

## | 10 steps toward TCPA-compliant leads

Navigating the intricate landscape of TCPA compliance can be daunting for lead generators who must comply with evolving regulations while optimizing their conversion rates. To assist in this crucial endeavor, ActiveProspect has meticulously developed a recommended compliance checklist, specifically tailored for those generating leads. This checklist offers a roadmap through ten pivotal steps designed to maintain TCPA compliance effectively.

Whether you're just starting out or looking to refine your processes, following these guidelines will help safeguard your operations against potential legal challenges.

- ❑ **Marketing purposes:** Disclosure language *specifies* that this outreach is for marketing/commercial purposes.
- ❑ **Placement:** Disclosure is shown *above* the name(s) of the provider(s) for which you are obtaining consent, *above* the CTA submit button, and on the *same* page where the consumer is entering their phone number. However, if only *one name* is listed, it can be placed within the disclosure.
- ❑ **Buying power:** Disclosure states that consent is *not* required to obtain any good/service/credit. A phone number is *provided*, which the consumer can call to obtain the good/service/credit without having to submit the form.
- ❑ **E-Sign:** Disclosure includes language referencing that an e-signature is being provided as proof of "written consent."
- ❑ **Communication methods:** Disclosure clearly states *all* communication methods that may occur (calls, texts) and any *regulated technologies* that may be used during (AI, automated telephone dialing system (ATDS), pre-recorded/artificial voice messages).
- ❑ **Selection:** Disclosure allows the consumer to *individually select* which good/service/credit providers, from a reasonable number of providers, from which they wish to be contacted. A small "select all" option *can* be provided but must *not* be forced on or be pre-selected for the consumer. Also, a *single name* can be placed within the disclosure.
- ❑ **Third-Party:** Disclosure states that the selected provider(s) *may use* third parties to call on the provider's behalf.
- ❑ **CTA match:** The language in the CTA is also stated in the disclosure. If your CTA says "Select and Submit," "Select and Submit" *must be present* in the disclosure as well.
- ❑ **Documentation:** Add *TrustedForm consent tags* to your form, and implement [TrustedForm Certify](#) to record your lead-generated events and issue certificates that you or your buyers can store as evidence.
- ❑ **Collaborative compliance:** Work with legal and privacy teams for a *final* compliance review.