

**From:** [Joe White](#)  
**To:** [NASAA Comments](#); [Theresa Leets](#); [bill.beatty@dfi.wa.gov](mailto:bill.beatty@dfi.wa.gov); [Erin Houston](#)  
**Cc:** [Jeff Elgin](#)  
**Subject:** [EXTERNAL]NASAA Model Franchise Broker Act Comments  
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**Attachments:** [image001.png](#)

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I wish to comment on this Act. I have functioned as Franchise consultant and adviser for over 25 years and have assisted numerous individuals in the process of Franchise discovery. The approach is about learning and proper decisions.

The Concerns are in my comments:

#### Overly Broad Definitions

The definition of "franchise broker" in the Act is far too broad and would capture individuals who simply make referrals or provide information, not those actually engaged in franchise sales. This would require countless business professionals to register unnecessarily.

#### Definition Problems

The current definition of "franchise broker" would inadvertently capture:

- Funding sources and lead generation services if paid by the franchisor
- Referral sources to the franchisor
- Professional service providers offering ancillary services

#### Due Process Concerns

The broad definition of "franchise broker" lacks the precision required for regulatory certainty. Business professionals need clear guidance about when registration is required to avoid inadvertent violations.

#### Excessive Regulatory Burden

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

#### Practical Concerns

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.

#### Existing Oversight

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.

Please carefully consider the increase onus and burden that you are placing on myself and colleagues. One size does not fit all.

**Utmost Respect**

**Joe White**

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Joe White | Franchise Consultant | FranChoice, Inc.

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[jwhite@franchoice.com](mailto:jwhite@franchoice.com) | **585-300-4430** | [www.franchoice.com/jwhite](http://www.franchoice.com/jwhite)

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