

BLACKFOX LLC's FCI

FCI-19441

04/06/2022 12:59 PM

IO# (b)(6) Nashville IV (IO) Field Office

**LICENSEE INFORMATION**

Licensee Name	RDS Key	License/Permit Number	License Type
BLACKFOX LLC	1-62-05447	1-62-117-01-0H-05447	01 - Dealer License

Business Type  
Limited Liability Company (LLC)

**Premises Address**

Premises Ownership Type  
Owned

Premises Location Type  
Store Front

Address  
113 S HORTON PKWY  
Unit N/A  
CHAPEL HILL, Tennessee 37034  
MARSHALL United States

**Mailing Address**

Address  
P O BOX 185  
Unit N/A  
CHAPEL HILL, Tennessee 37034  
United States

Phone Type	Phone Number	Remarks
Business	+1 615-830-9377	
Fax	+1 888-372-1524	

**RECOMMENDATIONS**

Final Decision  
Warning Conference

Deputy Assistant Director - Industry Operations Hans Hummel's Recommendation  
Warning Conference

Details

This FCI was briefed to the Acting Director on 2/24/22. A DIO led WC in lieu of revocation is appropriate after consideration of the following extraordinary circumstances. This was the FFL's first inspection after holding a license for 10 years. The FFL predominantly transfer firearms to businesses that provide security service to government agencies. The FFL had 5 transfers without background checks. None of the transfers were to prohibited individuals. Two of these transfers were to Responsible Persons. The other three transfers were to contractor Sales Representatives (who were not prohibited). Ruling 2010-1 outlines a change in policy made by ATF with regards to handling of transfers to contractors - and this FFL was licensed during a time while this change was occurring. Upon learning of the mishandling of these transfers, the FFL immediately had the Sales Representatives return the firearms and has implemented a sales program that will no longer rely on contracted sales personnel.

Special Agent in Charge Mickey French's Recommendation

SAC French agrees with Warning Conference.

Division Counsel (b)(6) Review

Details

Review completed.

Director Industry Operations Steven Kolb's Recommendation  
Warning Conference

Details

The violations cited during the compliance investigation warrant revocation based on five (5) instances of the licensee transferring firearm(s) without a background check. However, an alternate recommendation of a DIO led Warning Conference is being offered for the following reasons. In each of the five (5) instances involving a total of seven (7) firearms transferred, the recipients of the firearms were either a responsible person (RP) on the license or a contracted sales representative. In the case of the transfers made to the RPs, the licensee did not realize that since the LLC owned the firearms, the transfers could not be completed without ATF F 4473 and a background check. The RPs believed the transfers were allowed because the transfers were made to an RP on the license (4 firearms). Along the same lines, the RP responsible for processing the three (3) firearm transfers to the sales representatives believed the transfers were permitted because the contractors worked for the licensee. The contractors were indirectly paid by the licensee for any subsequent sales, and the transfers were for official business i.e. for the purposes of demonstrating or showcasing the type of firearms for sale. However, this investigation revealed the sales representatives were in fact contractors and not bona fide employees; therefore, not entitled to relief under ATF Ruling 2010-1. When confronted with these findings, the licensee accepted full responsibility and promptly generated ATF F 4473 and conducted the proper background checks for the firearms transferred to the RPs. None of the RPs involved were determined to be prohibited from receiving firearms. The firearms that were transferred to the contractor(s) were returned to the licensee. Subsequent background checks were conducted on the contractors. None were prohibited. Additionally, this was the first inspection of the licensee since the license was issued in 2011. During those ten years of not being seen by ATF, it is likely that a previous compliance inspection would have recognized these types of transfers, resulting in the issue being addressed with the licensee. Also, for consideration, these types of transfers may or may not have been discussed during the onsite qualification inspection with the licensee. The subject of transferring to RPs and contractors is not an itemized topic for discussion on the Acknowledgment of Federal Firearms Regulations. These transfers to the RPs and contractors exhibit no evidence of a nexus to violent crime or immediate threat to public safety. The firearms involved have not appeared in any firearm traces, as well as no trace activity attributed to this licensee. A post-inspection follow-up conversation with a responsible person of the licensee confirmed that the contractors receive Forms-1099 since they are paid by the licensee for any sales that are made. Since the inspection and receipt of the warning letter, the licensee has decided to cease the use of contractors to

assist in outside sales. The remaining violations only rise to the level of warning letter. This assignment was re-opened per new guidance. A warning letter was previously issued to the license.

Area Supervisor: (b)(6) Recommendation:  
Warning Conference

Details

Onsite End Date: 6/14/2021

IOI (b)(6) conducted a Firearms Compliance Investigation of the licensee. The inspection was closed and a Warning Letter was issued to the licensee in July of 2021. ATF HQ reopened the assignment in October of 2021.

The licensee was cited for 11 violations. The violations cited during the compliance investigation warrant revocation based on five (5) instances of the licensee transferring firearm(s) without a background check. However, an alternate recommendation of a DIO led Warning Conference is being offered for the following reasons. In each of the five (5) instances, the recipients of the firearms were either a responsible person (RP) on the license or a contracted sales representative. The situation with the RP was a transfer from business inventory to personal inventory. The contracted sales representative was assigned firearms for demonstration and sales purposes. This was for business purposes and the licensee did not realize assignment of a firearm to a contractor would require a background check. The assignment of firearms to the contractor were temporary and the firearm would be returned when no longer needed for sales purposes. None of the transferees were prohibited.

The licensee has not been subject to any trace requests. The license was issued in 2011. This inspection was the first compliance inspection of the licensee.

Industry Operations Investigator: (b)(6) Recommendation:  
Warning Letter

Details

Onsite Begin Date: 6/1/2021

Onsite End Date: 6/14/2021

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

# Violations Found: 11 (eleven)

27 CFR 478.102(a): Failure to complete a NICS/POC background check

The results of the investigation warrant Revocation based on the licensee's failure to complete a NICS/POC background check. However, an alternate recommendation of Warning Letter is being offered based on the following. The licensee took responsibility for the violations and was eager to learn how to be compliant. The licensee has had no traces in the last 12 months, and its business model of mostly selling firearms to government entities and private companies that have contracts with government agencies. Although the licensee was eager to learn how to be compliant, a recall inspection would reveal whether the licensee is able to maintain voluntary compliance.

Relevant Inspection History:

None

**Inspection Findings**

**Records and Forms**

- 4. Failure to record valid and complete transferee identification (ID) on 10 percent or more of the Forms 4473 examined.
- 8. Failure to execute a Form 4473 for the transfer of a firearm out of business inventory to an FFL responsible person (other than a sole-proprietor), if the transferee is NOT prohibited.
- 9. Failure to execute a Form 4473 (Exception: Select findings 6, 7, and 8 above for consignment sales, transfers to law enforcement officers for personal use, and FFL responsible persons; if the transferee is NOT prohibited).

**Firearms**

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

**NICS**

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

**ELIGIBILITY VERIFICATION**

*Business Information Verification*

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

**Additional Findings**

According to the Tennessee Secretary of State, the business has been registered as a domestic limited liability company since 4/13/2009, and is active and in good standing. The registered agent of the LLC is correctly identified as one of the responsible persons in FLS. No issues of hidden control/ownership were identified.

Attachment(s):  
FCI-19441 Business Information Verification 1-62-05447.pdf

**Property Ownership Verification**

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

Address  
113 S HORTON PKWY  
Unit N/A  
CHAPEL HILL, Tennessee 37034  
MARSHALL United States

**Additional Findings**

The business premises is suitable for the activities conducted. The business operates from storefront that is closed to the general public in Chapel Hill, Tennessee. According to the Marshall County Appraiser's Office, the business premises is owned by Blackfox LLC. Off-site storage is not utilized.

Attachment(s):  
FCI-19441 Property Ownership Verification 1-62-05447.pdf

**Trade Name/DBA Verification**

Trade Name/DBA	Is the trade name/DBA registered?
BLACKFOX TACTICAL	Yes

Attachment(s):  
FCI-19441 Assumed Name-DBA Registration 1-62-05447.pdf

**Zoning Information Verification**

Is the proposed business activity in compliance with zoning?  
Yes

**Additional Findings**

According to the Marshall County Government, the licensee is still in compliance with local zoning ordinances.

**Contact Information**

Name	Date Contacted
(b)(6)	06/01/2021

Organization  
Marshall County Planning and Zoning

Job Title  
Zoning Administrator

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

Attachment(s):

**APPOINTMENT DETAILS**

Interview Date  
06/01/2021  
Address  
113 S HORTON PKWY, Unit N/A, CHAPEL HILL, Tennessee 37034

Responsible Attendee(s)	Non-Responsible Person(s)
ROBERT GLEN BROWN HERBERT MICHAEL OWEN	No Items

**RESPONSIBLE PERSON(S)**

**ROBERT GLEN BROWN**

Name	Gender	Race	Ethnicity
ROBERT GLEN BROWN	Male		
Date of Birth	SSN	Job Title	
(b)(6)	(b)(6)	VP SALES	

**Physical Identifiers**

Height	Weight	Hair Color	Eye Color
--------	--------	------------	-----------

**Place of Birth**



business is made up of firearms sales with the majority being sales to government entities and business entities who provide security services to governmental agencies. The business also does less than 10% of its firearms sales to non-licensed individuals who are affiliated in some way with the military or law enforcement. The licensee does not conduct any business at gun shows and does not conduct any gunsmith activities. Blackfox LLC has possessed this license since 7/15/2011. The license held is appropriate for the business and the licensee is in compliance with all state/local laws. There are no other businesses held on the premises. There is no offsite storage of records or firearms.

Do they need an additional license or permit?  
No

Who are their primary suppliers?  
The licensee's main suppliers are (b)(4)

**Business Activities**

- Wholesale
- Retail
- Law Enforcement Sales

Selected Operational Security Measures

- Controlled Access to ATF Recordkeeping
- Controlled Access to Keys

**PREMISES INFORMATION**

Inspection Area Description  
The inspection was conducted at the licensed premises on 6/1/2021 by IOI (b)(6). The licensee's premises is suitable for the activities conducted. The premises is a commercial store front located on a major thoroughfare in Chapel Hill, TN. The property is owned by Backfox LLC according to the Marshal County, TN Assessor (see attachments). The licensee is in compliance with state laws and zoning restrictions. The licensee does not have any off site storage. There were no safety of health concerns identified during the inspection.

Primary Activity  
Government

Selected Physical Security Measures

(b)(4)

**GPS Coordinates**

Latitude  
35.62616

Longitude  
-86.69355

**ONSITE SUMMARY**

Total Number of ATF Form 4473s for Inspection Review Period

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  
134

Actual Number of Firearms Verified

Number of Firearms Missing Before Reconciliation

Total Number of Firearms Missing After Reconciliation

(b)(4)

Total Number of Acquisitions in the Last 12 Months

(b)(4)

Total Number of Dispositions in the Last 12 Months

(b)(4)

Onsite Start Date

Onsite End Date

Number of Reported Lost/Stolen Firearms During Inspection Period

Total Number of Traces During Inspection Review Period

Total Number of Those Traces That Were Unresolved

Inspection Period Start Date

Inspection Period End Date

Number Of Traces Resolved By IOI

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

**Additional Comments**

Inspection Period: 06/01/2020 to 6/1/2021  
License/Permit Issue Date: 7/15/2011  
Type of Record: Computerized Records  
Inventory Frequency: Monthly  
SOP: The licensee does not have a standing SOP.  
Number of Traces in past 12 months: 0 (zero)  
Completed: 0 (zero) Resolved: 0 (zero) Unresolved: 0 (zero)  
# NICS/TICS Verified: 31 (Thirty-one)  
Free form commentary of notable findings: There were no notable findings.

Report of Violations.pdf

Licensee Response to Violations Report.pdf

Licensee Response to Violations Report.pdf

**REPORT OF VIOLATIONS**

Regulation	Corrective Actions	Instance Details
<p>27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers</p> <p>ATF Forms 4473 <input type="text"/> Number of Instances: <input type="text"/></p>	<p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection.</p> <p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) by close of the same business day, for all applicable future multiple sales.</p>	<p><b>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</b></p>
<p><b>(b)(3)(26 USC § 6103)</b></p>		
<p>27 CFR 478.129(b): Failure to retain ATF F 4473</p> <p>ATF Forms 4473 <input type="text"/> Number of Instances: <input type="text"/></p>	<p>4473s where a non-licensee is receives a "denied" when conducting a TICS check must be retained for 5 years.</p> <p>Identify and separately retain all denied (completed and future) ATF Forms 4473, for a period not less than 5 years.</p> <p>Organize and maintain ATF Forms 4473 in alphabetical, chronological, or numerical order where NICS was contacted, but no firearm transfer took place, for a period not less than 5 years.</p> <p>Retain ATF Forms 4473 for a period of not less than 20 years after the date of sale or disposition.</p>	<p><b>(b)(3) (112 Public Law 55 125 Stat 552)</b></p>
<p>27 CFR 478.102(a): Failure to complete a NICS/POC background check</p> <p>ATF Forms 4473: 3 Number of Instances: 5</p>	<p>RPs on the license must complete ATF F 4473 and pass a TICS check in order to move firearms from business inventory to their "personal collection." Additionally, all non-employee sales reps (contractors) must complete ATF F 4473 and pass a TICS check in order to possess firearms.</p> <p>Execute a required NICS/POC background check for all future over-the-counter firearm transactions.</p> <p>Retrieve and accurately record (on an ATF Form 4473) a required final NICS/POC background check response prior to all future over-the-counter firearm transactions.</p>	<p>NICS Violation NICS Violation NICS Violation NICS Violation NICS Violation</p> <p><b>(b)(6)</b></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 &amp; timely record all required future firearm disposition information.</p> <p>Amend/Update A&amp;D Record to accurately record all required firearm disposition information.</p>	<p><b>(b)(3) (112 Public Law 55 125 Stat 552)</b></p>

		(b)(3) (112 Public Law 55 125 Stat 552)
6	<p>27 CFR 478.124(c)(4): Failure to record firearm information on an ATF F 4473</p> <p>ATF Forms 4473 Number of Instances</p>	<p>Ensure that all required firearm identification information 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>
7	<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>ATF Forms 4473 Number of Instances</p>	<p>Ensure that all required ATF Form 4473 Section A items are completed/provided by the transferee/buyer on all future transactions.</p> <p>Ensure that the transferee/buyer provides required signature and date, on ATF Form 4473 Section C, for all transactions taking place on a date different from when Section A was certified.</p> <p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>
8	<p>27 CFR 478.21(a): Failure to complete forms as prescribed</p> <p>ATF Forms 4473 Number of Instances</p>	<p>Complete all forms as prescribed.</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>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</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</p>	<p>The licensee must verify and document that active duty service members have valid PCS orders if using a military identification.</p> <p>Ensure that all required transferee/buyer identification information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</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</p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions.</p> <p>Ensure that all required NICS/POC background check information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section B.</p> <p>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</p>

<p>11 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="text"/> Number of Instances: <input type="text"/></p>	<p>Execute and retain a complete and accurate ATF Form 4473 on all future firearm transactions. Ensure that the required transferor/seller signature and date of transfer is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.</p>	<p><b>(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)</b></p>
---	---	--

**LICENSEE RESPONSE REPORT**

Regulation	Corrective Actions	Licensee Response	Status Details
<p>1 27 CFR 478.126a: Failure to report multiple sales or other dispositions of pistols and revolvers</p> <p>ATF Forms 4473: <input type="text"/> Number of Instances: <input type="text"/></p>	<p>Complete and submit ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers) for all non-reported multiple sales identified as a result of this inspection. 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>"I did the others. I must have just missed this one."</p>	<p>Status: Correction Verified</p> <p>Verified Method: In Person</p> <p>Date Correction Verified: 06/14/2021</p>
<p><b>(b)(3)(26 USC § 6103)</b></p>		<p>"I will take care of this immediately."</p>	<p>Status: Correction Verified</p> <p>Verified Method: Email</p> <p>Date Correction Verified: 06/14/2021</p>
<p>3 27 CFR 478.129(b): Failure to retain ATF F 4473</p> <p>ATF Forms 4473: <input type="text"/> Number of Instance: <input type="text"/></p>	<p>4473s where an non-licensee is receives a "denied" when conducting a TICS check must be retained for 5 years. Identify and separately retain all denied (completed and future) ATF Forms 4473, for a period not less than 5 years. Organize and maintain ATF Forms 4473 in alphabetical, chronological, or numerical order where NICS was contacted, but no firearm transfer took place, for a period not less than 5 years. Retain ATF Forms 4473 for a period of not less than 20 years after the date of sale or disposition.</p>	<p>"I don't know where this form went."</p>	<p>Status: Correction Verified</p> <p>Verified Method: In Person</p> <p>Date Correction Verified: 06/14/2021</p>
<p>4 27 CFR 478.102(a): Failure to complete a NICS/POC background check</p> <p>ATF Forms 4473: <input type="text"/> Number of Instances: <input type="text"/></p>	<p>RPs on the license must complete ATF F 4473 and pass a TICS check in order to move firearms from business inventory to their "personal collection." Additionally, all non-employee sales reps (contractors) must complete ATF F 4473 and pass a TICS check in order to possess firearms. Execute a required NICS/POC background check for all future over-the-counter firearm transactions. Retrieve and accurately record (on an ATF Form 4473) a required final NICS/POC background check response prior to all future over-the-counter firearm transactions.</p>	<p>The RP (Mr. Brown) stated that he thought it was permissible for employees to possess the LLC's firearms without a 4473 and background check and did not realize the distinction made between employees and contracted sales representatives. Mr. Brown stated that he would either transfer the firearms to the contractors via 4473 or return the firearms to inventory.</p>	<p>Status: Licensee Notified</p> <p>Verified Method: In Person</p> <p>Date Licensee Notified: 06/14/2021</p>
<p>5 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 &amp; timely record all required future firearm disposition information. Amend/Update A&amp;D Record to accurately record all required firearm disposition information.</p>	<p>"I will update my records"</p>	<p>Status: Licensee Notified</p> <p>Verified Method: Email</p> <p>Date Licensee Notified: 06/14/2021</p>
<p>ATF Forms 4473: <input type="text"/> Number of Instances: <input type="text"/></p>	<p>Ensure that all required firearm identification information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section D.</p>	<p>"I made a mistake, but will pay more attention in the future."</p>	<p>Status: Licensee Notified</p> <p>Verified Method: In Person</p> <p>Date Licensee Notified:</p>

6			06/14/2021
7	<p>27 CFR 478.124(c)(1): Failure to obtain a completed ATF F 4473</p> <p>ATF Forms 4473 <input type="checkbox"/> Number of Instances: <input type="checkbox"/></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>"Oh. I will pay more attention."</p> <p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/14/2021</p>
8	<p>27 CFR 478.21(a): Failure to complete forms as prescribed</p> <p>ATF Forms 4473 <input type="checkbox"/> Number of Instances: <input type="checkbox"/></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>"I didn't know that I had to do that. I will be sure to do that in the future."</p> <p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/14/2021</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 <input type="checkbox"/> Number of Instances: <input type="checkbox"/></p>	<p>The licensee must verify and document that active duty service members have valid PCS orders if using a military identification.</p> <p>Ensure that all required transferee/buyer identification information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>"I will make sure to do this going forward."</p> <p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/14/2021</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 <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 NICS/POC background check information is obtained, validated and accurately recorded on all future ATF Forms 4473, Section B.</p>	<p>"My mistake."</p> <p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/14/2021</p>
11	<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>"I will do a better job going forward."</p> <p>Status Licensee Notified</p> <p>Verified Method In Person</p> <p>Date Licensee Notified 06/14/2021</p>

**RECORD(S) OF CONVERSATION**

Name \_\_\_\_\_ When Contacted 01/04/2022 Method of Contact Phone

Phone  Location Contacted \_\_\_\_\_

Investigative Participant(s)

No items

Narrative

At the direction of DIO, a follow-up phone call was placed to RP Robert Brown. Mr. Brown confirmed that the contractors were sales representatives that the individuals in question were 1099, contract employees. He further stated that they were sales representatives who were only paid commission when they brought paying customers to Blackfox. Mr. Brown indicated that Blackfox has discontinued the practice of using contractors after the compliance inspection.

Name

When Contacted  
01/10/2022

Method of Contact  
Phone

Phone

(b)(6)

Location Contacted

Investigative Participant(s)

No items

Narrative

On January 10, 2022, IOI (b)(6) emailed Robert BROWN instructing BROWN to provide the name, date of birth, and social security number of the non-employee contractor that BROWN transferred firearms to without completing a ATF F 4473 and TICS check. On January 14th, BROWN replied with the following information:

(b)(6)

On January 19th, IOI (b)(6) conducting an NCIC check of (b)(6) is not prohibited.

**CLOSING CONFERENCE**

Review Regulations conducted offline

( 6/14/2021 )

06/14/2021

Attachment(s)

**Attendee(s)**

ROBERT GLEN BROWN

**WARNING CONFERENCE**

**Scheduling Letter**

Assigned To

(b)(6)

Delivery Method

Hand-Delivery

Recipient Name

Robert Brown

Delivery Date

03/01/2022 02:37 PM

Additional Notes

The WC Scheduling Letter was sent via email from AS (b)(6) to Mr. Brown. AS (b)(6) spoke to Mr. Brown to schedule the meeting then IOI (b)(6) provided sales@blackfoxtactical.com as an email address for Mr. Brown.

**Conference Details**

Warning Conference Lead

Steven Kolb

Representing ATF

Steven Kolb and (b)(6)

Conference Date/Time

03/17/2022 10:30 AM

Responsible person(s) representing the licensee

ROBERT GLEN BROWN

Conference Address

302 Innovation Dr, Unit 300, Franklin, Tennessee 37067

Follow-Up Letter Details

In regard to the violation for failure to report multiple sales of pistols and revolvers, you indicated that your recent switch to electronic record-keeping will track, complete, and email multiple sale reports to both ATF and the Chapel Hill Police Department.

In regard to the violation for failure to complete a NICS/POC background check, you indicated that you are no longer using contractors. Furthermore, you stated that you thought an LLC was treated the same as a sole proprietor regarding the transfer of firearms from the LLC to the owner, but now understand that all transfers to the owners' personal collections require a 4473 and background check.

In regard to the violation for failure to maintain an accurate/complete/timely acquisition and disposition record of firearms, you indicated that you have switched to an electronic A&D record and that you are now taking a quarterly inventory of firearms.

As to the violations relating to the ATF Form 4473 violations, you indicated that you have switched to using an electronic ATF Forms 4473. You stated that the electronic form does not allow required items to left blank and that the system flags issues and gives warnings, prompting the seller or buyer to fix any issues before proceeding.

**Follow-Up Letter**

Delivery Method

Hand-Delivery

Recipient Name

Robert Brown

Delivery Date

04/05/2022 04:43 PM

Additional Notes

emailed to Mr. Robert Brown at sales@blackfoxtactical.com I will upload receipt confirmation when it is obtained.

**EXHIBITS**

**Inspection**

Category	Attachment Name
Correspondence	Spartan Notification RE: 1-62-05447 Inspection Results
WarningConferenceFollowUpLetter	Follow Up Letter.pdf
Correspondence	Spartan Notification RE: 1-62-05447 Monitored Case
ViolationsPDF	Report of Violations.pdf
WarningConferenceSchedulingLetter	Scheduling Letter.pdf
Correspondence	Spartan Notification RE: 1-62-05447 Monitored Case
Correspondence	Spartan Notification RE: 1-62-05447 Monitored Case
Correspondence	Spartan Notification RE: 1-62-05447 Monitored Case
Correspondence	Spartan Notification RE: 1-62-05447 Monitored Case
Correspondence	Spartan Notification RE: 1-62-05447 Monitored Case
ReturnedSignedROV	FCI-19441 Report of Violations AMENDED2 1-62-05447.pdf
ViolationsPDF	Report of Violations.pdf
ViolationsPDF	Report of Violations.pdf
ViolationsPDF	Report of Violations.pdf
Correspondence	Spartan Notification RE: 1-62-05447 Inspection Results
WarningLetterReturnEmail	1-62-05447 WL Receipt Confirmation.pdf
Correspondence	
Correspondence	Action required concerning your Federal Firearms License
ViolationsPDF	Report of Violations.pdf
WarningLetter	Warning Letter.pdf
TradeNameVerification	FCI-19441 Assumed Name-DBA Registration 1-62-05447.pdf
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ViolationCorrection	(b)(3) (112 Public Law 55 125 Stat 552)
ViolationCorrection	(b)(3)(26 USC § 6103)
ReturnedSignedROV	FCI-19441 Report of Violations AMENDED 1-62-05447.pdf
ViolationsPDF	Report of Violations.pdf
LicenseeResponseToViolationsPDF	Licensee Response to Violations Report.pdf
ViolationCorrection	FCI-19441 A&D Corrections 1-62-05447.pdf
ViolationCorrection	(b)(3)(26 USC § 6103)
ViolationCorrection	(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)
ViolationsPDF	Report of Violations.pdf
PropertyOwnershipVerification	FCI-19441 Property Ownership Verification 1-62-05447.pdf
BusinessVerification	FCI-19441 Business Information Verification 1-62-05447.pdf



February 28, 2022

**WARNING CONFERENCE**

BLACKFOX LLC  
BLACKFOX TACTICAL  
P O BOX 185  
CHAPEL HILL, Tennessee 37034

**Re:** Federal Firearms License Number: 1-62-05447

BLACKFOX LLC,

As a result of a recent compliance inspection conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) at your firearms business located at 113 S HORTON PKWY, Unit N/A, CHAPEL HILL, Tennessee 37034 on 6/1/2021 through 06/14/2021, you were cited for violations of 27 Code of Federal Regulations, Part 478. The violations were discussed with you during the inspection. A copy of the Report of Violations issued at the time of the inspection is enclosed.

You should be aware that any willful violations of the Gun Control Act may result in revocation of your Federal firearms license. As a result of the recently cited violations, it is important that we have a meeting with you to discuss the violations found. The conference will be held at 302 Innovation Dr, Unit 300, Franklin, Tennessee 37067 on 03/17/2022 at 9:30 AM. The agenda for the meeting will include a discussion of the reasons for the violations, a review of the legal requirements, and a discussion of steps to be taken by you to ensure future compliance. Although we do not believe it necessary, legal counsel may assist you at your own expense if you so choose. **Please bring with you documentation verifying the corrective action you have taken and any compliance plan you have developed to ensure these violations do not recur.**

Also, you are hereby notified that, pursuant to 18 U.S.C. § 930(a), no person may bring a firearm or other dangerous weapon into an ATF office. Possession of a firearm or other dangerous weapon in an ATF office may result in a fine of \$100,000 or imprisonment for not more than 1 year or both.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing effort to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business to aid in this effort to combat violent crime.

We will conduct a follow-up inspection in the future. Any violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license.

Please contact Industry Operations Investigator (b)(6) or me (b)(6) to confirm this appointment, and to ask any questions you may have regarding this conference. We look forward to meeting with you to resolve these issues.

Sincerely,  
Steven Kolb  
Director Industry Operations  
Nashville Field Division



March 28, 2022

WARNING CONFERENCE FOLLOW UP

BLACKFOX LLC  
BLACKFOX TACTICAL  
P O BOX 185  
CHAPEL HILL, Tennessee 37034

Re: Federal Firearms License Number: 1-62-05447

BLACKFOX LLC,

This letter is a follow-up to the warning conference held with you on March 17, 2022 at 9:30 AM. During this conference, the violations cited during the inspection conducted on 6/1/2021 through 6/14/2021, and the necessary corrective action to prevent the violations from reoccurring were discussed. The following people were in attendance:

Representing the ATF Nashville Field Division Field Division: Steven Kolb and (b)(6)  
Responsible person(s) representing the licensee: ROBERT GLEN BROWN

You were given the opportunity to comment on the violations and what specific action you have taken to ensure that the violations will not reoccur. With respect to the cited violations, we are providing a summary of your response to each violation:

In regard to the violation for failure to report multiple sales of pistols and revolvers, you indicated that your recent switch to electronic record-keeping will track, complete, and email multiple sale reports to both ATF and the Chapel Hill Police Department.

In regard to the violation for failure to complete a NICS/POC background check, you indicated that you are no longer using contractors. Furthermore, you stated that you thought an LLC was treated the same as a sole proprietor regarding the transfer of firearms from the LLC to the owner, but now understand that all transfers to the owners' personal collections require a 4473 and background check.

In regard to the violation for failure to maintain an accurate/complete/timely acquisition and disposition record of firearms, you indicated that you have switched to an electronic A&D record and that you are now taking a quarterly inventory of firearms.

As to the violations relating to the ATF Form 4473 violations, you indicated that you have switched to using an electronic ATF Forms 4473. You stated that the electronic form does not allow required items to left blank and that the system flags issues and gives warnings, prompting the seller or buyer to fix any issues before proceeding.

The violations for which you were cited could adversely impact law enforcement's ability to reduce violent crime and protect the public. You are reminded that future violations, repeat or otherwise, could be viewed as willful and may result in the revocation of your license. You may anticipate further inspections to ensure your compliance.

Please contact us if you have any questions concerning your responsibilities as a licensee or if you require further clarification about particular requirements of Federal firearms laws.

Sincerely,  
Steven Kolb  
Director Industry Operations  
Nashville Field Division