

The Deceptive “Amazing Franchise Opportunities” Marketing Program:
An Invitation for Self-Regulation in the Franchise Industry

By Sean Kelly, President, Relentless, Inc., Publisher, UnhappyFranchisee.com

Contents

The Deceptive “Amazing Franchise Opportunities” Marketing Program: An Invitation for Self-Regulation in the Franchise Industry	1
1. Overview, Background & Why This Matters	3
2. Suspected Deceptive Practices of Dr. John Hayes, Scott White & Monica Feid (BizCom Associates)	6
3. Suspected Deceptive Practices of 23 Franchisor Companies	8
4. Deceptive Tactics Are Effective Tactics: Franchisor Testimonials	11
5. Cooperative Deception: Manipulation & Misrepresentation of Amazon Rankings	13
6. Third Party Endorsers of the Deceptive BizCom Program	15
Book Endorsers/Providers of Positive Review Quotes (Appear in the book)	15
Palm Beach Atlantic University – Titus Center for Franchising	15
University of Maryland University College, Georgetown University’s School of Continuing Studies, FranchiseWell.com	15
APPENDIX A BizCom Sales Sheet	19
APPENDIX B John Hayes How-To Article 1	20
APPENDIX C John Hayes How-To Article 2	22
APPENDIX D BizCom Press Release (Before expose)	22
APPENDIX E BizCom Blog Post (After expose)	22
APPENDIX F Relevant Posts on UnhappyFranchisee.Com	23

1. Overview, Background & Why This Matters

Quick Summary: Multiple Supplier members of the International Franchise Association (IFA) and 23 franchise companies (including one headed by a top IFA official) allegedly conspired to mislead prospective investors by not disclosing paid endorsements, not disclosing material relationships between endorsers and franchise sellers, issuing false or misleading statements using straw purchasers and shell reviewers to manipulate Amazon's reporting system.

Individuals and families who dream of owning their own businesses through franchise ownership must commit to significant investments of time and capital. The franchise sellers discussed herein require investments ranging from \$41,000 - \$107,000 on the low end (Zerorez, Office Pride cleaning franchises) to \$320,000 - \$771,000 on the higher end (River Street Sweets).

According to FASTSIGNS, their total investment is between \$182,329 and \$267,520, and they require \$80,000 minimum available capital. Franchisees are instructed to finance the rest with options including rolling over their 401K retirement accounts and/or taking bank loans with their family homes as collateral. So the stakes are high for these families and it's critical that they base their investment decisions on accurate, factual information.

Prospective Mom & Pop franchise investors are inherently vulnerable

Many of the "Mom & Pops" who consider investing in a franchise do so because they acknowledge their own lack of experience in the complicated area of starting and operating their own small business. This lack of experience, along with the specific capital they are willing to finance and invest, makes them especially vulnerable to those who are skillful at telling them what they want to hear and keeping them from learning what they need to know to make an informed decision that will have a profound effect on their family's life.

Historically, when left to their own devices, less ethical sellers of franchise opportunities exploited investors' inexperience and desire to believe they had found a trusted advisor. The franchise industry has been threatened before by the actions of slick, skillful franchise sellers eager to lead naïve and trusting franchisee investors to financial ruin through misleading and deceptive pitches that would make a snake oil salesman blush. In the past, even the ethical and aboveboard companies these unethical sellers unfairly competed with remained silent and turned a blind eye to their exploitive tactics, allowing the industries reputation to degrade to the point that the Federal government intervened.

Things got so bad that in 1979 the Federal Trade Commission (FTC) enacted The Franchise Rule, which states that every franchise seller must provide a prospective franchise investor with a prospectus (Now called a Franchise Disclosure Document, or FDD) that contains 21 Items of key, factual information deemed necessary to make an informed decision.

The Franchise Rule prohibited franchise sellers from making earnings claims or performance projections (unless substantiated and documented in Item 19 of their disclosure document). The FTC also deemed it critical that prospective franchise investors be able to communicate directly with both current and former franchise owners so that they could learn their experiences with the franchise opportunity and the franchisor organization. While not perfect, The Franchise Rule did put in place a system for

franchisors to deliver truthful, factual information for prospective franchise owners to make realistic, informed decisions.

The major flaw with the FTC's well-intentioned Franchise Rule is two-fold. First, there is no effective mechanism for industrywide oversight and compliance of The Franchise Rule. The FTC does not review the Franchise Disclosure Documents franchisors are handing out, and complaints made to the FTC about unethical franchise sales or marketing go increasingly unaddressed. Second, there is no "right of private action" for the Franchise Rule, meaning that (to my layman's understanding) franchise investors and their attorneys cannot sue specifically for violations of The Franchise Rule.

So, basically, The Franchise Rule is a rule with no enforcement mechanism other than the honor system.

Is there enough honor to have an honor system in franchising?

Franchising's dirty little secret is that there is only the illusion of oversight and enforcement in franchising, and franchisors' compliance with the Franchise rule is, by and large, is voluntary and on the honor system.

While the best franchise systems continue to scrupulously follow the letter of the rule, others have learned work-arounds or taken advantage of the increasingly remote chance of governmental intervention. Many franchisors have blocked prospective franchise investors' access to candid franchisee and former franchisee opinions through the use of non-disparagement clauses, non-disclosure agreements, bullying and intimidation.

The lack of oversight and enforcement of franchise investment marketing and sales practices has emboldened the more desperate and less ethical franchise sellers in recent years. We have seen the increased and more blatant use of questionable or downright deceptive earnings claims and a proliferation of phony awards and pay-for-praise service providers eager to sell false badges of credibility to franchisors unable to distinguish their franchise concepts on their actual merits.

The growing number of providers of unearned and undeserved badges of credibility now include a lead generation site that masquerades as a market research company and grants franchisee satisfaction awards for a fee, a fake business magazine that's secretly owned by a PR firm that posts its clients stories and grants them awards without disclosing the relationship to readers, and the subject of this report: Books that purport to contain expert analysis and recommendations of the best franchise investments that are actually undisclosed paid endorsements made by companies that secretly provided their own promotional content to be published under a much-hyped authors name..

Will the IFA, franchise leaders & industry members allow deception-for-dollars to continue to flourish?

This report is, in many ways, an invitation for self-regulation in the franchise industry.

It's often stated that the only thing needed for evil to flourish is for good men to stand by and do nothing.

Likewise, the only thing needed for the franchise industry to sink into ill-repute and be known as a haven for scams and con-artists is for honest and ethical professionals to remain silent when their colleagues

knowingly and willfully violate the public's trust. Whether the industry answers the invitation to speak out and/or act will be the subject of a future updated version of this report.

2. Suspected Deceptive Practices of Dr. John Hayes, Scott White & Monica Feid (BizCom Associates)



Dr. John Hayes and BizCom Associates Scott White and Monica Feid publish and promote a book series on Amazon that includes *12 Amazing Franchise Opportunities for 2015* (2014), *12 Amazing Franchise Opportunities Second Edition* (2018) and an upcoming *30 Amazing Franchise Opportunities in 10 Growth Industries for Entrepreneurs* (upcoming).

Hayes & BizCom claim that the books are Amazon bestsellers. In the press materials for the Second Edition, BizCom the book's introduction (written by Dr. Ben Litalien of Georgetown University) that the book represents a "qualified funnel" for prospective franchise investors in which Dr. John Hayes has narrowed down over 3,000 potential franchise opportunities to just 12 *amazing* franchise opportunities.

The books are clearly positioned and marketed as the objective, merit-based selection, analysis and endorsements of franchise expert and bestselling author John Hayes that have been validated by high Amazon sales and review rankings.

We question the truth of each of these contentions:

1) That Selection for Dr. John Hayes' Books is Merit-Based.

Believed to be false. We posted a BizCom sales flyer that invited franchisors to be included in the book for \$5,000. After we published the sales flyer, BizCom admitted in a blog post that franchisors paid a fee to be featured as one of 12 Amazing Franchises.



Nowhere in the book description on Amazon Marketplace nor in the book itself does Hayes or BizCom disclose to potential purchasers that companies paid to be endorsed by Hayes and included in the book. This is potentially a violation of the Federal Trade Commissions rules both on disclosure of paid endorsements and not making misleading or untrue claims in franchise marketing.

2) That the Books Contain Analysis by Expert Hayes. FALSE.

Believed to be false. The sales flyer we posted also stated that the companies featured in the book were to provide the text and photographs that would constitute each of their chapters. The companies were to provide the text in the 3rd person voice (so as to appear that it was written *about* them, not *by* them), and companies were coached to describe their opportunities in the most favorable light possible.

After our allegation went public, BizCom admitted the chapters were self-written, but tried to state that the book allowed franchisors to "tell their own stories." We did not find any statement that the companies provided their own biased, promotional chapters in the Amazon descriptions or in the books themselves.

3) That John Hayes is the Author of the Books

Hayes' authorship is debatable. How much of his books' text was actually written by Dr. John Hayes is unknown. BizCom has admitted that the featured companies, not Hayes, supplied the core chapters of the books. Each of the 12 self-written chapters contain a 250-word intro supposedly by Dr. John Hayes. Each simply contains sales points and text lifted from the client-supplied chapters and no original insights or writing. The book contains a foreward and guest article written by others, an excerpt section from another Hayes book, and some generic content not specific to the 12 titled franchise opportunities. In all, only about 20% of the book's 205 pages could be attributed to Hayes.

4) That John Hayes is a bestselling author

The books are marketed as having been written by best-selling author John Hayes. Whether John Hayes actually wrote some or most of the books is a subject of dispute, as are his claims of being a best-selling author. Materials provided by Hayes to the book participants indicate that he manipulates both the Amazon sales and the review rankings by having friends, family, associates, and others act as shill purchasers and reviewers. It appears that he also uses promotional free or heavily discounted download periods to exaggerate book "sales" and/or readership.

5) That the Books Received Legitimate Positive Reviews

For authors or publishers to review their own books is a violation of Amazon's terms of service. Having friends, family, employees and business associates buy and review one's book is also prohibited by Amazon.

BizCom employees violated Amazon's terms by reviewing their own books (sometimes even under their own names), and the many 5-star reviews have been deemed highly suspicious by review analysis software. Hayes' instructions to participants indicate that he uses shill commenters to artificially inflate Google's rankings of his books. We believe that his claim of being a "best-selling author" is likely one more of many misleading and/or outright deceptive claims made by Dr. Hayes & BizCom.

6) That Deception is a Smart Business Practice

Dr. John Hayes & BizCom Associates sold 23 franchisors on the idea that participation in its "Amazing Franchise Opportunities" book would help generate leads, would boost the credibility of their franchise opportunities and would enhance their company's brand image. In the short term, that may have been the case, but the 22 companies still in business are now facing public embarrassment and potential legal liability from their participation in the "Amazing Book" scheme. Some company executives had issued statements of how "honored" and "humbled" they had been to have had their franchises "selected" or "named" by Dr. Hayes. Now that it's known that this "honor" was likely bestowed on those who were willing to pay for false credibility, they may have to answer to the FTC, state regulators, and franchisees who may see this as a pattern of fraudulent inducement at worse, and dishonest, unethical & potentially illegal business practices at best.

Explanations or rebuttals provided by Dr. John Hayes, Scott White & Monica Feid:

We have sent several requests to Dr. John Hayes & BizCom's White and Feid, but have received no response.

3. Suspected Deceptive Practices of 23 Franchisor Companies

In all, 23 franchisor companies are believed to have paid to feature their franchise opportunities in the two editions of the BizCom/Dr. John Hayes' "Amazing Franchise" books. They are:

Participating Franchisors in "12 Amazing Franchise Opportunities for 2015"	Participating Franchisors in "12 Amazing Franchise Opportunities – Second Edition"
<ul style="list-style-type: none"> • America's Swimming Pool Co.(ASP) • Dental Fix Rx • Dickey's Barbecue Pit • Farm Stores • FASTSIGNS* • Jani-King • Mr. Appliance • Palm Beach Vapors • Pinot's Palette • Postnet • United Franchise Group (UFG) • Wingstop 	<ul style="list-style-type: none"> • Camp Bow Wow • FASTSIGNS* • Fully Promoted (UFG) • Jon Smith Subs (UFG) • Lime Painting • LINK Staffing • Office Pride • Restoration 1 • Sandler Sales • River Street Sweets • Xpresso Delight • Zerorez

The Franchisors Claim to be "Thrilled," "Honored," "Humbled," Even "Surprised" to Have Been Endorsed by Dr. John Hayes

The franchisors who paid to be endorsed and who provided their own chapters in the BizCom books circulated press releases, blog posts and statements on social media claiming to be honored, humbled, and even surprised to have been selected by Dr. Hayes. Here are a few of the dozens of postings to be found on the Internet:

FASTSIGNS

"We're humbled to once again be selected as an amazing franchise opportunity by such an industry authority as Dr. Hayes," said Mark Jameson, EVP of Franchise Support and Development, FASTSIGNS International, Inc. "This recognition reflects the dedication and passion of everyone in the FASTSIGNS family, especially our franchisees, who consistently give us high marks for franchisee satisfaction. '12 Amazing Franchise Opportunities – Second Edition' is a must-read guide for potential franchisees."¹ (Press release)

Camp Bow Wow

"Here at Camp Bow Wow, we would have to agree that Dr. Hayes knows what a good franchise opportunity looks like when he sees it. After all, he did name Camp Bow Wow as one of the 12

¹ https://www.bizjournals.com/houston/prnewswire/press_releases/Texas/2018/02/23/NY22320

“Amazing Franchise Opportunities” in his latest e-book, 12 Amazing Franchise Opportunities: Second Edition...

As you can imagine, we were both thrilled and honored to have been selected as an amazing franchise by such a reputable franchise authority. This reflects on the dedication and passion of everyone involved with our company, especially our fantastic franchisees — the backbone of our Pack!”²

LINK Staffing

“LINK Staffing has been named an “Amazing Franchise Opportunity” by internationally recognized franchise speaker and author Dr. John Hayes in his new e-book: “12 Amazing Franchise Opportunities – Second Edition.”

“In his latest book, Dr. Hayes explores the secrets of creating a one-of-a-kind franchise success story and then looks at 12 franchise brands, including LINK, that Dr. Hayes considers to be “amazing opportunities” for 2018.

“We’re excited to be selected as an amazing franchise by such an expert as Dr. Hayes,” said Michelle Bearden, LINK’s Vice President of Franchise Operations. “This reflects on the dedication and passion of everyone involved with our company, especially our fantastic franchisees.”³

POSTNET

“PostNet is honored to be singled out for inclusion in John’s book. More than 1,300 franchises are part of the International Franchise Association, so being named one of 12 amazing franchise opportunities for 2015 speaks volumes about the strength of our business model, the strength of our headquarters support team and the strength of our franchisees.”⁴

LIME Painting

“It’s truly humbling to be acknowledged by such a distinguished and well- respected figure in franchising as Dr. Hayes,” said founder Nick Lopez. This reflects on the hard work, discipline, and expertise that the team at LIME has invested in establishing a system that is values and people driven.”⁵

² <http://campbowwowfranchise.com/blog/dr-john-hayes-calls-camp-bow-wow-amazing-franchise-opportunity/>

³ <https://globenewswire.com/news-release/2018/02/21/1372810/0/en/LINK-Staffing-featured-in-12-Amazing-Franchise-Opportunities-Second-Edition-by-Dr-John-Hayes.html>

⁴ <https://postnetfranchise.com/featured/franchising-expert-author-names-postnet-franchise-one-12-amazing-franchise-opportunities-2015/>

⁵ <http://franchise.limepainting.com/featured-in-12-amazing-franchise-opportunities/>

Dental Fix RX

“Dr. Hayes’ book features an entire chapter about the Dental Fix franchise model, and now we’re even more honored to say this information is published in its very own book...”⁶

Restoration 1

“Having Restoration 1 be recognized as one of the best franchise opportunities in the country is a real testament to the hard work our team has put in to create the best opportunity for success for our franchisees,” said Gary Findley, CEO of Restoration 1. “I’ve always known what an amazing opportunity Restoration 1 is but it’s great to have that validated by a leader in the franchise industry like Dr. John Hayes.

“... Restoration 1 was selected because of access franchisees have to the best suppliers and services, a professional online presence, recent and explosive growth, and a forward-thinking exit strategy.”

⁶ <https://dentalfixrx.com/blog/dr-john-hayes-features-dental-fix-rx-in-12-amazing-franchise-opportunities-for-2015/>

4. Deceptive Tactics Are Effective Tactics: Franchisor Testimonials

A number of participating franchisors have provided BizCom Associates with testimonials and praise, which are posted publicly on the BizComPress.Com website and in the Bizcom Press promotional flyer. The franchisors attest to the fact that paid-but-undisclosed endorsements and self-publishing advertorials disguised as legitimate business books generates leads, creates a (false) sense of trust and helps convert (by misleading) prospects into investing in their franchise opportunity.

Here are the testimonials BizCom is using to recruit other franchise companies to their book program:

Catherine Monson, CEO of FASTSIGNS International, Inc.

“The book served as a catalyst for people to comment not only about the content of the book, but also about the benefits of owning a FASTSIGNS franchise. It was a very effective way to gain credibility for the brand, and those comments remain on Amazon.com forever! We also enjoyed working with BizComPress as they helped our team coordinate an effective publicity campaign centered around the book.”

Joe Malmuth, Vice President, United Franchise Group (UFG)

“Validation and credibility for our brands”

“Thanks 12 Amazing Franchise Opportunities for 2015, by Dr. John P. Hayes, I have seen a significant impact on our candidate validation process. As Director of Franchise Development for United Franchise Group, my goals are not only to find quality entrepreneurs, but to also produce validation and credibility for our brands, and Dr. Hayes and his book have been a fantastic resource that has brought us further credibility and expert validation as a family of 6 award winning franchise opportunities. We plan to continue to use 12 Amazing Franchise Opportunities for 2015 as part of our sales process throughout 2015 and beyond.”

Scott Mortier, Vice President of Business Development, Dental Fix RX

Dental Fix RX Benefits from 12 Amazing Franchise Opportunities for 2015

“As the Vice President of Business Development for Dental Fix RX, I’d like to thank Dr. John P. Hayes for the world-class exposure we have witnessed from our entry into the book, 12 Amazing Franchise Opportunities for 2015. I have been with the national, mobile dental repair franchisor since its start in 2009 and since then, there have been numerous opportunities to expand our company and earn new leads through marketing and public relations. Being included in Dr. Hayes’ book has been one of the most impressive opportunities yet with an already rapid turnover of success. In just a few short weeks following the publish date, Dental Fix RX has already signed a reputable lead who came directly from the book! Our goal in the next five years is to operate at least 500 franchises in North America and I know with assistance from 12 Amazing Franchise Opportunities for 2015, Dental Fix RX will reach if not exceed that goal.”

Robert A Spuck, Director of Franchise Development, Farm Stores Franchising, LLC

"I have been selling franchises for 40 years and the mistake most Franchisors and/or Salesman make is trying to sell a prospect with an Ad, Webmercials and especially at a Franchise Show. The object is to get names and a way to contact them. Business card, Phone# or email addresses to get back to them under comfortable circumstances and a convenient time. The prospect is adequately confused by all the other ads and good franchise salesman trying to sell them that if you can just make a friend and get a way to contact them you will be at the front of the pack. We all know how hard it is to get a prospect to fill out a form giving us contact information. We have posted a free download of "12 Amazing Franchise Opportunities" on our website and although I can't tell what directly has caused it our lead flow has been terrific. Maybe a free book is a good incentive. I don't really see any major conflicts among the others in the book. I'm busy talking to prospects, so good luck to all.

5. Cooperative Deception: Manipulation & Misrepresentation of Amazon Rankings

Dr. John Hayes' LinkedIn Profile (titled "Best Selling Author") states "I'm an Amazon #1 best selling author of several books covering business, marketing, franchising and biography."

In a promotional blog post intended to recruit participants into its publishing program, BizCom states:

"Books such as 12 Amazing Franchise Opportunities... have been Amazon best-sellers and continue to sell on a steady basis.

"...national chains such as FASTSIGNS that were featured in the book, turned their sections of the book into powerful marketing tools to promote and validate their concept. FASTSIGNS alone distributed more than 1,000 copies of their custom book and today there are more than 80 testimonials and reviews on Amazon endorsing the concept as a terrific franchise opportunity."

Is Dr. John Hayes a Best-Selling Author?

Documents posted on UnhappyFranchisee.Com reveal the system that Dr. John Hayes and BizCom use to manipulate the Amazon Marketplace ranking system to justify their claims that their books are "best-sellers."

We think this is how it works:

The first step is to get the minimum number of positive reviews so Amazon will allow a free download period. Amazon forbids authors or their family, friends, employees, associates from reviewing their own books. However, Dr. John Hayes advocates violating Amazon terms of Service. In his instructions to participants, he states:

Anyone can buy the book on the sales page, then return to the sales page to post the review (see image below).

Ask your sales team, your admin team, your support team, family, friends, franchisees, etc. to review the book....

Get people to buy the book and review it. It is against Amazon's policy to pay people to review the book, but we can ask (I often beg!) people to buy and review the book.

In the second step, Dr. John Hayes directs franchisors to use shell purchasers and shell reviewers during the review, free-giveaway and sales stages to inflate both the sales ranking of his books and to create bogus positive reviews that will add credibility to both his publications and, supposedly, the franchise opportunities.

Dr. Hayes' & BizCom's violation of Amazon rules has been, to this point, quite open and blatant. BizCom's Monica Feid and Michelle Rubin have added 5-Star reviews under their own names and Dr. John Hayes has solicited reviews from friends and associates on his Facebook feed.

Once Hayes & BizCom use deceptive methods to achieve the #1 spot in the tiny category of "Books on franchising" or "small business" – even if only for hours or days – it seems they feel justified to call the book "best-selling" despite little to no legitimate buying has occurred.

Deception is a Team Sport

Hayes and BizCom's use of deception to provide false, unearned credibility seems to be a cooperative, mutually beneficial endeavor.

As long as a lie benefits them, the participants are not inclined to object.

For example, when Dr. John Hayes claims he is a "best-selling author," participating franchise sellers can then impress franchise investors they've been endorsed by an acclaimed, best-selling business author, which enhances their credibility.

The Titus Center can then claim that it has appointed an acclaimed, best-selling author as Titus Chair and Director of its franchising program.

Co-conspirators and enablers seem have no problem pretending they don't know that, in order to be best-selling, one has to actually *sell* books, and shill comments from facebook friends, family and co-workers don't constitute "acclaim."

i

6. Third Party Endorsers of the Deceptive BizCom Program

All good scammers must create the false impression that they are honest, law-abiding and trustworthy. The best way to create that illusion is by associating with and getting the endorsement of seemingly credible and trustworthy institutions, organizations and individuals. If all these respectable people vouch for them, they must be trustworthy too, right?

Book Endorsers/Providers of Positive Review Quotes (Appear in the book)

We are actively seeking comments from those who provided praise and recommendations for Dr. Hayes based on the first edition of the book.

- William B. Cherkasky, former President, International Franchise Association
- Former Executive director, U.S. Senate Committee on small Business
- Tom Portesy, President, MFV Expositions
- Gary Goranson, Founder & CEO, Tidy Car, Workenders, Inc.
- J. Barry Watts, CEO, Wealthcare Investment Advisors
- Albert Kong, Chairman/CEO, Asiawide Franchise consultants
- Mary Ellen Sheeets, Founder, Two Men & a Truck
- Chris M. Levano, President, Quality Restaurant Consulting, Ltd.
- Mike Cheves, CEO, Hurricane Group, Inc.
- John L. Barry, President, CEO, Franchise Sales International
- Richard J. Farrell, Journalist/Columnist
- Bill Porter, Executive Vice President, Access Brand Management
- Jason Killough, CFE, Franchise Broker, The Entrepreneur Authority Franchise broker network
- Dr. Adam Savage, Executive Director, Entrepreneurs Success Center

International Franchise Association (IFA)

One of the most active and aggressive participants in this apparently deceptive scheme is FASTSIGNS CEO Catherine Monson. Catherine Monson is a Co-Chair of the IFA and recently testified in a Congress subcommittee on behalf of the IFA. Dr. John Hayes and his employer Palm Beach Atlantic University are IFA members, as are BizCom Associates, Scott weit, and Monica Feid. It's believed that many, if not most, of the 23 participating franchise companies are also IFA members. So far, the IFA has not responded to inquiries regarding this matter.

Palm Beach Atlantic University – Titus Center for Franchising

The Titus Center for Franchising is part of the Rinker School of Business at the small college in Palm Beach, FL (home of United Franchise Group). It was started with \$1.5M with an endowment from Ray Titus, head of UFG. Titus Center for Franchising has close ties with the BizCom publishing scheme as UFG is featured in both books, Dr. John Hayes is Director of the Titus Center, and both Scott White and Monica Feid of BizCom are on the Titus Center's Board of Advisors.

University of Maryland University College, Georgetown University's School of Continuing Studies, FranchiseWell.com

Dr. Ben Litalien wrote the foreword to the Second Edition. BizCom promotional materials quote Dr. Litalien's misleading description of Dr. John Hayes' process of funneling down more than 3,000 franchise opportunities to just 12. A page of the book is dedicated to Litalien's credentials, which include being a

professor at University of Maryland University College and Georgetown University's School of Continuing Studies, and as the head of a franchise consulting firm, FranchiseWell.com.

PRSA Public Relations Society of America

BizCom Associates is a public relations firm and publisher of Dr. Hayes' deceptive pay-for-play books. BizCom is a member of PRSA and appears to be in violation of the PRSA Code of Ethics. We have filed a complaint and PRSA has contacted BizCom Associates. We await an update.

AMAZON

We have contacted Amazon and filed a complaint for BizCom's and Dr. Hayes' violations of amazon policies. The main books and false book reviews are still active on the Amazon marketplace.

7. A Call for Reactions, Opinions & Suggested Remedies by the Franchise Community

So here's what we believe to be true to this point. Neither Dr. John Hayes, BizCom Associates, nor any of the participating franchisor companies have denied the allegations.

- 1) Hayes & BizCom publish an "Amazing Franchise Opportunities" book series that is marketed as expert Dr. John Hayes' objective, merit-based selection and analysis of praiseworthy franchise opportunities.
- 2) Featured franchisors promoted the false idea that their franchise opportunities were selected based on merit alone by Dr. Hayes, who had written about them in his book.
- 3) In fact, the chapters readers would assume were written *about* the franchise companies were written *by* the franchise companies. BizCom has admitted that featured franchisors provided their own chapters.
- 4) Hayes, BizCom, and 23 franchise companies failed to disclose the paid endorsement and the material relationship between them.
- 5) Dr. John Hayes, BizCom Associates and at least one franchisor (FASTSIGNS CEO and IFA co-chair Catherine Monson) deceptively manipulated Amazon sales rankings & reviews through false statements, shill purchasers and fake reviewers.

Will the IFA and other franchise leaders remain silent about this and other unethical practices by its member companies?

Despite numerous invitations to provide rebuttals, clarifications, corrections or other statements of their point-of-view, the participants at the center of this controversy have remained silent.

IFA Co-Chair and FASTSIGNS CEO Catherine Monson has not responded.

Dr. John Hayes, Titus Chair at Palm Beach Atlantic University, has not responded.

BizCom Associates co-founders Scott White and Monica Feid have not responded.

FASTSIGNS EVP of Development Mark Jameson has not responded.

Restoration 1 CEO Gary Findley has not responded.

Nick Lopez of Lime Painting has not responded.

Representatives of the other participating franchisors have not responded.

It seems that they are counting on the IFA, the FTC, and all their colleagues to turn a blind eye, to look the other way, and to allow deceptive acts and tactics made in bad faith to continue unaddressed and unadmonished.

If you would like to express your views – whether as an official representative of your organization, as an individual, or even as an anonymous commentator, please contact Sean Kelly in confidence at UnhappyFranchisee@gmail.com.

Additionally, you may participate in the online discussion by leaving comments at this or any of the other posts in the series:

<http://www.unhappyfranchisee.com/john-hayes-franchise-fraud/>

The post linked to above functions as the index for this series and contains links to posts related to this books series and to its participants.

Please feel free to contact me with questions, suggestions or concerns.

Thank you,

Sean Kelly

President, Relentless, Inc.

Publisher, UnhappyFranchisee.Com

APPENDIX A BizCom Sales Sheet
See Attached PDF


APPENDIX B John Hayes How-To Article 1

Here is an instruction sheet distributed by Dr. John Hayes to participants in 2015. He praises and implicates FASTSIGNS and Catherine Monson for breaking the Amazon rules against shill or friends of the family reviews.

How Franchisors Can Generate More Quality Franchise Sales Leads . . . With Some Help From One of the World's Largest Databases!



John Hayes added 2 new photos.

1 min ·  ▼

Thank you [Catherine Monson](#) for your review of my FASTSIGNS ebook, which has remained at #1 on the Amazon/Franchise Best Seller list for 3 days already! Really remarkable considering the best seller list is updated hourly. My books are the #1 and #3 best sellers currently, and 2 of the 3 Hot New Releases, as determined by Amazon, are also my books. It's a good day!

★★★★★ Great book! Explains why FASTSIGNS is such a great franchise opportunity!

By [Catherine Monson](#) on August 1, 2015

Format: Kindle Edition | **Verified Purchase**

Well written! Explains why the FASTSIGNS franchise is such a great opportunity. If you want to get into a great business, FASTSIGNS is the way to go!

Catherine Monson is CEO of FASTSIGNS®

Amazon Best Sellers

Our most popular products based on sales. Updated hourly.

Any Department

- Books
 - Business & Money
 - Small Business & Entrepreneurship
 - Consulting
 - Entrepreneurship
 - Franchises
 - Home Based
 - Marketing
 - New Business Enterprises
 - Nonprofit Organizations & Charities

Best Sellers in Small Business Franchise

- 1.** **LOOK INSIDE!**
FASTSIGNS BUSINESS OPPORTUNITY
as featured in 12 Amazing Franchise Opportunities for 2015
By Dr. John P. Hayes
★★★★★ (8)
Kindle Edition
\$0.99
- 2.** **LOOK INSIDE!**
Franchising For Dummies
by Michael Seid
★★★★☆ (24)
Paperback
\$14.99
86 used & new from \$1.24
- 3.** **LOOK INSIDE!**
101 Questions To Ask Before You Invest...
by Dr. John P. Hayes
★★★★★ (13)
Kindle Edition
\$2.99

More to Explore in Small Business Franchise

Hot New Releases [See More](#)

- FASTSIGNS BUSINESS OPPORTUNITY**
Kindle Edition
\$0.99
- DENTAL FIX RX BUSINESS OPPORTUNITY**
Kindle Edition
\$0.99
- MILLIONAIRE TRAINER: The LI...**
Kindle Edition
\$0.99

Most Wanted For [See Top 1](#)

- FASTSIGNS BUSINESS OPPORTUNITY**
- DENTAL FIX RX BUSINESS OPPORTUNITY**
- The Educated**

WHAT DID FASTSIGNS DO?

Literally within an hour of FASTSIGNS' marketing team learning that Amazon had posted the FASTSIGNS Business Opportunity ebook, the team went to work to solicit reviews of the book. They asked members of their Home Office Team, members of their Franchise Sales Team, and members of their Franchise Network to go to Amazon.com, purchase the ebook (purposely priced at 99 cents to attract reviewers), and review it . . . once the ebook began selling, and readers posted reviews, the title moved into the #1 position on the Amazon Best Seller list for the Small Business Franchise category. As of this writing, the title has kept that position for 3 days – that's extraordinary because the list is updated hourly!

Please note that ebooks are easily downloaded to any smart device. You do not need a Kindle Reader.

HOW DOES AMAZON'S DATABASE HELP?

A #1 Best Seller with more than just a few reviews will soon be identified by the Amazon algorithm and then Amazon will begin to help promote the book . . . keep in mind that Amazon is a gigantic database that attracts people in need of *things* – in this case, people who need information about franchise business opportunities. With Amazon's help, FASTSIGNS is going to get more than a fair share of notice!

In the near future, Amazon will promote a 3-day free giveaway for the *FASTSIGNS Business Opportunity* ebook. . . that promotion will place hundreds, and perhaps more than a thousand, copies of the ebook into the smart devices of people who are considering the purchase of a franchise opportunity.

Because of a book's credibility, books have historically out-marketed brochures, flyers, websites, free reports, etc. No one would expect a book to sell a franchise, but books generate genuine interest in franchise opportunities and produce qualified franchise sales leads.

2 August 2015

APPENDIX C John Hayes How-To Article 2

See Attached

APPENDIX D BizCom Press Release (Before expose)

See Attached PDF

APPENDIX E BizCom Blog Post (After expose)

See Attached PDF

APPENDIX F Relevant Posts on UnhappyFranchisee.Com

Index: [Dr. John Hayes' Franchise Fraud School:](#)

<http://www.unhappyfranchisee.com/john-hayes-franchise-fraud/>

Part 1: [Dr. John Hayes & His 12 Amazingly Deceptive Franchises](#)

Part 2: [6 AMAZING Franchise Deceptions of Dr. John Hayes](#)

Part 3: [FASTSIGNS CEO Catherine Monson named Valedictorian, Franchise Fraud School](#)

Part 4: [Dr. John Hayes' Book Reviews Given an "F" for Fraudulent](#)

Part 5: [FASTSIGNS Franchise Deception Seems, Well, Amazing. Comments?](#)

Part 6: [DICKEY'S BARBECUE Franchise Reveals Deceptive Pay-for-Praise Tactics](#)

Part 7: [Dr. John P. Hayes Franchise Books Pulled From Amazon](#)

Part 8: [DENTAL FIX RX Franchise Complaints](#)

Part 9: [The Amazing Franchise That Vaporized: Palm Beach Vapors](#)

Part 10: [United Franchise Group \(UFG\) Franchise Complaints](#)

Also:

[LIME PAINTING Franchise Integrity Questioned](#)

[RESTORATION 1 Franchise Deception: Gary Findley Doubles Down](#)
