

LOHMAN ARMS COMPANY LLC's FCI
FCI-32916
09/15/2022 01:45 PM
IOI (b)(6) Houston VII (IO) Field Office

GENERAL INFORMATION

IOI Hours Spent on Inspection
100.0
Due Date
3/16/22 8:00 PM

LICENSEE INFORMATION

Licensee Name
LOHMAN ARMS COMPANY LLC
RDS Key
5-76-03812
License/Permit Number
5-76-201-01-2B-03812
License Type
01 - Dealer License
Business Type
Limited Liability Company (LLC)
Premises Ownership Type
Leased/Rented
Premises Location Type **Required**

Store Front

Premises Address
11875 WEST LITTLE YORK STE 701, Unit N/A, HOUSTON, Texas 770
Address
11875 WEST LITTLE YORK STE 701
Unit N/A
HOUSTON, Texas 77041-6249
HARRIS
United States
Address
11875 WEST LITTLE YORK STE 701
Unit N/A
HOUSTON, Texas 77041-6249
HARRIS
United States

Phone Type	Phone Number	Remarks
Business	+1 832-849-0009	
Fax	+1 866-941-5514	

RECOMMENDATIONS

Final Decision
Revocation
Date
08/24/2022
Details

A Final Notice of Revocation was sent to the FFL on 8/24/2022. The attorney representing Lohman Arms notified the DIO on 9/2/2022 to confirm receipt of the notice and to inform the required records were shipped to the OBRC via UPS with proof of delivery on 8/29/2022.

Out of Business Records and Inventory Management

Licensee Records

Licensee Inventory

Deputy Assistant Director - Industry Operations Curtis Gilbert's Recommendation
Revocation
Details

Review held with DAD(IO) in 5/4/22. Proceed with issuance of a notice of revocation.

Special Agent in Charge Frederick Milanowski's Recommendation

(b)(5) DPP

(b)(5) DPP

Division Counsel: (b)(6) Review
Details

Reviewed.

Director of Industry Operations: (b)(6) Recommendation

Revocation
Details

During this inspection, there were 4 violations cited. One violation warrants a recommendation of revocation for failure to initiate a new NICS check after a 30-day lapse of the initial check based on the Administration's Comprehensive Strategy to Prevent and Respond to Gun Crime and Ensure Public Safety. This violation occurred in one instance. A background check was conducted on the customer and the customer is not prohibited under the GCA. The RP stated he believed the error occurred because both (b)(6), which delayed the transfer. In addition, he stated he thought if the customer recertified the answers were true and correct, that was sufficient.

The FFL was received in 2013 and two compliance inspections have been conducted. One in 2014 and one in 2019. Both inspections had a recommendation of no violations.

There were no missing firearms, no traces, no unreported multiple sales, no reported thefts or loses during the inspection period or as a result of the inspection and no transfers to prohibited persons.

There were no extraordinary circumstances disclosed; therefore, based on the current policy, a recommendation of revocation is proposed.

Area Supervisor: (b)(6) Recommendation

Revocation

Details

Based on ATF O 5370.1E, Federal Firearms Administrative Action Policy and Procedures, as a result of the Comprehensive Strategy to Prevent Gun Crime (July 14, 2021), and the inspection findings I am recommending revocation of license. The licensee failed to initiate a new NICS check when the transaction was not completed within the 30-day period from the date of NICS was initially contacted.

Industry Operations Investigator: (b)(6) Recommendation

Warning Conference

Details

The inspection of Lohman Arms Company, LLC dba Lohman Gunsmith resulted in the licensee being cited for four violations. One violation, failure to initiate a new NICS check after 30-day lapse of initial check warrants a recommendation of Revocation under ATF Order 5370.1E. The customer, who was transferred the firearm more than 30 days after NICS was originally contacted, was queried in OmnixxForce with no prohibiting information found.

The Comprehensive Strategy to Prevent Gun Crime, ATF Order 5370.1E and revocation of Firearms License (<https://www.atf.gov/firearms/revocation-firearms-licenses>) states the violation must be willful to justify revocation. Lohman Arms Company, LLC has held this license since January 16, 2013 and has no history of not conducting a background check or other violations, which would potentially justify revocation other than this one instance of failing to initiate a new NICS check after 30-day lapse of initial check. It appears this violation was a result of inadvertence; therefore, we should assist the licensee in taking corrective actions to ensure the violation is not repeated and the licensee achieves full compliance. Recommendation of Warning Conference.

Inspection Findings

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.

ELIGIBILITY VERIFICATION

Business Information Verification

Licensee Name

LOHMAN ARMS COMPANY LLC

Business Type

Limited Liability Company (LLC)

Is the business valid?

Yes

Additional Findings

A query of the Texas Secretary of State website revealed Lohman Arms Company, LLC is a domestically registered limited liability company. The Secretary of State website shows Mr. Brian Lohman is the sole member, which matches the Public Information Report. Mr. Lohman stated there was another member, (b)(6) who owned 49% of the shares. Mr. Lohman stated he bought him out several years ago and is the 100% shareholder. (b)(6) was deactivated by IO: (b)(6) Due to (b)(6) not owning a majority of shares there was no change in control.

Mr. Lohman stated there are no other entities the FFL could be operating under.

Attachment(s):

UPDATED FLS.pdf

PIR.pdf

Sales Tax.pdf

Franchise Tax.pdf

SOS Management Tab.pdf

Certificate of Formation.PDF

LicenseRegistrationReport Dealer License.pdf

Property Ownership Verification

Premises Ownership Type

Leased/Rented

Premises Location Type

Store Front

Has the property ownership been verified?

Yes

Address

11875 WEST LITTLE YORK STE 701

Unit N/A

HOUSTON, Texas 77041-6249

HARRIS

United States

Additional Findings

A query of the Harris County Appraisal District revealed the property is owned by Blum Beltway LP.

Attachment(s):

HCAD.pdf

Trade Name/DBA Verification

Trade Name/DBA

BRIAN LOHMAN MFG

Is the trade name/DBA registered?

Yes

Additional Findings

Mr. Lohman stated the trade name Brian Lohman MFG should only be associated with his type 07 license, however it somehow became associated with all of the licenses. Mr. Lohman indicated the correct trade name for this license should be Lohman Gunsmith. It is unknown if Mr. Lohman requested the assumed name be corrected or if he was unaware the assumed name was incorrect.

A PII was sent to the Federal Firearms Licensing Center on 04/04/2022 requesting the business name be updated and (b)(6) be deactivated as a responsible party. On 04/05/2022 (b)(6) legal instrument examiner, deactivated (b)(6) and corrected the trade name. (b)(6) advised the license will not print due to SAF (See attached email.)

Attachment(s):

Email from (b)(6) regarding DBA correction.pdf

Lohman Gunsmith DBA.PDF

Brian Lohman MFG. DBA.pdf

Rental/Lease Verification

Is the proposed business activity permitted by the property owner?

Yes

Additional Findings

Mr. Lohman provided a copy of the lease agreement.

On March 9, 2022, Investigator (b)(6) spoke with J (b)(6) of Central Management. (b)(6) advised they are aware Lohman Arms Company, LLC is operating a firearms business from the leased space.

Contact Information

Name

(b)(6)

Organization

Blum Beltway, LP dba Central Management

Job Title

On-site Manager

Date Contacted

03/09/2022

Phone Type	Phone Number	Remarks
Business	+1 713-856-8100	

Attachment(s):

#701 Lohman Arms.pdf

Lohman Arms #701 extention 2021 final.pdf

Zoning Information Verification

Is the proposed business activity in compliance with zoning?

Yes

Additional Findings

The business premises is located in the City of Houston in Harris County. Neither the City of Houston or Harris County has zoning restrictions.

Attachment(s):

City of Houston No-Zoning-Letter-and-Boundary-Map-2022.pdf

Harris-County-Zoning-Letter-2022.pdf

APPOINTMENT DETAILS

Interview Date

02/08/2022

Address

11875 WEST LITTLE YORK STE 701, Unit N/A, HOUSTON, Texas 77041-6249

Responsible Attendee(s)

BRIAN WILLIAM LOHMAN

(b)(6)

(Deactivated)

Non-Responsible Person(s)

No Items

RESPONSIBLE PERSON(S)

BRIAN WILLIAM LOHMAN

Name

BRIAN WILLIAM LOHMAN

Gender

Male

Race

White

Ethnicity
Not Hispanic or Not Latino
Date of Birth
(b)(6)
SSN
(b)(6)
Job Title
MEMBER

Physical Identifiers

(b)(6)

Place of Birth

(b)(6)

Home Address

(b)(6)

Additional Names

Citizenship

United States

ID Type	Country	State	ID Number
Driver's License	United States	Texas	(b)(6)
Phone Type	Phone Number	Remarks	
Mobile	(b)(6)		
Mobile	(b)(6)		
Email Address	Email Remarks		
(b)(6)			
(b)(6)			

Criminal History Check

Date Criminal History Check Conducted

02/03/2022

Criminal History Check Comments

No identifiable record.

(b)(6)

(Deactivated)

Name

(b)(6)

Gender

Male

Race

White

Ethnicity

Not Hispanic or Not Latino

Date of Birth

(b)(6)

SSN

(b)(6)

Job Title

MEMBER

Physical Identifiers

(b)(6)

Place of Birth

(b)(6)

Home Address

(b)(6)

Additional Names

Citizenship

United States

ID Type	Country	State	ID Number
Driver's License	United States	Texas	(b)(6)
Phone Type	Phone Number	Remarks	
Mobile	(b)(6)	All the time	
Mobile			
Email Address	Email Remarks		
(b)(6)	None		

Criminal History Check

Date Criminal History Check Conducted

02/03/2022

Criminal History Check Comments

No identifiable record.

INTERVIEW QUESTIONNAIRE

What is the proposed business activity?

Lohman Arms Company, LLC (Lohman) holds three FFLs at this location - 5-76-03812 dealer (01), 5-76-04555 manufacturer (07) & 5-76-05538 importer (08). This inspection covers the dealer license, which has been held since 01/16/2013. There are no other businesses run by the licensee at this location, however Lohman Arms Company, LLC has an additional FFL (5-76-07521) in Spring, TX. Sole R/P, Brian Lohman, also has an insurance business.

Lohman utilizes the dealer license primarily for gunsmithing, however they do a small amount of retail sales and transfers. This license does not deal in NFA, deal at gun shows or conduct internet sales, however they utilize www.lohmanarms.com for advertising purposes. This licensee does not hold any variances.

Do they need an additional license or permit?

No

Who are their primary suppliers?

The primary suppliers for Lohman Arms Company, LLC is the general public.

Other State or Local Permits

Type	Number	Expiration
State Sales Tax	(b)(3)(26 USC § 6103)	

Business Activities

Internet Sales/Transfers

Retail

Gunsmith

www.lohmangunsmith.com

Selected Operational Security Measures

- Controlled Access to ATF Recordkeeping
- Controlled Access to Keys
- Formal Employee Training

SUPPLEMENTAL QUESTIONNAIRE

General Business Operations

If there is a security system, who has access to the security codes?
Mr. Lohman and several employees.
Who has keys to the premises?
Mr. Lohman and several employees.
Who has keys to locked inventory?
Mr. Lohman and several employees.
Who is operating the business on a day-to-day basis?
Mr. Lohman.
Is financial backing provided by anyone that is not a responsible person on the license/permit?
N/A
Are any employees known to be prohibited?
No
Are any employees associated with a previously denied/revoked/surrendered license/permit?
No

SECURITY WALKTHROUGH

Inspection Area Description
Lohman Arms Company, LLC is located in a commercial strip center. The business premises consists of a small store front, offices and warehouse space. The acquisition & disposition books and ATF Forms 4473 are kept in a file cabinet. Firearms are stored in numerous locations throughout the premises. No off-site storage is utilized.
Primary Activity
Retail

GPS Coordinates

Latitude
29.86483
Longitude
-095.58619
Selected Physical Security Measures

(b)(4)

ONSITE SUMMARY

Total Number of ATF Form 4473s for Inspection Review Period
(b)(4)
Total Number of ATF F 4473 Reviewed
(b)(4)
Total Number of Open Dispositions in A & D Record
(b)(4)
Total Number of Firearms in Inventory
483
Actual Number of Firearms Verified
(b)(4)
Number of Firearms Missing Before Reconciliation
0
Total Number of Firearms Missing After Reconciliation
0
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
0
Total Number of Traces During Inspection Review Period
0
Total Number of Those Traces That Were Unresolved
0
Inspection Period Start Date
02/08/2021
Inspection Period End Date
02/08/2022
Number Of Traces Resolved By IOI
0

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

Compliance History

There was one inspection conducted in the past five years. The inspection (FCI-9934) concluded on June 6, 2019 with a recommendation of No Violations.
Additional Comments

The period of inspection was February 8, 2021 to February 8, 2022. There were [redacted] open dispositions in the A&D record and a 483 firearms in inventory. The licensee did not submit any theft or loss reports during the inspection period or as a result of this inspection. The A&D record is maintained manually. The licensee currently has ten active books. The A&D record is in the proper format and the entries are timely made. There were no trafficking issues relating to acquisition and disposition of firearms. IO [redacted (b)(6)] didn't discover any obliterated serial numbers or illegal firearms. IO [redacted (b)(6)] traced [redacted] firearms through the licensee's required records from acquisition through disposition. Firearms transferred to other licensees were conducted properly. There were no sales to law enforcement officers. There were no trafficking issues relating to purchasers of firearms. The licensee was associated with zero traces during the inspection period. There were no unsuccessful traces. There were no reported multiple sales and no unreported multiple sales were identified. The FFL Audit Log disclosed two 'proceed' NTN's, which were verified with no discrepancies and zero denied NTN's during the last five years. Forms 4473 are filed chronologically. One individual who was transferred a firearm over 30 days after NICS was initiated was queried in Omnixx Force with negative results (not prohibited). The discrepancies between number of acquisitions, dispositions and the number of completed ATF Forms 4473 is due to Lohman operating primarily as a gunsmith. Gunsmiths are not required to complete ATF Forms 4473 when the firearm is returned to the person from whom it was received.

There was one inspection conducted in the past five years. The inspection (FCL-9934) concluded on June 6, 2019 with a recommendation of No Violations.

As a result of the inspection the licensee was cited for 27 CFR 478.21(a) [redacted] instances, 27 CFR 478.102(c) [redacted] instance, 27 CFR 124(c)(3)(iv) [redacted] instance and 27 CFR 478.125 (e) [redacted] instances.

IO [redacted (b)(6)] informed the licensee the only exemption to NICS is the TX LTC permit. IO [redacted (b)(6)] provided the licensee with a copy of the Revocation of Firearms Licenses and the Important Notice, Selling Firearms After Revocation, Expiration, or Surrender of Firearms License.

The inspection began on February 8, 2022, and ended on February 15, 2022, where the ROV and Acknowledgement of Federal Firearms Regulations was reviewed.

Attachment(s)

- Report of Violations.pdf
- Licensee Response to Violations Report.pdf
- Licensee Response to Violations Report.pdf

REPORT OF VIOLATIONS

Regulation	Corrective Actions	Instance Details
1 27 CFR 478.102(c): Failure to initiate a new NICS check after 30-day lapse of initial check ATF Forms 4473: 1 Number of Instances: 1	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 [redacted (b)(6)]
2 27 CFR 478.125(e): Failure to maintain an accurate/complete/timely acquisition and disposition record of firearms Number of Instances: [redacted]	Accurately, completely & timely record all required future firearm acquisition information. Amend/Update A&D Record to accurately record all required firearm acquisition information.	[redacted (b)(3) (112 Public Law 55 125 Stat 552),(b)(6)]
3 27 CFR 478.21(a): Failure to complete forms as prescribed ATF Forms 4473 [redacted] Number of Instances [redacted]	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.	[redacted (b)(3) (112 Public Law 55 125 Stat 552),(b)(6)]
4 27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473 ATF Forms 4473 [redacted] Number of Instances [redacted]	Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.	[redacted (b)(3) (112 Public Law 55 125 Stat 552),(b)(6)]

LICENSEE RESPONSE REPORT

Regulation	Corrective Actions	Licensee Response	Status Details
1 27 CFR 478.102(c): Failure to initiate a new NICS check after 30-day lapse of initial check ATF Forms 4473: 1 Number of Instances: 1	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.	Mr. Lohman stated " I believe this error occurred because [redacted (b)(6)] which delayed the transfer of the firearm. I was also unaware of the 30 day rule, I thought if the customer re-certifying their answers were true and correct was sufficient."	Status Licensee Notified Verified Method In Person Date Licensee Notified 02/15/2022
27 CFR 478.125(e): Failure to maintain an accurate/complete/timely acquisition and disposition record of	Accurately, completely & timely record all required future firearm acquisition information.	Mr. Lohman stated " The [redacted (b)(6)] was a mistake made at acquisition, the other firearms I believe were firearms	Status Correction Verified

2	firearms Number of Instances: []	Amend/Update A&D Record to accurately record all required firearm acquisition information.	brought in for restoration and the serial numbers were not visible until after the restoration process began."	Verified Method In Person Date Correction Verified 02/15/2022
3	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.	Mr. Lohman stated " These were just unacceptable human errors."	Status Licensee Notified Verified Method In Person Date Licensee Notified 02/15/2022
4	27 CFR 478.124(c)(3)(iv): Failure to record NICS contact information on an ATF F 4473 ATF Forms 4473 [] Number of Instances: []	Ensure that all required NICS/POC background check information is obtained and accurately recorded on all future ATF Forms 4473, Section B.	Mr. Lohman stated this was an unacceptable human error that should not happen."	Status Licensee Notified Verified Method In Person Date Licensee Notified 02/15/2022

CLOSING CONFERENCE

(2/15/2022)
02/15/2022

Closing Conference Additional Notes

IOI (b)(6) advised Mr. Lohman that he was possibly facing revocation at the closing conference. Mr. Lohman inquired about the process and asked if there would be correspondence sent via mail. IOI (b)(6) advised correspondence would be sent via certified mail. Mr. Lohman stated he has issues with mail delivery quite frequently and is worried he may not get any correspondence from ATF. Mr. Lohman requested that he also be emailed (b)(6) any correspondence to make sure he receives. it. Attachment(s)

Attendee(s)

BRIAN WILLIAM LOHMAN

EXHIBITS

Inspection

Category	Attachment Name
Correspondence	Spartan Notification RE: 5-76-03812 Inspection Results
Correspondence	Spartan Notification RE: 5-76-03812 Monitored Case
Correspondence	Spartan Notification RE: 5-76-03812 Monitored Case
Correspondence	Spartan Notification RE: 5-76-03812 Monitored Case
Correspondence	Spartan Notification RE: 5-76-03812 Monitored Case
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Correspondence	Spartan Notification RE: 5-76-03812 Monitored Case
Correspondence	Spartan Notification RE: 5-76-03812 Monitored Case
BusinessVerification	UPDATED FLS.pdf

TradeNameVerification	Email from (b)(6) regarding DBA correction.pdf
Correspondence	Spartan Notification RE: 5-76-03812 National Licensing Center
ReturnedSignedROV	Report of Violations.2.pdf
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ReturnedSignedROV	Amended Report of Violations.pdf
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
BusinessVerification	PIR.pdf
TradeNameVerification	Lohman Gunsmith DBA.PDF
RentalLeaseVerification	#701 Lohman Arms.pdf
ClosingConferenceSummary	Acknowledgment of Regulations.pdf
Correspondence	
Correspondence	Information Concerning Your Federal License/Permit
ViolationsPDF	Report of Violations.pdf
ViolationsPDF	Report of Violations.pdf
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
Correspondence	Information Concerning Your Federal License/Permit
Correspondence	
ViolationsPDF	Report of Violations.pdf
RentalLeaseVerification	Lohman Arms #701 extention 2021 final.pdf
BusinessVerification	Sales Tax.pdf
BusinessVerification	Franchise Tax.pdf
BusinessVerification	SOS Management Tab.pdf
BusinessVerification	Certificate of Formation.PDF
BusinessVerification	LicenseRegistrationReport Dealer License.pdf
PropertyOwnershipVerification	HCAD.pdf
TradeNameVerification	Brian Lohman MFG. DBA.pdf
ZoningVerification	City of Houston No-Zoning-Letter-and-Boundary-Map-2022.pdf
ZoningVerification	Harris-County-Zoning-Letter-2022.pdf

License

Category	Attachment Name
Correspondence	Spartan Notification RE: 5-76-03812 Special Attention Flag (SAF)

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

In the matter of License Number 5-76-201-01-5B-03812, as a/an

Dealer in Firearms Other Than Destructive Devices issued to:

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

Lohman Arms Company, LLC
11875 West Little York Road
Suite 701
Houston, Texas 77041

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 5825 North Sam Houston Parkway West, Suite 300, Houston, Texas 77086, 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	(b)(6)
06/30/2022	Tanarra James, Director, Industry Operations	

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: 7014120000001424826 Or Delivering a copy of the notice to the address shown below.

Date Notice Served	Title of Person Serving Notice	(b)(6)
	Executive Assistant	

Print Name and Title of Person Served

Address Where Notice Served
11875 West Little York Road, Suite 701, Houston, Texas 77041

Pursuant to 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 Lohman Arms Company, LLC, 11875 West Little York Road, Suite 701, Houston, Texas 77041 (“Licensee”), a Dealer in Firearms Other Than Destructive Devices. Specifically, the Director, Industry Operations, United States Department of Justice, ATF, Houston 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 issued a Federal firearms license in January 2013. The laws and regulations issued under the GCA were reviewed as part of the application inspection with responsible person, Brian Lohman. ATF conducted compliance inspections of Licensee in March 2014 and June 2019 during which the laws and regulations issued under the GCA were again reviewed with Brian Lohman.

Current Inspection

On February 8, 2022, ATF began a compliance inspection of Licensee’s premises that revealed the following:

1. On the one occasion listed below, Licensee willfully transferred a firearm to an unlicensed person without first contacting the National Instant Criminal Background Check System (“NICS”) before allowing the transfer, in violation of 18 U.S.C. § 922(t) and 27 C.F.R. § 478.102.

Date of Transfer	Transferee	Firearm
1/26/22	(b)(6)	PTR Industries, PTR 9, (b)(6) 9mm pistol

2. On the [] occasions listed below, Licensee willfully failed to timely and/or accurately record the acquisition of a firearm in violation of 18 U.S.C. § 923(g)(1)(A) and 27 C.F.R. § 478.125(e).

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

3. On the occasions listed below, 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).

Date of Transfer	Transferee	Discrepancy
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(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)

4. On occasion listed below, 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).

Date of Transfer	Transferee	Discrepancy
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(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 5-76-201-01-5B-03812 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*)

Lohman Arms Company LLC
11875 West Little York Road
Suite 701
Houston, Texas 77041

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 August 24, 2022,
- license is suspended for _____ calendar days, effective _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p)
- licensee is fined \$ _____, payment due: _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).
- After due consideration following a hearing held pursuant to 18 U.S.C. § 923(f)(2) and/or 922(t)(5), and on the basis of findings set out in the attached copy of the findings and conclusions, the Director or his/her designee concludes that your
- application for license described above is denied, pursuant to 18 U.S.C., 923(d).
- application for renewal of license described above is denied pursuant to 18 U.S.C. 923(d), effective:
- 15 calendar days after receipt of this notice, or _____
- license described above is revoked pursuant to 18 U.S.C., 923(e), 922(t)(5) or 924(p), effective:
- 15 calendar days after receipt of this notice, or _____
- license is suspended for _____ calendar days, effective _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).
- licensee is fined \$ _____, payment due: _____, pursuant to 18 U.S.C. § 922(t)(5) or 924(p).

If, after the hearing and receipt of these findings, you are dissatisfied with this action you may, within 60 days after receipt of this notice, file a petition pursuant 18 U.S.C. § 923(f)(3), for judicial review with the U.S. District Court for the district in which you reside or have your principal place of business. If you intend to continue operations after the effective date of this action while you pursue filing for judicial review or otherwise, you must request a stay of the action from the Director of Industry Operations (DIO), Bureau of Alcohol, Tobacco, Firearms and Explosives, at 5825 North Sam Houston Parkway West, Suite 300, Houston, Texas 77086

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 08/29/2022	Name and Title of Bureau of Alcohol, Tobacco, Firearms and Explosives Official Tanarra James, Director, 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: 7018 2290 0000 3367 3229

Or

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

Date Notice Served	Title of Person Serving Notice Executive Assistant	(b)(6)
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Print Name and Title of Person Served	
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Address Where Notice Served 11875 West Little York Road, Suite 701, Houston, Texas 77041

Note: Previous Edition is Obsolete

Lohman Arms Company LLC, (“Licensee”), holds Federal Firearms License 5-76-201-01-5B-03812 issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) pursuant to 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.

On June 30, 2022, ATF issued a Notice to Revoke or Suspend Licensee and/or Impose a Civil Fine, ATF E-Form 4500 (5300.4) (“Notice to Revoke License”) advising Licensee that ATF intended to revoke its License. The Notice to Revoke alleged that Licensee willfully violated the provisions of the GCA, and the regulations issued thereunder. The Notice to Revoke further specified that if Licensee wished to challenge the revocation, it may file a request with ATF for a hearing “within 15 days after receipt of this notice.” See 18 U.S.C. § 923(f)(2); 27 C.F.R. § 478.73(b).

By letter dated July 14, 2022, Licensee timely requested a hearing to review the Notice to Revoke License. As a result, ATF notified Licensee that the hearing would occur on August 25, 2022.

On August 23, 2022, Licensee, through its attorney, emailed the Director of Industry Operations and Division Counsel of the Houston Field Division indicating that it was surrendering its license, effective August 24, 2022.

For reasons set forth in the Notice to Revoke License issued on June 30, 2022, License for Lohman Arms Company LLC is hereby REVOKED with an effective date of August 24, 2022.

Dated this 29th day of August 2022

(b)(6)

Tanarra James

Director, Industry Operations

Houston Field Division

Bureau of Alcohol, Tobacco, Firearms and Explosives

United States Department of Justice