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To: [NASAA Comments](#); [Theresa Leets](#); bill.beatty@dfi.wa.gov; [Erin Houston](#)
Cc: jelgin@franchisechoice.com
Subject: [EXTERNAL]NASAA Model Franchise Broker Act Comments
Date: Wednesday, August 27, 2025 3:16:22 PM
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Hello,

My name is Lydia O'Leary and I'm a franchise consultant with FranChoice and I have created my own brand Omvia Franchise Consulting. I am also a multi-unit franchise owner with Bark Busters In-Home Dog Training. I have also worked as a franchise development representative for almost 10 years prior to becoming a consultant with various franchisors including Authority Brands and Best Life Brands.

There are some major issues I have with the act that I would like to comment on and raise my concerns.

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.

Alternative Solutions

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 attention to this matter.

Lydia O'Leary

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Lydia O'Leary

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