

From: [David Weaver](#)
To: [Erin Houston](#); [NASAA Comments](#); [Theresa Leets](#); bill.beatty@dfi.wa.gov
Cc: [Jeff Elgin](#)
Subject: [EXTERNAL]NASAA Model Franchise Broker Act Comments
Date: Wednesday, August 27, 2025 3:30:58 PM

To those involved in the Franchise Broker Act:

I have been involved in the franchise space since 2005 and a full time franchise consultant starting in 2010. My wife and I invest in franchise brands and real estate in addition to helping others ask the right questions when researching what franchise to invest in. I have never been involved in a dispute in all these years.

The proposed regulation in this act is broad and confuses what we do as franchise consultants with franchise sales teams and/or franchise sales organizations. We are a qualified lead source for franchise companies.

Here are some thoughts on what I am referring to:

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.

At the end of the day, I am passionate about business ownership and want to help as many people I can find the right path for themselves to own a business. However, the regulatory burden you propose might make it untenable to continue in this pursuit. I hope you would consider the points I outline in the email before making final decisions in this matter.

Regards,

David Weaver

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