

GUIDELINES FOR FRANCHISE REGISTRATION

BEFORE THE
DEPARTMENT OF FINANCIAL
PROTECTION AND INNOVATION OF THE
STATE OF CALIFORNIA

(Under Corporations Code section 31113)

KNOW ALL MEN BY THESE PRESENTS:

That we _____, as principal,

and _____, a corporation, created, organized and existing under and

by virtue of the laws of the state of _____, as surety, are held and firmly bound unto the State of California for the use thereof, and for the use of any interested person or persons who may have a cause of action against the above-named principal of said bond under the provisions of the Law entitled “Franchise Investment Law,” of the State of California, in the aggregate sum of _____, lawful money of the United States of America, to be paid to the State of California, or to any person or persons, for the use and benefit aforesaid, for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

The condition of the above obligation is such that--

WHEREAS, The above-named principal has made application to the Commissioner of Financial Protection and Innovation of the State of California for registration of franchises under and pursuant to the Franchise Investment Law, and desires to furnish a bond under the provisions of Corporations Code section 31113 and Section 310.113.5 of Title 10, California Administrative Code in the penal sum above named, conditioned as herein set forth; and

WHEREAS, Corporations Code section 31113 requires that this bond be conditioned upon the discharge by the franchisor of its (his) obligations under the franchise contract to provide real estate, improvements, equipment, inventory, training and other items included in the offering of franchises;

NOW, THEREFORE, If the said principal and any and all agents and employees representing said principal shall faithfully conform to and abide by the provisions of the Law entitled “Franchise Investment Law,” and of all rules and regulations made by the Commissioner of Financial Protection and Innovation thereunder, and further shall pay to the State, and to such person or persons, any and all amounts which may become due or owing to the State or to such person or persons, from said principal under and by virtue of the provisions of said Law, then this obligation is to be void, otherwise to remain in full force and effect.

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This bond is subject to the following provisions:

1. That any person who sustains an injury covered by this bond, may, in addition to any other remedy that he may have, bring an action in his own name upon this bond for the recovery of any damage sustained by him.
2. That the total aggregate liability of the sureties herein for all claims which may arise under this bond shall be limited to the payment of _____.
3. That the surety or sureties may cancel this bond and be relieved of further liability hereunder by delivering thirty days' written notice to the Commissioner of Financial Protection and Innovation of the State of California; however, such cancellation shall not affect any liability incurred or accrued hereunder prior to the termination of said thirty-day period.
4. That this bond shall remain in force and effect until the surety or sureties are released from liability by said Commissioner, or until the bond is canceled by said surety or sureties.
5. That the effective date of this bond shall be _____, 20_____.

IN WITNESS WHEREOF, The seal and signature of the said principal is hereto affixed and the corporate seal and the name of said surety is hereto affixed and attested by its duly authorized officers at _____, California, this _____, day of _____, 20_____.

Principal

Surety