



TRAINING TIP OF THE WEEK

USE CAUTION WHEN SENDING AUTOMATED TEXTS

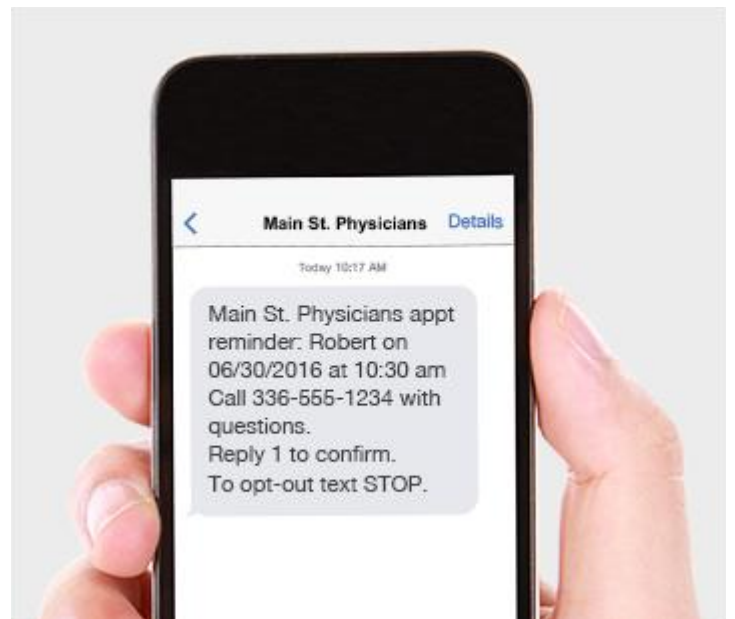
If automated text messaging is part of your marketing strategy, you could be setting yourself up as a tempting target for plaintiff's lawyers.

A growing number of class action lawsuits are claiming that automated text messages fall under the restrictions imposed by the Telephone Consumer Protection Act, a 1991 law that was enacted to curb unsolicited sales calls.

In the class action lawsuits, lawyers say the marketing texts, if they're sent using auto-dialing technology, fall under the TCPA restriction.

NAR General Counsel Katie Johnson says you should take the threat posed by these lawsuits seriously. "Because the TCPA defines auto-dialing equipment broadly, it's likely that your marketing text messages will fall under the TCPA," she says.

Johnson recommends you get upfront written consent from anyone you send marketing texts to. The issue is covered in the latest *Voice for Real Estate News* video from NAR.



In January, a "TIP" was published specifying rules regarding the Do Not Call Registry. [CLICK HERE](#) to look back on how REALTORS® can protect themselves from potential violations.

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