

From: [Chris Hardy](#)
To: [NASAA Comments](#); [Theresa Leets](#); 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](#)
Importance: High

To Whom it May Concern,

My name is Chris Hardy and I've been a franchise executive for over 24 years. I've worked in almost every facet of the industry both in the U.S. and abroad. I've been directly and indirectly involved in the sale of over 400 franchises and know the sales process and its various restrictions and regulations quite well. I joined the FranChoice network of independent consultants approximately 9 months ago and take pride in how our system respects the laws and regulations that govern the franchise sales process.

The three main issues that I would like to bring to your attention are as follows:

1. As independent consultants, we **ARE NOT** involved in the franchise sales process. Rather, we are a lead source for various franchisors. Much like an ad that is placed with the IFA, Entrepreneur.com, Facebook, many of the franchise lead portal sites, LinkedIn, etc. we generate leads that are then given to the different franchise development directors who then proceed with their sales process. Thus, we should not be covered in this definition because that's simply 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.
2. Having been directly and extensively involved with the franchise sales process for so long, I find this new regulation unnecessary, burdensome, costly and duplicates rules and regulations already in place.
3. Lastly, 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. I strongly believe that this level of compliance will only lead to confusion within the industry and is best regulated by the FTC on a national basis.

Thank you for taking my comments and concerns into consideration.

Chris Hardy

Franchise Consultant | FranChoice®, Inc. | chardy@franchoice.com | 612-702-8259
| www.FranChoice.com



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