

August 27, 2025  
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Austin, TX

North American Securities Administrators Association  
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ehouston@sos.nv.gov

Dear Sirs and Madams:

RE: NASAA Model Franchise Broker Act

I've been a franchise consultant for 6 years. I came into my role as a consultant after 20 years of small business ownership with a technology firm and an insurance agency because of my desire to introduce others to American Dream of business ownership.

I would like to express my opposition to the NASAA Model Franchise Broker Act.

FranChoice and its consultants like me are not involved in the franchise sales process – we are a lead source for franchise companies. We send them leads for prospective franchisees, which are then taken through a sales process by the franchise sales staff (whether internal employees or independent contractors like FSOs). As a lead source for franchise companies, just like internet advertising sites such as the IFA or Entrepreneur.com, or social media sites like Facebook and LinkedIn, or many other examples, we should not be covered in this definition of franchise sellers because that's not what we do. The confusing language in this regulation, designed to label as a broker anyone who is "indirectly" involved in the franchise sales process needs to be changed or the unintended consequences will be significant.

The proposed registration requirements would create an overwhelming administrative burden for small operators like me. The compliance costs alone could force many of us out of business, ultimately reducing the resources available to help prospective franchisees navigate their options.

The registration requirements are impractical for an industry where professionals often work with multiple brands across multiple states. The compliance costs and administrative burden would be prohibitive for many legitimate operators.

Current state and federal regulations already address the legitimate concerns raised about broker conduct. Additional layers of regulation create compliance burdens without corresponding consumer protection benefits.

Rather than broad registration requirements, the industry would be better served by enforcement of existing laws against fraud and misrepresentation, along with education initiatives for prospective franchisees.

Thank you for your consideration of my objections.

Sincerely,

West Romberger  
Franchise Consultant