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**Cc:** [Jeff Elgin](#)  
**Subject:** [EXTERNAL]NASAA Model Franchise Broker Act Comments  
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I would just like to make a couple of points related to not being in favor of having more regulations to running my business as a Franchise Professional. I am presently a consultant with Franchoice.

1. FranChoice and its consultants 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 Franchise Service Organizations). 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. I am also a Franchise Management Professor at San Diego State University for 10 years this semester. I also have been a Franchisee of two Franchise Concepts for 29 years currently. I am very experienced with helping me find franchise lead sources.
2. As for people who are actually involved in the franchise sales process, this new regulation is unnecessary, burdensome, costly and duplicates rules and regulations already in place.
3. Advocating for individual states to create their own rules and fees related to this disclosure process unnecessarily creates confusion and hardship from a compliance standpoint. If we need more regulation of franchise sales brokers, it should be done by the FTC on a national basis.
4. An alternate solution would be, instead of 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,

Frank

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