

## **REALTORS® HANG UP THE PHONE!**

### **The Federal and State Laws limiting telemarketing apply to REALTORS®.**

The legal advice from SCAR is to immediately cease making any phone calls soliciting your services.

Violating this advice is at your own risk!

Fines can be as high as \$11,000.00 per call. Additionally, you can be sued by the recipient of your call.

The FCC has publicly stated their intention to make national examples of violators. Translation: \$11,000 fine and your name in the news.

The American people have spoken loudly and clearly that telemarketing is to be banned.

The federal government, state governments, and the courts will enforce a telemarketing ban despite maneuvers by the Telemarketing Association's lawyers.

REALTORS® are not part of the problem, but we are a part of the solution. The solution is that non-requested solicitation calls are banned.

NAR lawyers have stated that there is no way for a company to insulate itself from agents making telemarketing calls. Therefore, brief your independently contracted agents and employees to cease telemarketing immediately.

NAR lawyers are actively seeking REALTOR® exemptions specific to calling expired listings and FSBO's. FCC does not currently allow such calls.

Do not call expired listings or FSBO's on the registries.

You can visit or mail or email expired listings and FSBO's.

The laws banning soliciting via fax remain in place.

There are some ways to attempt to minimize your risk but do not guarantee immunity from fines.

If you create an office policy, train your people on all the states and federal laws, monitor their compliance, maintain documentation, have permission sheets signed, and check the national and company do not call registries; you might not be fined for accidentally calling numbers on the list.

You can document and respond to inquiries to numbers on the registries for 90 days. Inquiries can be made to you via phone, fax, mail, email, website, advertising, or in person.

You can document and respond to former clients and customers for 18 months after their closing.

You can document and respond to anyone who has given you signed permission to call them. No time limit.

You can call any number not on the registries.

You can call any commercial numbers.

Immediately cease calling if requested.