

I believe that the ACCC needs to have more power to take action and quickly when it comes to breaches of the code of conduct.

██████████ of ██████████ loans and his then state manager (and franchisee) committed some of the most underhanded acts in franchising. The dreadful thing is that there is no help for people like me and they continue to commit these acts of bullying, threats and lies.

How they get away with it is so simple it is terrifying.

My case is not unusual and by no means the worse.

I in good faith bought a business that stated it had average incomes and marketing in place. All I had to do was put in as much effort as possible and it would be achievable in as little as 4 months.

I put in all my time and worked around 80 hrs week and built a business much slower than I was told. Still content to go on it did.

I then put my business on the market in the beginning of 2007 less than 12 months into it. I realized that other than the franchisees that had a direct relationship with head office I was one of the top writers for the majority of franchises. After 16 months I had built up a book that was about to generate around 12000 per year in trails.

During the sale of my business I had 2 genuine buyers interested. One was told that mine was not for sale and sold an adjoining area. The other was fobbed off.

The state manager was aware that I was selling and that I was interviewing for a loan writer as I was moving into real estate that was in august 2007. In October 2007 (the fifth which was the anniversary of my daughter being diagnosed with cancer) while settling over 1 million in loans. Mr. ██████████ and his manager ██████████ announced to the group that I had abandoned my business and was working in a competing industry and they used the excuse that I had abandoned my business.

They then terminated my franchise, with held around 10,000 in upfront commissions. Took my trail income, threatened to send people to my home and to take legal action to make sure I loose my home. Such was the severity of the threat that a complaint was lodged with the police because I was in fear of my personal safety.

When they terminated I was not sent a breach notice, I was not even given a written warning, I was not even given a verbal warning.

It seems that this man knew the system well enough to know that when he terminated if he called it a legal matter I would not be able to go to the OMA and therefore would need to go to the expense of a solicitor, he also knew that if he claimed that I had abandoned my business he was able to terminate without the normal dispute resolution process this meant that he could then keep my money that I earned. He also knew that I was the sole income

producer and that I had a husband and 2 children to support. He also knew that there is no help for franchisees. He also knew that although he is breaching the trade practices act that the ACCC has so many loops to go thru that he can continue to screw people into the ground and take their money.

After he blocked the sale of my business twice, he then took my business and sold it.

He also tells people that there is no point in taking him on as they wont win he goes thru 2 solicitors and claims to have a relationship with the ACCC that includes them checking what he does is also correct. He goes as far as claiming he has a relationship with the ACCC and that they wont help people.

He built his business on a lie by claiming that the ACCC was taking on the [REDACTED] on his behalf. This is not true and I have spoken to the [REDACTED] litigation team. He tried to assonant my character by having a PR company tell people that I worshipped the devil.

This government is condoning this type of behavior by not cracking down harder on unscrupulous franchisors.

He coerced and bullied me into signing documents that I had never seen before I could start. He still used those tactics
He tricked my husband into signing documents that he had never seen including tying him into the franchise.

The list can continue and I will submit a more detailed letter later.

Rachel Neilson