

Is CA 919 Broker Disclosure the same as WA and NY registration?

	NY	WA	CA
Registration	One-Time	Annually	Annually
Registration Cost	\$150	\$50	\$450
Amendment	Must amend if there has been a change in address, name, convicted of crime, or litigation.	Must amend if there has been a change in personal name, business name, business address, convicted of a crime or pled nolo contendere, prohibited from participating in any aspect of the franchise industry, registration has been denied, revoked or suspended, found to engaged in unethical or dishonest practices in franchising or a business opportunity or license agreement, bankruptcy, unsatisfied liens or judgements.	Must amend if there has been a material change or any other change the commissioner determines constitutes a material change.
Amendment Fee	\$150	\$0	\$50

Required Disclosure

5 year history of professional experience	✓	✓	✓
Aministrative, Civil or Criminal history for past five years	✓	✓	✓
List all required disclosures	✓	✓	✓
Legal Name	✓	✓	✓
Trade Name	✓	✓	✓
Business Address and Telephone Number	✓	✓	✓
Bankruptcy	✗	✗	✓
Injunction	✗	✓	✓
Unethical or dishonest behavior	✗	✓	✓
Types of Sellers	✗	✗	✓
Role in the Process	✗	✗	✓
Services Provided (updated real time)	✗	✗	✓
Types of Compensation (updated real time)	✗	✗	✓
Example FAQs	✗	✗	✓
Year and State of formation	✗	✗	✓
Principal Place Of Business	✗	✗	✓
Directors and Officers	✗	✗	✓
Owners	✗	✗	✓
Contact Information	✗	✗	✓
Broker's Broker Network or FSO	✗	✗	✓
Industries of brands represented and number of brands in each industry (updated real time)	✗	✗	✓
How broker is compensated and how it is calculated (updated real time)	✗	✗	✓
Whether a Broker Network will receive consideration	✗	✗	✓
The brands sold by broker any where in the US or US territories and the total number of units sold for each brand during the last calendar year	✗	✗	✓

The Act Required the Following

Provides for private causes of action against the broker	✗	✗	✓
Makes broker responsible for rescission on improper disclosure - improper disclosure must be willful	✗	✗	✓
Burden of proof is on the broker - Broker must prove that they were not willful and not negligent	✗	✗	✓
Makes the broker responsible for knowing the franchisors registrations, disclosures timing, and exclusions	✗	✗	✓
Must provide a "uniform disclosure" - changing the uniform disclosure could be considered a willful violation of the law.	✗	✗	✓
The "uniform disclosure" described is inconsisnt with many services performed by brokers, contains conjunctive sentences, and doesn't allow the broker to qualify or explain their services.	✗	✗	✓
Services change per potential franchisee making it easy to misrepresent services and open liability - up to rescission	✗	✗	✓
Disclosure is given to the candidate at the beginning of the process	✗	✗	✓
Requires verification of insurance and financial securities or a bond	✗	✗	✓