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To: [NASAA Comments](#); [Theresa Leets](#); bill.beatty@dfi.wa.gov; [Erin Houston](#)
Cc: [Jeff Elgin](#)
Subject: [EXTERNAL]NASAA Model Franchise Broker Act Comments
Date: Wednesday, August 27, 2025 3:15:11 PM
Attachments: [image001.png](#)

To Whom It May Concern:

Good afternoon.

I have been part of the franchising industry for over a decade, first as a franchisee and now as a consultant helping others evaluate franchise opportunities. In this role, I've had the privilege of guiding prospective owners through the investigation process so they can make informed, life-changing decisions. While relatively new to consulting (about a year), I have found the work deeply fulfilling and rewarding — but I am concerned that the proposed regulations surrounding the definition and registration of “franchise brokers” could unintentionally harm both consultants like myself and the people we serve.

1. The proposed definition of “franchise broker” sweeps too broadly and mislabels our role.

Consultants with FranChoice, like myself, do not engage in franchise sales. We act as a lead source for franchise companies, introducing prospective franchisees to opportunities — nothing more. After that, the franchisor's own sales staff (internal or external) handle every aspect of the sales process. By defining a broker as anyone “indirectly” involved in franchise sales, this regulation would inadvertently capture individuals and organizations — from lead generation services to professional advisers — who are not actually selling franchises. The language must be clarified to prevent significant unintended consequences.

2. Existing protections already safeguard prospective franchisees.

For those who do participate directly in franchise sales, existing federal and state laws already provide ample oversight to protect consumers. Adding another layer of rules and fees would be burdensome, costly, and redundant — creating compliance headaches without delivering meaningful consumer benefits.

3. A patchwork of state rules would create unnecessary barriers.

Allowing each state to develop its own rules and fees would be impractical and damaging. Franchise consultants like me often work with multiple brands across many states, and complying with different registration schemes would create an overwhelming administrative burden. If any additional oversight is truly necessary, it should be implemented consistently at the national level by the FTC.

In its current form, this regulation risks discouraging qualified professionals from assisting prospective franchisees at a time when trustworthy guidance is needed most. Rather than expanding registration requirements, a better solution would be to enforce existing laws

against fraud and misrepresentation and to increase educational initiatives for prospective franchise owners.

Thank you for considering these comments. I strongly urge you to revisit the language and intent of the proposed rule to ensure it targets actual franchise sales activities — not legitimate consultants, referral sources, or other professionals who provide valuable guidance to entrepreneurs.

Sincerely,

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