

STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
SECURITIES DIVISION

IN THE MATTER OF DETERMINING
Whether there has been a violation
of the Franchise Investment Protection Act of
Washington by:

Order Number S-07-143-07-CO01

CONSENT ORDER

The Blind Guy, Inc.,

Respondent.

INTRODUCTION

Pursuant to the Franchise Investment Protection Act of Washington, RCW 19.100, the Securities Division of the Department of Financial Institutions (Securities Division) and Respondent, The Blind Guy, Inc., do hereby enter into this Consent Order in settlement of the matters alleged herein. Respondent neither admits nor denies the Findings of Fact and Conclusions of Law as set forth below.

FINDINGS OF FACT

I.

Respondent

The Blind Guy, Inc., doing business under the name The Blind Guy Custom Window Coverings, is an Idaho Corporation with a principal business address of 3615 Covington, Post Falls, Idaho 83854.

II.

Nature of the Offering

The Blind Guy, Inc. is the seller of an opportunity to operate businesses for the mobile sale, installation and service of custom window coverings, awnings and lighting controls. Purchasers of the opportunity are provided with training as well as operations manuals and ancillary materials containing techniques, curricula, lessons and methods to provide such installations and service and are entitled to ongoing assistance and advice relating to operation of the business. Purchasers of the opportunity are obligated to pay an initial fee

CONSENT ORDER

1

DEPARTMENT OF FINANCIAL INSTITUTIONS
Securities Division
PO Box 9033
Olympia, WA 98507-9033
360-902-8760

The Blind Guy, Inc.

1 determined by market area population of the geographical territory granted and are further obligated to pay a
2 royalty based upon gross sales. Purchasers are entitled to use the marks and associated trade names, trademarks,
3 service marks, logos and other commercial symbols associated with The Blind Guy, Inc.

4 III.

5 Registration Status

6 On December 14, 2006, The Blind Guy, Inc. filed or caused to be filed with the Securities Division an
7 initial application to register its opportunity in Washington (Franchise Registration Application File No.
8 70013650) pursuant to Washington's Franchise Investment Protection Act. It was subsequently determined
9 from filed materials that The Blind Guy, Inc. had offered and sold its opportunity to two Washington residents
10 for operation within the state of Washington prior to the date of application.

11 IV.

12 The Blind Guy, Inc. is not currently and has not previously been registered to offer or sell franchises in the state
13 of Washington.

14 Based upon the above Findings of Fact, the following Conclusions of Law are made:

15 CONCLUSIONS OF LAW

16 I.

17 The offer and/or sale of the opportunity described above constitutes the offer and/or sale of a franchise
18 as defined in RCW 19.100.010(16) and RCW 19.100.010(4).

19 II.

20 The offer and/or sale of the above-described franchise was in violation of RCW 19.100.020, the
21 registration requirement provision of the Franchise Investment Protection Act, because no registration for offers
22 and/or sales is or has been effective with the Securities Division.
23

1 CONSENT ORDER

2 Based upon the foregoing and finding it in the public interest:

3 IT IS AGREED AND ORDERED that Respondent and its employees and agents each shall cease and desist
4 from the offer and/or sale of franchises in the State of Washington in violation of RCW19.100.020, the registration
5 requirement provision of the Franchise Investment Protection Act.

6 IT IS FURTHER AGREED that Respondent shall disclose the existence and contents of this Order in any
7 franchise registration disclosure document approved for use in the State of Washington, such requirement commencing
8 from the date of entry of this Order.

9 IT IS FURTHER AGREED that Respondent shall inform all employees and agents who offer franchises in
10 the State of Washington of the existence and contents of this Order for a period of three years from the date of entry of
11 this Order.

12 IT IS FURTHER AGREED that Respondent and/or its agents and employees shall inform the
13 current Washington franchisees of this Order by providing the franchisees with a copy of this Order and
14 a UFOC disclosure document authorized to be sent by the Securities Division disclosing the existence
15 and contents of the Order. Respondent shall provide to the Securities Division within 60 days of the
16 date of entry of this Order proof of receipt or proof of delivery to those franchisees.

17 IT IS FURTHER AGREED that Respondent shall reimburse the Securities Division \$500 for its costs of
18 investigation payable prior to the Securities Division's entry of this Order.

19 IT IS FURTHER AGREED that this Order shall remain in force and effect for a period of three years from
20 the date of entry of this Order.

21 IT IS FURTHER AGREED that Respondent waives its rights to a hearing or judicial review of this matter.

22 IT IS FURTHER AGREED that the Securities Division has jurisdiction to enter this Order.

1 The Blind Guy, Inc. by:

2 _____ Jamey Simkins /s/ _____
3 (Signature)

4 _____ Jamey Simkins CEO _____ Signed this 21 day of May, 2007.
5 (Print Name and Title)

6 This Order signed and entered by the Securities Division this 31st day of May, 2007.

7 By:

8 

9 _____
10 Michael E. Stevenson
11 Securities Administrator

12 Approved for entry by:

13 

14 _____
15 Martin Cordell
16 Chief of Enforcement

17 

18 _____
19 Brad Ferber
20 Financial Legal Examiner

21
22
23
24
25 CONSENT ORDER

4

DEPARTMENT OF FINANCIAL INSTITUTIONS
Securities Division
PO Box 9033
Olympia, WA 98507-9033
360-902-8760

26 The Blind Guy, Inc.

27