-118	Referral Approved	Bureau of Alcohol, Tobacco, Firearms and Explosives	Referral sent

RECORD(S) OF CONVERSATION

Name	When Contacted 10/12/2021	Method of Contact In-Person
Phone		Location Contacted 173 Stones River Dr, La Vergne, Tennessee 37086
Investigative Participant(s) No items		Narrative During the inspection, IOI (b)(6) noted that the 4473s were not filed in alphabetical, numerically, or chronological order as required by regulation. Although the licensee has file folders labeled by month for 4473s, IOI (b)(6) consistently found that 4473s were filed in the wrong folders, in addition to not being filed in chronological order within the folders. When IOI (b)(6) informed FARMER of this violation, FARMER winced and said "I know. There are only two of us so it shouldn't be too difficult to keep them in order."
Name	When Contacted 09/28/2021	Method of Contact In-Person
Phone		Location Contacted 173 Stones River Rd, La Vergne, Tennessee 37086
Investigative Participant(s) No items		Narrative During the inspection, IOI (b)(6) discovered that the ATF F 3310.4s were not attached to the ATF F 4473s and instead placed in a separate folder for just Multiple Sale forms. IOI (b)(6) asked FARMER the reason for this, to which FARMER stated that she groups all 3310.4s together and then files them in January every year for the calendar year before. IOI (b)(6) explained that that was not the correct procedure to which FARMER replied, "I had no idea that I had to do it that way."

CLOSING CONFERENCE

(10/12/2021)
10/12/2021
Attachment(s)

Attendee(s)

DORINE MARIE ZAK FARMER

EXHIBITS

Inspection

Category	Attachment Name
Correspondence	Spartan Notification RE: 1-62-00567 Inspection Results
FinalDecision	16200567 Harrison's, Inc_Final Notice of Denial of Revocation signed 7-21-22.pdf
Correspondence	Spartan Notification RE: 1-62-00567 Monitored Case
Correspondence	Spartan Notification RE: 1-62-00567 Monitored Case
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Correspondence	Spartan Notification RE: 1-62-00567 Monitored Case
Correspondence	Spartan Notification RE: 1-62-00567 Monitored Case
Correspondence	Information Concerning Your Federal License/Permit
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ReturnedSignedROV	FCI-24993 Amended ROV Signed 1-62-00567.pdf
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
FirearmTheftLossList	Firearm Theft Loss List.pdf
FirearmTheftLossList	Firearm Theft Loss List.pdf
Correspondence	Information Concerning Your Federal License/Permit
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
ClosingConferenceSummary	Acknowledgment of Regulations.pdf
Correspondence	Subject: National Tracing Center Update: IO Completed Traces
Correspondence	Subject: National Tracing Center Update: IO Completed Traces
Correspondence	Subject: National Tracing Center Update: IO Completed Traces
Correspondence	Subject: National Tracing Center Update: IO Completed Traces
Correspondence	
Correspondence	Action Required Concerning Your Federal Firearms Compliance Inspection
FirearmTheftLossList	Firearm Theft Loss List.pdf
Correspondence	Subject: National Tracing Center Update: IO Completed Traces
PerfectedTraceAttachment	(b)(3) (112 Public Law 55 125 Stat 552), (b)(6)
PropertyOwnershipVerification	FCI-24993 Property Ownership Verification 1-62-00567.pdf
TradeNameVerification	FCI-24993 Trade Name_DBA Verification 1-62-00567.pdf
BusinessVerification	FCI-24993 Business Information Verification 1-62-00567.pdf

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

In the matter of License Number 1-62-149-02-2H-00567, as a/an

Dealer in Firearms, Including Pawnbroker, Other than Destructive Devices issued to:

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

Harrison's, Inc.
DBA Lavergne Pawn and Jewelry
173 Stones River Road
Lavergne, TN 37086

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 302 Innovation Drive, Suite 300, Franklin, TN 37067, 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
02/28/2022	Steven A. Kolb, Director, 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: 7017268000082170199 Or Delivering a copy of the notice to the address shown below.

Date Notice Served	Title of Person Serving Notice
02/28/2022	Executive Assistant

Signature of Person Serving Notice

(b)(6)

Print Name and Title of Person Served

Dorine Marie Zak Farmer

Signature of Person Served (if applicable)

Address Where Notice Served

173 Stones River Road, Lavergne, TN 37086

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 Harrison's Inc. doing business as LaVergne Pawn and Jewelry ("Licensee"), a Dealer including Pawnbroker in Firearms Other Than Destructive Devices. Specifically, the Director, Industry Operations, United States Department of Justice, ATF, Nashville 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 2001. The laws and regulations issued under the GCA were reviewed as part of the application inspection. In 2008, 2009, 2010, and 2019, ATF conducted compliance inspections of Licensee; all of these inspections resulted in a thorough review of all cited violations and any proposed corrective actions. ATF memorialized the need for improvement with warning conferences (2009 and 2019) and warning letters (2008 and 2011). In the written follow-up to the warning conferences and in the warning letters, Licensee (through its responsible person(s)) was told that "any future violations, either repeat or otherwise, could be viewed as willful and may result in revocation of [its] license."

Current Inspection

On September 27, 2021, ATF began a compliance inspection of Licensee's premises that revealed the following:

Background Check Violations:

1. On three 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 and/or waiting three days before allowing the transfer, in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102. See Appendix ¶ 1.

Failure to Report Multiple Sales:

2. On occasions, Licensee willfully failed to timely and/or accurately report the sale or other disposition of two or more pistols and/or revolvers during any five consecutive business days to an unlicensed person, in violation of 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.126a. See Appendix ¶ 2.

ATF Form 4473 Violations:

3. On occasions, Licensee willfully transferred a firearm to a non-licensee without recording the date the Licensee contacted NICS, any response provided by the system and/or any identification number provided by the system 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 ¶ 3.

Acquisition and Disposition Record Violations:

- On [redacted] occasions, Licensee willfully failed to timely and/or accurately record the disposition of firearms, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.125(e). See Appendix ¶ 4.

Appendix

Background Check Violations

1.

Transferee's Name	Transfer Date	Discrepancy
(b)(6)	01/20/2021	Failure to initiate a new NICS check after 30-day lapse of initial check.
(b)(6)	11/21/2020	Failure to initiate a new NICS check after 30-day lapse of initial check.
(b)(6)	05/25/2021	Failure to initiate a new NICS check after 30-day lapse of initial check.

Failure to report multiple sales:

2.

Transferee's Name	Date	Discrepancy
(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)		

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

ATF Form 4473 Violations:

3.

Transferee's Name

Transfer
Date

Discrepancy

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

Acquisition and Disposition Record Violations:

4.

Firearm Description

Acquisition
Date

Discrepancy

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

(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 1-62-149-02-2H-00567 as a/an
Dealer in Firearms, Including Pawnbroker, Other than Destructive Devices, issued to:

Name and Address of Applicant or Licensee (Show number, street, city, state and Zip Code)
Harrison's, Inc.
DBA Lavergne Pawn and Jewelry
173 Stones River Road
Lavergne, TN 37086

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 302 Innovation Drive, Suite 300, Franklin, TN 37067

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.

(b)(6)

Date 07/21/2022	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official Steven A. Kolb, Director, Industry Operations	Signature (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: 7017268000082170557

Or

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

Date Notice Served 07/21/2022	Title of Person Serving Notice Executive Assistant	Signature of Person Serving Notice (b)(6)
Print Name and Title of Person Served Ronald Harrison		Signature of Person Served

Address Where Notice Served
173 Stones River Road, Lavergne, TN 37086

Note: Previous Edition is Obsolete

Background

Harrison's Inc. doing business as LaVergne Pawn and Jewelry, located at 173 Stones River Road, LaVergne, Tennessee 37086 (hereinafter, the "Licensee"), holds Federal firearms license number 1-62-149-02-2H-00567, as a dealer, including pawnbroker, in firearms other than destructive devices issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) pursuant to the Gun Control Act of 1968 (GCA), as amended, 18 U.S.C. Chapter 44, and the regulations issued thereunder, 27 C.F.R. Part 478.

On September 27, 2021, ATF conducted a compliance inspection at Licensee's premises. As a result of that inspection, on February 28, 2022, ATF issued a Notice to Revoke or Suspend License and/ or Impose a Civil Fine, ATF Form 4500, to Licensee. By letter dated March 4, 2022, Licensee timely requested a hearing to review that Notice.

The hearing was held on May 24, 2022, at the ATF Nashville Field Division Office in Franklin, Tennessee. The hearing was conducted by ATF Director of Industry Operations (DIO) Steven Kolb. ATF was represented by ATF Attorney (b)(6) ATF Industry Operations Investigator (IOI) (b)(6) appeared as a witness on behalf of the Government. Licensee's responsible person Ronald Harrison was present at the hearing and represented Harrison's Inc. doing business as LaVergne Pawn and Jewelry. The hearing was recorded and transcribed by the Government through a court reporter service. Both sides offered testimony. The Government offered 66 exhibits. The testimony, transcript, and exhibits introduced at the hearing constitute the complete administrative record in this proceeding.

Findings of Fact

Having reviewed the record in this proceeding, I make the following findings:

1. ATF first issued a Federal firearms license to Licensee in 2001.
2. In 2008, an ATF IOI conducted a compliance investigation of Licensee and cited Licensee with four regulatory violations, with multiple instances of each violation, including failure to properly record acquisition and disposition information in violation of 27 C.F.R. § 478.125(e). As part of that inspection, the ATF IOI also reviewed relevant Federal firearms laws with Licensee. Among the items covered by the IOI were the requirements related to background checks, multiple sales, ATF Form 4473, and acquisition and disposition records. Licensee signed an Acknowledgment of Federal Firearms Regulations form indicating that ATF explained the information listed on the form related to firearms law and regulations. (See Government Exhibit 10). As a result of the 2008 inspection, Licensee (specifically, responsible person and President Ronald Harrison) received a warning letter from ATF in which violations and proposed corrective actions were reviewed. In the warning letter, ATF stated "any future violations, either repeat or otherwise, could be viewed as willful and may result in revocation of [its] license." (See Government Exhibit 11).
3. In 2009, an ATF IOI conducted a compliance investigation of Licensee and cited Licensee

with eight regulatory violations, with multiple instances of each violation, including failure to properly record acquisition and disposition information in violation of 27 C.F.R. § 478.125(e) and failure to properly record background check information on the ATF Form 4473 in violation of 27 C.F.R. § 478.124(c)(3)(iv). The ATF IOI also reviewed relevant Federal firearms laws with Licensee. Among the items covered by the IOI were the requirements related to background checks, multiple sales, ATF Form 4473, and acquisition and disposition records. Licensee signed an Acknowledgment of Federal Firearms Regulations form indicating that ATF explained the information listed on the form related to firearms law and regulations. (See Government Exhibit 13). As a result of the 2009 inspection, Licensee (specifically, responsible person and President Ronald Harrison) attended a warning conference with ATF in which violations and proposed corrective actions were reviewed. Following the warning conference, ATF sent a letter stating “any future violations, either repeat or otherwise, could be viewed as willful and may result in revocation of [its] license.” (See Government’s Exhibit Number 14).

4. In 2010, an ATF IOI conducted a compliance investigation of Licensee and cited Licensee with one regulatory violation with multiple instances of failing to properly record acquisition and disposition information in violation of 27 C.F.R. § 478.125(e). The ATF IOI also reviewed relevant Federal firearms laws with Licensee. Among the items covered by the IOI were the requirements related to background checks, multiple sales, ATF Form 4473, and acquisition and disposition records. Licensee signed an Acknowledgment of Federal Firearms Regulations form indicating that ATF explained the information listed on the form related to firearms law and regulations. (See Government Exhibit 16). As a result of the 2010 inspection, Licensee (specifically, responsible person Mr. Bobbitt) received a warning letter from ATF in which violations and proposed corrective actions were reviewed. In the warning letter, ATF stated “any future violations, either repeat or otherwise, could be viewed as willful and may result in revocation of [its] license.” (See Government Exhibit 17).
5. In 2019, ATF IOI [REDACTED] (b)(6) conducted another compliance inspection of Licensee and cited Licensee with nine regulatory violations, with multiple instances of each violation, including: failure to conduct a background check in violation of 27 C.F.R. § 478.102; failure to report multiple sales in violation of 27 C.F.R. § 478.126a; failure to properly record background check information on the ATF Form 4473 in violation of 27 C.F.R. § 478.124(c)(3)(iv); and failure to maintain an accurate acquisition and disposition record in violation of 27 C.F.R. § 478.125(e). The ATF IOI also reviewed relevant Federal firearms laws with Licensee. Among the items covered by the IOI were the requirements related to background checks, multiple sales, ATF Form 4473, and acquisition and disposition records. Licensee signed an Acknowledgment of Federal Firearms Regulations form indicating that ATF explained the information listed on the form related to firearms law and regulations. (See Government Exhibit 19). As a result of the 2019 inspection, Licensee (specifically, responsible persons Ronald Harrison and Dorine Marie Zak Farmer) attended a warning conference with ATF in which violations and proposed corrective actions were reviewed. Following the warning conference, ATF sent a letter stating “any future violations, either repeat or otherwise, could be viewed as willful and may result in revocation of [its] license.” (See Government Exhibit 20).

6. On September 27, 2021, ATF initiated a compliance inspection of Licensee’s business premises. The compliance inspection resulted in the issuance of a Report of Violations, which identified 11 regulatory violations with multiple instances of each violation. Four of those regulatory violations were included in the Notice of Revocation issued to Harrison’s Inc. doing business as LaVergne Pawn and Jewelry. After presiding over the hearing and reviewing the record in this matter, I find that the facts set forth in the Notice of Revocation occurred.
7. The evidence in the record establishes that Licensee committed the following willful violations:
 - a. On three 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 and/or waiting three days before allowing the transfer, in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102. See Appendix ¶ 1.

This violation was established by the admitted exhibits and hearing testimony. IOI (b)(6) identified documentary evidence showing that Licensee willfully failed to comply with 27 C.F.R. § 478.102 on three occasions. Specifically, Licensee transferred firearms to the following three unlicensed persons on the following dates, without initiating a new NICS or Tennessee Instant Background Check System (TICS) check:

- 1) (b)(6) (January 20, 2021);
- 2) (b)(6) (November 21, 2020); and
- 3) (b)(6) (May 25, 2021).

On each of these occasions, the transfer of the firearm occurred more than 30 days after the initial NICS/ TICS check was conducted, and Licensee failed to initiate a new NICS/ TICS check prior to completion of the transfer.

IOI (b)(6) testimony established that Licensee's failures to comply with 27 C.F.R. § 478.102 were willful because Licensee was aware of the duty to conduct the requisite background checks before allowing a firearms transfer. During previous inspections, Licensee acknowledged the applicable federal firearms regulations governing licensees, including 27 C.F.R. § 478.102. (See Government Exhibits 10, 13, 16 and 19). Further, Licensee was previously cited with violating 27 C.F.R. § 478.102 during the 2019 compliance inspection. (See Government Exhibit 11). As a result of the 2019 inspection, Licensee attended a warning conference with ATF in which violations and proposed corrective actions were reviewed. Following the warning conference, ATF sent a letter stating “any future violations, either repeat or otherwise, could be viewed as willful and may result in revocation of [its] license.” (See Government Exhibit 13). Therefore, the evidence indicates that Licensee clearly demonstrated a purposeful disregard of or a plain indifference to its known legal obligation to comply with 27 C.F.R. § 478.102. IOI (b)(6) testified that the requirement to conduct background checks in compliance with 27 C.F.R. § 478.102 impacts public safety. Licensee failed to offer any explanation for

this violation other than to just say it was a “mistake.”

- b. On [redacted] occasions, Licensee willfully failed to timely and/or accurately report the sale or other disposition of two or more pistols and/or revolvers during any five consecutive business days to an unlicensed person, in violation of 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.126a. See Appendix ¶ 2.

This violation was established by the admitted exhibits and hearing testimony. IOI [redacted] (b)(6) identified documentary evidence showing that Licensee willfully failed to comply with 27 C.F.R. § 478.126a on [redacted] occasions. The regulation requires that a report of multiple sales be submitted to ATF and the local law enforcement agency in which the sale took place no later than the close of business on the day the multiple sale occurred. However, Licensee failed to timely report the multiple sales of pistols and revolvers to the following [redacted] unlicensed persons on the following dates:

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

IOI [redacted] (b)(6) testimony established that Licensee's failures to comply with 27 C.F.R. § 478.126a were willful because Licensee was aware of the requirements in the regulation. During previous inspections, Licensee acknowledged the applicable federal firearms regulations for licensees, including 27 C.F.R. § 478.126a. (See Government Exhibits 10, 13, 16 and 19). Further, Licensee was previously cited with violating 27 C.F.R. § 478.126a during the 2019 compliance inspection. (See Government Exhibit 18). As set forth above, Licensee attended a warning conference in 2019 during which violations and proposed corrective actions were reviewed.

IOI [redacted] (b)(6) also testified that compliance with 27 C.F.R. § 478.126a is very important because ATF utilizes multiple sales reports to investigate firearms trafficking. He testified that compliance with 27 C.F.R. § 478.126a impacts public safety.

IOI [redacted] (b)(6) also testified that responsible person Dorine Farmer told him it was her practice to save all the multiple sales reports and 4473s and submit them at the end of the year. During the inspection, Ms. Farmer told him that “the last IOI did not inform her that the 3310.4s must be submitted by the close of the same business day.” The evidence indicates that Licensee was, in fact, educated on the requirements in 27 C.F.R. § 478.126a multiple times and signed in acknowledgement of those forms. Additionally, the

instructions on the multiple sales form (ATF Form 3310.4) state that the form is to be submitted “no later than the close of business on the day that the multiple sale or other disposition occurs.” (See Government Exhibit 27). The actions by Ms. Farmer demonstrate that the business’s practice was plainly indifferent to the regulation which requires multiple sales reports to be submitted no later than the close of business on the day the multiple sale occurred. Licensee failed to offer any explanation for this violation other than to just say it was a “mistake.”

- c. On [] occasions, Licensee willfully transferred a firearm to a non-licensee without recording the date Licensee contacted NICS, any response provided by the system and/or any identification number provided by the system 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 ¶ 3.

This violation was established by the admitted exhibits and hearing testimony. IOI (b)(6) identified documentary evidence showing that Licensee willfully failed to comply with 27 C.F.R. § 478.124(c)(3)(iv) on [] occasions. The evidence demonstrated that Licensee willfully failed to record the date Licensee contacted NICS, any response provided by the system and/or any identification number provided by the system on the Firearms Transaction Record, ATF Form 4473 for [] different transactions with non-licensees. Specifically, Licensee willfully failed to record the date Licensee contacted NICS, any response provided by the system and/or any identification number provided by the system on the Firearms Transaction Record, ATF Form 4473 to the following [] non-licensees on the following dates:

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

IOI (b)(6) testimony established that Licensee's failures to comply with these requirements related to ATF Form 4473 were willful because Licensee was aware of the requirements in the regulation. During previous inspections, Licensee acknowledged the applicable federal firearms regulations for licensees, including 27 C.F.R. § 478.124. (See Government Exhibits 10, 13, 16 and 19). Further, Licensee was previously cited with violating 27 C.F.R. § 478.124(c)(3)(iv) during the 2009 and 2019 compliance inspections. (See Government Exhibits 12 and 18). As set forth above, Licensee attended warning conferences in both 2009 and 2019 during which violations and proposed corrective actions were reviewed. IOI (b)(6) testified that compliance with 27 C.F.R. § 478.124(c)(3)(iv) is important because this documentation shows whether a background check was run and whether a purchaser was prohibited. Licensee failed to offer any explanation for this violation other than to just say it was a "mistake."

- d. On [] occasions, Licensee willfully failed to timely and/or accurately record the disposition of firearms, in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.125(e). See Appendix ¶ 4.

This violation was established by the admitted exhibits and hearing testimony. IOI (b)(6) identified documentary evidence showing that Licensee willfully failed to comply with 27 C.F.R. § 478.125(e) on [] occasions. The evidence demonstrated that Licensee willfully failed to timely and/or accurately record the disposition of the following [] firearms:

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

IOI (b)(6) testimony established that Licensee's failures to comply with the requirements related to 27 C.F.R. § 478.125(e) were willful because Licensee was aware of the requirements in the regulations. During previous inspections, Licensee acknowledged the applicable federal firearms regulations for licensees, including 27 C.F.R. § 478.125(e). (See Government Exhibits 10, 13, 16 and 19). Further Licensee was previously cited with violating 27 C.F.R. § 478.125(e) during the 2008, 2009, 201 and 2019 compliance inspections (See Government Exhibits 9, 12, 15 and 18). ATF memorialized the need for improvement with warning conferences (2009 and 2019) and warning letters (2008 and 2011). IOI (b)(6) testified that the requirement to record the disposition of firearms is important because it ensures that ATF can trace firearms that are connected to criminal activity. Licensee failed to offer any explanation for this violation other than to just say it was a "mistake."

Conclusions of Law

Pursuant to the GCA, ATF may, after notice and opportunity for hearing, revoke a Federal firearms license if Licensee has willfully violated any provision of the GCA or the regulations issued thereunder. 18 U.S.C. § 923(e); 27 C.F.R. §§ 478.73 - 478.74.

For purposes of the regulatory provisions of the GCA, a "willful" violation is committed when Licensee knows of [his/her/its] legal obligations and purposefully disregarded or was plainly indifferent to those requirements. *Armalite v. Lambert*, 544 F.3d 644 (6th Cir. 2008), *Article II Gun Shop, Inc. v. Gonzales*, 441 F.3d 492 (7th Cir. 2006); *Appalachian Resources Development Corporation v. McCabe*, 387 F.3d 461 (6th Cir. 2004); *Procaccio v. Lambert*, 233 Fed. App'x. 554 (6th Cir. 2007); *3 Bridges, Inc. v. United States*, 216 F. Supp. 2d 655, 660 (E.D. Ky. 2002).

The Sixth Circuit has held the term "willfully" within the GCA does not require a showing of a bad purpose. *Appalachian Resources Dev. Corp.*, 387 F.3d 461, 464 (6th Cir. 2004); *Procaccio*, 233 Fed. App'x. 554, 558 (6th Cir. 2007).

"Improper recordkeeping is a serious violation. When the Act was enacted, Congress was concerned with the widespread traffic in firearms and with their general availability to those whose possession thereof was contrary to the public interest." *Fin & Feather Sport Shop, Inc. v. U.S. Treasury Dept.*, 481 F.Supp. 800 (Neb. 1979). Therefore, record keeping requirements are a critical basis for the regulation of the firearms industry, and indifference to those requirements can result in revocation. Furthermore, "[a] single willful violation of the GCA is enough to deny a federal firearms license application or revoke a federal firearms dealer's license." *Shaffer v. Holder*, No. 1:09-0030, 2010 WL 1408829, at *10 (M.D. Tenn. Mar. 30, 2010) (citing *Appalachian Resources Dev. Com. v. McCabe*, 387 F.3d 461,464 (6th Cir.2004)).

Arguing that errors were the result of human mistakes or harmless misunderstandings of clearly documented regulatory requirements is irrelevant to the standard of willfulness. "The recordkeeping requirements imposed by the GCA are, by their very nature, highly technical. Compliance therefore requires extreme vigilance." *Gamer v. Lambert*, 558 F.Supp.2d 794, 804 (N.D. Ohio 2008).

After consideration of all relevant facts and circumstances presented by Licensee and the Government, I find that Licensee willfully violated the GCA.

During the hearing, Licensee did not dispute ATF's determination that Licensee violated the GCA. Responsible person Ronald Harrison asserted that the violations were "mistakes" and that another responsible person, Ms. Farmer, had done the wrong things. Mr. Harrison stated that it was Ms. Farmer's job to go over the laws and regulations with the employees but "she just went bad." When describing his involvement in the business, Mr. Harrison stated that he went to the business approximately every six months and he never reviewed any of the forms associated with the transactions.

Despite Licensee's assertions that the violations were mistakes, I find that there is ample evidence that the violations were committed willfully. During previous inspections, Licensee acknowledged

the applicable federal firearms regulations for licensees. In 2008, 2009, 2010, and 2019, ATF conducted compliance inspections of Licensee; these inspections resulted in a thorough review of all cited violations and any proposed corrective actions. ATF memorialized the need for improvement with warning conferences (2009 and 2019) and warning letters (2008 and 2011). In the written follow-up to the warning conferences and in the warning letters, Licensee (through its responsible person(s)) was told that “any future violations, either repeat or otherwise, could be viewed as willful and may result in revocation of [its] license.”

As for the violations, similar violations had been cited after the most recent 2019 compliance inspection. Additionally, acquisition and dispositions violations had been cited after all four other compliance inspections (2008, 2009, 2010 and 2019).

Despite ATF's numerous attempts to educate Licensee, impress upon it the importance of compliance, and instruct on the need for accurate record keeping, Licensee has continued to be indifferent to its legal obligations under the GCA. This resulted in the public safety risks associated with the transfer of a firearm in violation of NICS/ TICS requirements, the failure to report multiple sales, the failure to properly complete ATF Forms 4473, and the failure to properly record the disposition of firearms. Licensee's history of failing to comply with regulations clearly meets the legal standard for plain indifference of the record keeping requirements necessary to revoke the license.

As such, I conclude that Licensee willfully violated the provisions of the GCA and the regulations issued thereunder. Accordingly, as provided by 18 U.S.C. § 923(e) and 27 C.F.R. § 478.74, the Federal firearms license held by Harrison's Inc. doing business as LaVergne Pawn and Jewelry is hereby REVOKED.

Dated this 21st day of July 2022

(b)(6)

Steven A. Kolb
Director, Industry Operations
Nashville Field Division
Bureau of Alcohol, Tobacco, Firearms and Explosives
United States Department of Justice