STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
DIVISION OF SECURITIES
1511 PONTIAC AVENUE
CRANSTON, RI 02920

IN THE MATTER OF

Weathersby Guild, Inc.
Respondent.

CONSENT ORDER MAKING
FINDINGS AND IMPOSING
REMEDIAL ACTIONS

I.

The Director ("Director") of the Rhode Island Department of Business Regulation ("Department") enters into this Consent Order Making Findings and Imposing Remedial Sanctions ("Order") under Section 18 of the Rhode Island Franchise Investment Act (the "Act"), Section 19-28.1, et seq. of the Rhode Island General Laws, with regard to the above-referenced Respondent. The Director has determined to resolve this matter, without instituting administrative proceedings, by accepting Respondent's executed Offer of Settlement, attached hereto as Exhibit A, and entering this Order making findings and imposing the remedial sanctions set forth below.

II.

On the basis of this Order and Offer, the Director finds that:

1. Respondent Weathersby Guild, Inc. ("Respondent Weathersby Guild"), a
Georgia corporation, is a franchisor with a principal place of business at 403 Cimarron Park, Peachtree City, GA 30269.

2. On January 13, 2015, Weathersby Guild, Inc. entered into a franchise agreement with a Rhode Island resident with a primary address of 84 Pine Tree Circle, North Kingstown, Rhode Island, 02852.

3. At the time of the offer and agreement, Respondent Weathersby Guild, Inc. was neither registered nor exempt from registration, in violation of §19-28.1-5 of the Act.

III

Based on the foregoing, the Director determines that the entry of this Order is in the public interest, appropriate for the protection of franchisees and consistent with the purposes intended by the policy and provisions of the Rhode Island Franchise Investment Act.

Accordingly, IT IS HEREBY ORDERED that:

1. Respondent Weathersby Guild, Inc. shall immediately cease and desist from violating the provisions of the Act.

2. Respondent Weathersby Guild, Inc. will complete an initial franchise application in compliance with §19.28.1-9 of the Act. The registration will be effective upon execution of this agreement.
3. Respondent Weathersby Guild, Inc. shall provide a written offer of rescission to the franchisee who purchased the franchise pursuant to the unregistered offering, and provide to the Department copies of the offer and of the Franchisee’s written response thereto, no later than 45 days after the effective date of this Consent Order.

4. Respondent Weathersby Guild, Inc., shall pay to the Department an administrative penalty in the amount of One Thousand Five Hundred Dollars ($1,500.00) due upon the Respondent’s consent of the entry of this Consent Order.

Dated as of the 29th day of June, 2015.
ORDER NO. 15-28

Macky McCleary, Director
Department of Business Regulation

THIS CONSENT ORDER CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO RHODE ISLAND GENERAL LAWS §42-35-1 ET SEQ. AS SUCH, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MAY BE COMPLETED BY FILING A PETITION FOR REVIEW IN SAID COURT. HOWEVER, RESPONDENT UNDERSTANDS THAT BY WAIVING HIS RIGHT TO A COMPLETE HEARING AND AGREEING TO THIS CONSENT ORDER, THE ABOVE RIGHTS ARE WAIVED AND IF ANY TERMS OF THIS CONSENT ORDER ARE VIOLATED, RESPONDENT IS SUBJECT TO ANY APPLICABLE ENFORCEMENT REMEDIES UNDER THE ACT.
The above-named Respondent submits this Offer of Settlement ("Offer") consenting to entry of a Consent Order Making Certain Findings and Imposing Remedial Sanctions ("Order"), to the Director of the Rhode Island Department of Business Regulation ("Director") with respect to the matters set forth in the Order.

Respondent submits this Offer for the purposes of settlement only with the express understanding that this does not constitute an admission of guilt or wrongdoing.

Respondent hereby waives all rights to a hearing, further administrative proceedings and/or judicial review with respect to entry of the Order.

Respondent understands that a failure to comply with the terms of the Order is a violation of law and will cause the Director to take appropriate regulatory action.

Respondent represents that the undersigned is duly authorized to enter into this Offer of Settlement on behalf of Respondent.

Respectfully submitted this 11th day of June, 2015

By: [Signature] Kent Weathersby, President